

State of Iowa  
1959

# ACTS AND JOINT RESOLUTIONS

PASSED AT THE

**REGULAR SESSION**

OF THE

**Fifty-eighth General Assembly**

OF THE

**STATE OF IOWA**



**CHARLES W. BARLOW**  
CODE EDITOR

**WAYNE A. FAUPEL**  
DEPUTY CODE EDITOR

---

Published by the  
STATE OF IOWA  
Des Moines



# CERTIFICATE

STATE OF IOWA  
Office of Code Editor

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



June, 1959.

Section 622.59 of the 1958 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-eighth 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.....	xxiii
Appropriations .....	1
General Laws (Temporary) .....	93
General Laws (Permanent) .....	95
Special and Legalizing Acts.....	497
Joint Resolutions .....	549
Rules of Civil Procedure.....	563
Tables .....	565

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-eighth General Assembly in accordance with the requirements of Code section 14.10(3), 1958 Code of Iowa.

### OFFICERS, COMMISSIONS AND BOARDS

(Complete to time of publication)

#### ELECTIVE OFFICERS

(Terms ending December 31, 1960)

Name and Office	County from which originally chosen
<b>GOVERNOR</b>	
Herschel C. Loveless.....	Wapello
Robert H. Johnson, Executive Secretary.....	Johnson
<b>LIEUTENANT GOVERNOR</b>	
Edward J. McManus.....	Lee
Maxine Hanes, Secretary.....	Polk
<b>SECRETARY OF STATE</b>	
Melvin D. Synhorst.....	Sioux
James R. Locke, Deputy.....	Tama
<b>AUDITOR OF STATE</b>	
Chet B. Akers.....	Wapello
Edward Kallemyrn, Deputy.....	Polk
<b>TREASURER OF STATE</b>	
M. L. Abrahamson.....	Boone
Charles Dayton, Deputy.....	Washington
<b>SECRETARY OF AGRICULTURE</b>	
Clyde Spry.....	Woodbury
Loyd Van Patten, Deputy.....	Warren
<b>ATTORNEY GENERAL</b>	
Norman A. Erbe.....	Boone
Oscar Strauss, First Assistant.....	Polk
Leonard C. Abels, Assistant.....	Polk
Frank D. Bianco, Assistant.....	Polk
Freeman H. Forrest, Assistant.....	Polk
C. J. Lyman, Assistant.....	Story
James H. Gritton, Assistant.....	Polk
Hugh Faulkner, Assistant.....	Mahaska
Carl H. Pesch, Assistant.....	Polk
Richard Brinkman, Assistant.....	Woodbury
Theodor Rehmann, Assistant.....	Polk
<b>COMMERCE COMMISSION</b>	
Harold E. Hughes.....	Ida
Bernard J. Martin.....	Polk
Ray H. Thompson.....	Jasper
George McCaughan, Secretary of Commission.....	Cass
Conrad A. Amend, Commerce Counsel.....	Polk

## STATE OFFICERS—Continued

## APPOINTIVE OFFICERS

Name and Office	City or town from which originally chosen	Term Ending
<b>ACCOUNTANCY BOARD</b>		
Donald R. Denman, C.P.A.	Des Moines	June 30, 1962
George H. Hansen	Davenport	June 30, 1960
Willard J. Hunzelman	Storm Lake	June 30, 1961
<b>ADJUTANT GENERAL</b>		
Major General Fred C. Tandy	Des Moines	June 30, 1963
Col. Donald B. Johnson, Assistant	Des Moines	
<b>ADVISORY INVESTMENT BOARD</b> (Iowa Public Employees Retirement System)		
William F. Poorman	Des Moines	June 30, 1965
George Foerstner	Amana	June 30, 1963
Dale K. De Koster	Waterloo	June 30, 1961
<b>AERONAUTICS COMMISSION</b>		
R. K. Belt	Red Oak	June 30, 1961
George Bryant	Emmetsburg	June 30, 1961
Albert H. Detje	Traer	June 30, 1963
Jack Snodgrass	Waterloo	June 30, 1963
Roy C. Smith	Davenport	June 30, 1965
<b>APPEAL BOARD</b> (Education, Control and Fair Board Contracts)		
Glenn D. Sarsfield, Comptroller, Chairman		
No other appointments of record		
<b>APPEAL BOARD</b> (Public Contracts and Bonds)		
Chet B. Akers	Auditor of State	
M. L. Abrahamson	Treasurer of State	
Glenn D. Sarsfield	Comptroller	
<b>ARCHITECTURAL EXAMINERS</b>		
J. Woolson Brooks	Des Moines	June 30, 1962
Gerald Griffith	Des Moines	June 30, 1962
Ozward Thorson	Waterloo	June 30, 1962
William Parish	Davenport	June 30, 1961
Amos Emery	Des Moines	June 30, 1961
<b>ARMORY BOARD</b> (Appointed by Armory Advisory Council)		
Fred C. Tandy, Adjutant General	Des Moines	June 30, 1960
Brig. Gen. O. P. Bennett, retired	Des Moines	June 30, 1960
Brig. Gen. Carlton K. Smith, retired	Cedar Rapids	June 30, 1960
Vacancy		
Vacancy		
<b>BANKING BOARD</b>		
Joe H. Gronstal, Superintendent, Chairman	Carroll	June 30, 1961
J. Yvo Floerchinger	DeWitt	June 30, 1961
E. Walter Nun	Ute	June 30, 1961
J. H. Puliman	Sidney	June 30, 1961
W. P. Ronan	Decorah	June 30, 1961
H. R. Jackson, Deputy	Des Moines	

## STATE OFFICERS—Continued

Name and Office	City or town from which originally chosen	Term Ending
<b>BASIC SCIENCE</b>		
Rev. Warren E. Nye.....	Dubuque .....	June 30, 1965
George M. Robertson.....	Grinnell .....	June 30, 1965
Chester H. Werkman.....	Ames .....	June 30, 1961
Dr. Leland P. Johnson.....	Des Moines .....	June 30, 1961
Elmer W. Hertel.....	Waverly .....	June 30, 1963
John P. Hummel.....	Iowa City .....	June 30, 1963
<b>CAR DISPATCHER</b>		
Robert J. Hassett, Sr.....	Des Moines	At the pleasure of the Executive Council
<b>CLERK OF SUPREME COURT</b>		
Helen Lyman .....	Des Moines	Dec. 31, 1962
<b>CODE EDITOR</b>		
Charles W. Barlow.....	Mason City .....	Dec. 31, 1962
Wayne A. Faupel, Deputy.....	Clear Lake .....	Dec. 31, 1962
<b>COMMISSION FOR THE BLIND</b>		
Donald W. Overbeay.....	Vinton .....	Ex-officio
Dorothy B. Kirsner.....	Des Moines .....	June 30, 1961
William C. Hahle .....	Sumner .....	June 30, 1960
Kenneth Jernigan, Director.....	Des Moines	
<b>COMPTROLLER</b>		
Glenn D. Sarsfield.....	Des Moines	At the pleasure of the Governor
<b>CONSERVATION COMMISSION</b>		
Earl Jarvis .....	Wilton Junction .....	June 30, 1965
Sherry R. Fisher.....	Des Moines .....	June 30, 1965
Clyde Frudden .....	Greene .....	June 30, 1963
George Meyer .....	Elkader .....	June 30, 1963
Dr. Albert N. Humiston.....	Cedar Rapids .....	June 30, 1963
Mrs. Helen Crabb.....	Jamaica .....	June 30, 1961
George Jeck .....	Spirit Lake .....	June 30, 1961
<b>BOARD OF CONTROL</b>		
John R. Hansen.....	Manning .....	June 30, 1963
George W. Callenius.....	Granville .....	June 30, 1961
Jim O. Henry.....	Carson .....	June 30, 1965
Mrs. Esther Wright, Secretary.....	Des Moines	
<b>EMPLOYMENT AGENCY COMMISSION</b>		
Melvin D. Synhorst.....	Secretary of State	
Earl R. Jones.....	Industrial Commissioner	
Don W. Lowe.....	Labor Commissioner	
<b>EMPLOYMENT SECURITY COMMISSION</b>		
Walter W. Moeller.....	Bettendorf .....	June 30, 1965
Henry E. Carter.....	Burlington .....	June 30, 1963
Kenneth E. Madigan.....	Council Bluffs .....	June 30, 1961
M. L. Abrahamson.....	Treasurer of State.....	Ex-officio
<b>ENGINEERING EXAMINERS</b>		
Ralph H. Wallace.....	Mason City .....	June 30, 1963
Marvin O. Kruse.....	Spencer .....	June 30, 1963
L. M. Clauson.....	Ames .....	June 30, 1963
Joseph M. Dean.....	Des Moines .....	June 30, 1961
Chesley J. Posey.....	Iowa City .....	June 30, 1961
W. Grant Cunningham, Secretary.....	Des Moines	

## STATE OFFICERS—Continued

Name and Office	City or town from which originally chosen	Term Ending
<b>EXECUTIVE COUNCIL</b>		
Herschel C. Loveless, Governor.....	Ottumwa .....	January, 1961
Melvin D. Synhorst, Secretary of State.....	Orange City .....	Dec. 31, 1960
Chet B. Akers, Auditor of State.....	Ottumwa .....	Dec. 31, 1960
M. L. Abrahamson, Treasurer of State.....	Boone .....	Dec. 31, 1960
Clyde Spry, Secretary of Agriculture.....	Bronson .....	Dec. 31, 1960
W. Grant Cunningham, Secretary.....	Des Moines .....	
<b>FAIR BOARD</b>		
W. J. Campbell, President.....	Jesup .....	
Lyle R. Higgins, Vice-President.....	Harlan .....	
L. B. Cunningham, Secretary.....	Des Moines .....	
William J. Hitz, Member.....	Polk City .....	
Ex-Officio Members:		
Herschel C. Loveless, Governor		
Clyde Spry, Secretary of Agriculture		
J. H. Hilton, President, University of Science and Technology		
<b>GEOLOGICAL BOARD</b>		
Herschel C. Loveless, Governor		
Chet B. Akers, Auditor of State		
Virgil M. Hancher, President, State University of Iowa		
J. H. Hilton, President, University of Science and Technology		
P. S. Helmick, President, Iowa Academy of Science, Drake University		
<b>GEOLOGIST</b>		
Dr. H. Garland Hershey.....	Iowa City .....	At the pleasure of the Geological Board
<b>BOARD OF HEALTH</b>		
Ex-Officio Members:		
Herschel C. Loveless, Governor		
Melvin D. Synhorst, Secretary of State		
Chet B. Akers, Auditor of State		
M. L. Abrahamson, Treasurer of State		
Clyde Spry, Secretary of Agriculture		
Members:		
Dr. Donald C. Conzett.....	Dubuque .....	January, 1961
Dr. Franklin H. Topp.....	Iowa City .....	January, 1961
John D. Caulfield, M.D.....	New Hampton .....	January, 1961
Sidney L. Sands, M.D.....	Des Moines .....	January, 1961
Ruth Wolcott, M.D. (Mrs. Otto Fisher).....	Spirit Lake .....	January, 1961
Commissioner of Health:		
Edmund G. Zimmerer, M.D.....	Des Moines .....	June 30, 1961
<b>PRACTICE ACT EXAMINING BOARDS</b>		
<i>Barber Examiners</i>		
Aldin E. Morehouse.....	Cedar Rapids .....	June 30, 1961
Clarence E. Wright.....	Sioux City .....	June 30, 1960
Gerald Mason .....	Fort Dodge .....	June 30, 1962
<i>Chiropody Examiners</i>		
Dr. C. T. Howard.....	Boone .....	June 30, 1961
Dr. Claude Reinheimer .....	Newton .....	June 30, 1960
Dr. V. E. Wicks.....	Mason City .....	June 30, 1962
<i>Chiropractic Examiners</i>		
Dr. H. T. Opsahl.....	Decorah .....	June 30, 1960
Dr. Geo. T. Lammers.....	Iowa Falls .....	June 30, 1961
Richard W. Navratil.....	Cedar Rapids .....	June 30, 1962



## STATE OFFICERS—Continued

Name and Office	City or town from which originally chosen	Term Ending
<i>Cosmetology Examiners</i>		
Mrs. Margaret Belson.....	Sioux City .....	June 30, 1961
Inga Jepson .....	Clinton .....	June 30, 1959
Mrs. Catherine Murray .....	Chariton .....	June 30, 1960
<i>Dental Examiners</i>		
A. M. Idema, D.D.S.....	Sheldon .....	June 30, 1964
Dr. P. T. Williams.....	Atlantic .....	June 30, 1960
Dr. R. F. Rabe.....	Des Moines .....	June 30, 1961
Dr. A. E. Meswarb.....	Cedar Falls .....	June 30, 1962
Dr. Philip A. Hahn.....	Burlington .....	June 30, 1963
<i>Embalmer Examiners</i>		
Joseph M. Conley.....	Des Moines .....	June 30, 1962
Cecil Goettsch .....	Monticello .....	June 30, 1960
Ralph Lightle .....	Ruthven .....	June 30, 1961
<i>Medical Examiners</i>		
Dr. J. W. Billingsley.....	Newton .....	June 30, 1964
Dr. George H. Scanlon.....	Iowa City .....	June 30, 1960
Dr. Frank R. Peterson.....	Cedar Rapids .....	June 30, 1961
Dr. Everett M. George.....	Des Moines .....	June 30, 1962
Dr. H. E. Farnsworth.....	Storm Lake .....	June 30, 1963
<i>Nurse Examiners</i>		
E. Frances Stoney.....	Burlington .....	June 30, 1963
Hazel M. Buhrman.....	Knoxville .....	June 30, 1962
Sister Mary Immaculata (Lamey).....	Dubuque .....	June 30, 1961
Lois Bailey Thomas, R.N.....	Marshalltown .....	June 30, 1960
Sister Mary Clarella (Laverdiere).....	Carroll .....	June 30, 1964
<i>Optometry Examiners</i>		
Dr. James C. Manville.....	Cedar Rapids .....	June 30, 1960
Richard C. Schiller, O.D.....	Marshalltown .....	June 30, 1961
John Martin, O.D.....	Carroll .....	June 30, 1962
<i>Osteopathic Examiners</i>		
Dr. W. S. Edmund.....	Red Oak .....	June 30, 1960
Dr. Lydia Jordan.....	Davenport .....	June 30, 1961
R. B. Anderson, D.O.....	Sioux City .....	June 30, 1962
<i>Iowa Hospital and other Health Facilities Advisory Council</i>		
Merril E. Hunt.....	Des Moines .....	June 30, 1960
Mrs. Jay Tone, Jr.....	Des Moines .....	June 30, 1960
James Anderson .....	Fort Dodge .....	June 30, 1960
Dr. C. N. Hyatt.....	Humeston .....	June 30, 1960
Phyllis Kocur .....	Des Moines .....	June 30, 1961
Mrs. Alixe Nuzum.....	Des Moines .....	June 30, 1961
Dr. G. H. Ashline.....	Keokuk .....	June 30, 1961
B. D. Fickess.....	Nevada .....	June 30, 1961
Leon A. Bondi.....	Davenport .....	June 30, 1962
Wendell L. Downing, M.D.....	LeMars .....	June 30, 1962
Marjorie Field (Mrs. Burton).....	Waterloo .....	June 30, 1962
Mrs. Evelyn Eng, R.N.....	Des Moines .....	June 30, 1962
Dr. R. N. Larimer.....	Sioux City .....	June 30, 1959
Dr. Floyd Pillars.....	Des Moines .....	June 30, 1959
Louis B. Blair.....	Cedar Rapids .....	June 30, 1959
Mrs. James Henderson.....	Waterloo .....	June 30, 1959
Dr. H. B. Willard.....	Davenport .....	June 30, 1959

## STATE OFFICERS—Continued

Name and Office	City or town from which originally chosen	Term Ending
<b>HIGHWAY COMMISSION</b>		
Robert L. Brice.....	Waterloo	June 30, 1961
Harold J. Teachout.....	Shenandoah	June 30, 1961
William H. Nicholas.....	Clear Lake	June 30, 1963
Jo S. Stong.....	Keosauqua	June 30, 1963
Harry J. Bradley, Jr.....	Des Moines	Interim
John Butter, Chief Engineer.....	Ames	
<b>HISTORY AND ARCHIVES DEPARTMENT</b>		
Jack W. Musgrove, Acting Curator.....	Des Moines	
Fleming Fraker, Assistant Editor, Annals.....	Des Moines	
<b>HISTORICAL SOCIETY</b>		
Jesse E. Marshall.....	Sioux City	June, 1960
F. V. Maytum, D.D.S.....	Spirit Lake	June, 1960
W. W. Waymack.....	Adel	June, 1960
Martha Brunk.....	Des Moines	June, 1960
Dale Ahern.....	Decorah	June, 1960
Eugene Garbee.....	Fayette	June, 1960
Otha Wearin.....	Hastings	June, 1960
William D. Houlette.....	Des Moines	June, 1960
Ruth Hollingshead.....	Albia	June, 1960
<b>INDUSTRIAL COMMISSIONER</b>		
Earl R. Jones.....	Oskaloosa	June 30, 1961
Charles H. Greenley, Deputy.....	Grimes	
Warren L. Huebner, Deputy.....	Des Moines	
Harry W. Dahl, Deputy.....	Des Moines	
<b>INSURANCE COMMISSIONER</b>		
William E. Timmons.....	Dubuque	June 30, 1963
Samuel C. Orebaugh, First Deputy.....	Des Moines	
Donald Harlow, Second Deputy.....	Des Moines	
<b>IOWA DEVELOPMENT COMMISSION</b>		
L. P. Boudreaux.....	Cedar Rapids	June 30, 1962
Kenneth Robinson.....	Bayard	June 30, 1962
J. Francis Kennedy.....	New Hampton	June 30, 1961
Hans Morgan.....	Clarinda	June 30, 1960
Clyde Hendrix.....	Clinton	June 30, 1960
T. Joe Smith.....	Council Bluffs	June 30, 1963
Carter Dennis.....	Sioux City	June 30, 1963
Ed B. Storey, Director.....	Des Moines	
Two members of each house of the 58th G. A. to hold office until the convening of the next G. A.:		
Sen. George E. O'Malley	Rep. Willard M. Freed	
Sen. Carroll F. McCurdy	Rep. Raymond Eveland	
<b>JUDICIAL STATISTICIAN</b>		
Clarence A. Kading.....	Knoxville	At the pleasure of the Supreme Court
<b>LABOR COMMISSIONER</b>		
Don W. Lowe.....	Des Moines	June 30, 1961
<b>LAW EXAMINERS</b>		
Norman A. Erbe, Attorney General.....	Chairman	
Lowell C. Kindig.....	Sioux City	June 30, 1960
Homer S. Stephens.....	Clarinda	June 30, 1960
Phillip H. Cless.....	Des Moines	June 30, 1960
E. Marshall Thomas.....	Dubuque	June 30, 1961
David M. Elderkin.....	Cedar Rapids	June 30, 1961

## STATE OFFICERS—Continued

Name and Office	City or town from which originally chosen	Term Ending
<b>LIBRARY BOARD OF TRUSTEES</b>		
Herschel C. Loveless, Governor		
T. G. Garfield, Supreme Court Justice		
J. C. Wright, Superintendent of Public Instruction		
Librarian—Law:		
Geraldine Dunham (Acting)	Des Moines	
Librarian—Traveling:		
Ernestine Grafton	Des Moines	
Librarian—Medical:		
Dr. Jeanette Dean Throckmorton	Des Moines	
<b>LIBRARY</b>		
(Board of Trustees of State Traveling)		
Russell Schaal	Belmond	June 30, 1963
Mrs. A. S. Wendel	Bronson	June 30, 1960
Mrs. H. L. Witmer	Tipton	June 30, 1961
Clifford S. Thomas	Knoxville	June 30, 1962
Frank Milligan	Jefferson	June 30, 1964
<b>LIQUOR COMMISSION</b>		
Gerald W. Smith	Creston	June 30, 1961
C. J. Burris	Maquoketa	June 30, 1963
Homer R. Adcock	Des Moines	June 30, 1965
H. E. Atwell, Secretary		
<b>MERIT SYSTEM COUNCIL</b>		
Ralph E. Kittinger	Des Moines	Dec. 31, 1960
Ray R. Fisher, Jr.	Davenport	Dec. 31, 1959
Helen Irwin		
<b>MINE INSPECTOR</b>		
W. Dean Aubrey	Ottumwa	June 30, 1963
<b>NATURAL RESOURCES COUNCIL</b>		
Stanley R. Haynes	Mason City	June 30, 1965
George B. Hartman	Ames	June 30, 1965
L. Guy Young	Bedford	June 30, 1965
J. R. Downing	Indianola	June 30, 1963
Clyde B. Hightshoe	Ottumwa	June 30, 1963
Louis P. Culver	Dunlap	June 30, 1963
J. Justin Rogers	Spirit Lake	June 30, 1961
Dr. H. Garland Hershey	Iowa City	June 30, 1961
Dean F. M. Dawson	Iowa City	June 30, 1961
Othie R. McMurry, Director		
<b>PAROLE BOARD</b>		
Harold L. Martin	Hamburg	June 30, 1965
Arnold Utzig	Dubuque	June 30, 1963
Laurence Boothby	Cleghorn	June 30, 1961
R. W. Bobzin, Secretary		
<b>PERMIT BOARD</b>		
Melvin D. Synhorst, Secretary of State		
Chet B. Akers, Auditor of State		
Leon N. Miller, State Tax Commission		
<b>PHARMACY EXAMINERS</b>		
Wilbert J. Boortz	Council Bluffs	June 30, 1961
Albert L. Offerman	Davenport	June 30, 1960
Oscar E. Johnson	Kanawha	June 30, 1962
J. R. Rabe, Secretary		

## STATE OFFICERS—Continued

Name and Office	City or town from which originally chosen	Term Ending
<b>PRINTING BOARD</b>		
Melvin D. Synhorst, Secretary of State.....		Ex-officio
Chet B. Akers, Auditor of State.....		Ex-officio
Norman A. Erbe, Attorney General.....		Ex-officio
John Dunlevy.....	Avoca.....	June 30, 1961
Victor D. Gallo.....	Strawberry Point.....	June 30, 1960
S. E. Tennant, Superintendent.....	Colfax.....	
Carl Ball, Assistant Superintendent.....	Mystic.....	
<b>BOARD OF PUBLIC INSTRUCTION</b>		
Robert D. Wells (1st District).....	Davenport.....	Jan. 2, 1962
G. W. Hunt (2nd District).....	Guttenberg.....	Jan. 2, 1962
Harry Reed (3rd District).....	Waterloo.....	Jan. 2, 1964
Sterling Martin (4th District).....	Melrose.....	Jan. 2, 1964
Roy A. Sweet (5th District).....	Story City.....	Jan. 2, 1960
John A. Hanna (6th District).....	Webster City.....	Jan. 2, 1962
Mrs. Paul Scott (7th District).....	Farragut.....	Jan. 2, 1960
Lester C. Ary (8th District).....	Cherokee.....	Jan. 2, 1964
Mrs. Martin Van Oosterhout.....	Orange City.....	Jan. 2, 1960
Member at large, appointed by governor, new appointment is:		
Mrs. Otha D. Wearin.....	Hastings.....	Jan. 2, 1966
<b>SUPERINTENDENT OF PUBLIC INSTRUCTION</b>		
J. C. Wright.....	Keokuk.....	
Paul F. Johnston, Assistant Superintendent for Administration.....	Des Moines.....	
Arthur Carpenter, Assistant Superintendent for Instruction.....	Webster City.....	
<b>PUBLIC SAFETY COMMISSIONER</b>		
Russell I. Brown.....	Des Moines.....	June 30, 1963
<b>REAL ESTATE COMMISSION</b>		
Melvin D. Synhorst, Secretary of State.....	Chairman.....	
Hal H. Lang.....	Sioux City.....	June 30, 1963
James F. Mulqueen.....	Council Bluffs.....	June 30, 1963
E. V. Christy.....	Ottumwa.....	June 30, 1961
Alton H. Sanders.....	Charles City.....	June 30, 1961
Earl A. Hart, Director.....	Des Moines.....	
<b>BOARD OF REGENTS</b>		
Maurice B. Crabbe.....	Eagle Grove.....	June 30, 1965
Mrs. Robert Valentine.....	Centerville.....	June 30, 1965
A. W. Noehren.....	Spencer.....	June 30, 1965
Harry H. Hagemann.....	Waverly.....	June 30, 1963
Mrs. Kenneth A. Evans.....	Emerson.....	June 30, 1963
Mrs. Joseph Rosenfield.....	Des Moines.....	June 30, 1963
Lester Gillette.....	Fostoria.....	June 30, 1961
Arthur Barlow.....	Cedar Rapids.....	June 30, 1961
Art A. Drebenstedt.....	Burlington.....	June 30, 1961
Finance Committee:		
Carl Gernetsky, Chairman.....	Des Moines.....	June 30, 1960
David A. Dancer, Secretary.....	Des Moines.....	June 30, 1960
A. W. Walsh, Member.....	Des Moines.....	June 30, 1960
<b>REPORTER OF THE SUPREME COURT</b>		
Charles W. Barlow, Reporter.....	Mason City.....	Dec. 31, 1962
Alice Foarde, Deputy.....	Des Moines.....	Dec. 31, 1962
<b>SOCIAL WELFARE BOARD</b>		
Luke M. Caffrey.....	Cresco.....	June 30, 1961
Mrs. Irene Mae Smith.....	Ottumwa.....	June 30, 1963
Marshall C. Jewell.....	Onawa.....	June 30, 1965
R. H. Whitlatch, Secretary.....		

## STATE OFFICERS—Continued

Name and Office	City or town from which originally chosen	Term Ending
<b>SOIL CONSERVATION COMMITTEE</b>		
George Eason .....	LeMars .....	June 30, 1959
Kenneth M. Wagner .....	West Liberty .....	June 30, 1961
James W. Foster .....	Albia .....	June 30, 1961
Fred Cherry .....	Rowley .....	June 30, 1961
Bryan Weberg .....	Kiron .....	June 30, 1963
Clyde Spry, Secretary of Agriculture Dean Floyd Andre, Iowa State University William H. Greiner, Executive Secretary		
<b>SUPERINTENDENT OF BUILDINGS AND GROUNDS</b>		
Pete Manning .....	Des Moines	At the pleasure of the Executive Council
<b>TAX COMMISSION</b>		
Leon N. Miller .....	Knoxville .....	June 30, 1961
John J. O'Connor .....	Strawberry Point .....	June 30, 1963
Andrew L. George .....	Waterloo .....	June 30, 1965
<b>UNIFORM STATE LAWS</b>		
Mason Ladd .....	Iowa City .....	June 30, 1960
Wiley Main .....	Sioux City .....	June 30, 1960
William O. Weaver .....	Wapello .....	June 30, 1960
<b>VOTING MACHINE COMMISSIONERS</b>		
Ed. S. McMillin .....	Ottumwa .....	Feb. 3, 1964
Joe H. Lane .....	Clinton .....	Feb. 3, 1964
Edward J. Murphy .....	Carroll .....	Feb. 3, 1964
<b>WATCHMAKING EXAMINERS</b>		
W. O. Herteen .....	Iowa City .....	June 30, 1962
James L. Willis .....	Centerville .....	June 30, 1960
Elton L. Scott .....	Pocahontas .....	June 30, 1960
Arnold L. King .....	Fort Madison .....	June 30, 1961
Joseph Davis .....	Des Moines .....	June 30, 1962
<b>SERVICE COMPENSATION BOARD</b> (56th G. A.—H. F. 143) Korean Bonus Board		
Chet B. Akers, Auditor of State M. L. Abrahamson, Treasurer of State Maj. Gen. Fred C. Tandy, Adjutant General Ray Yenter, Administrator Raymond J. Kauffman, Executive Secretary		
<b>MISSISSIPPI RIVER PARKWAY PLANNING COMMISSION</b>		
Charles H. Young .....	Muscatine .....	June 30, 1961
C. E. Dove .....	Dubuque .....	June 30, 1961
Edmund L. Shapley .....	Davenport .....	June 30, 1961
Rev. Lawrence Nelson .....	Bellevue .....	June 30, 1961
M. L. Connor .....	Lansing .....	June 30, 1961
Loren Hamman .....	St. Olaf .....	June 30, 1963
Dale E. Carrell .....	Keokuk .....	June 30, 1963
Walter J. Guenther .....	Fort Madison .....	June 30, 1963
Andrew H. Dall .....	Clinton .....	June 30, 1963
Clarence W. Moody .....	Burlington .....	June 30, 1963

## LEGISLATIVE INTERIM COMMITTEES

## 58TH GENERAL ASSEMBLY

## BUDGET AND FINANCIAL CONTROL

*Senate Members*

John D. Shoeman, Atlantic  
George L. Scott, West Union  
Andrew G. Frommelt, Dubuque

*House Members*

Conrad Ossian, Stanton  
Scott Swisher, Iowa City  
A. C. Hanson, Inwood (2 years vacancy)

*Holdovers*

George L. Paul, Brooklyn  
Casey Loss, Algona

## LEGISLATIVE INTERIM COMMITTEES

## INTERSTATE CO-OPERATION

Ch. 83

*Senate Members*

Robert L. Rigler, New Hampton  
 W. C. Stuart, Chariton  
 David O. Shaff, Clinton  
 Charles F. Eppers, Keokuk  
 Peter F. Hansen, Manning

*State Officers*

Melvin D. Synhorst, Secretary of State  
 Harold L. Martin, Board of Parole  
 John R. Hansen, Board of Control

*Ex-Officio*

Gov. Herschel C. Loveless  
 Lt. Gov. Edward J. McManus

*House Members*

Don G. Allen, Jr., Adel  
 Clark H. McNeal, Belmond  
 Neil E. Johns, Toledo  
 Howard C. Reppert, Jr., Des Moines  
 Frank L. Martin, Cedar Rapids

## LEGISLATIVE RESEARCH

*Senate Members*

Duane E. Dewel, Algona  
 X. T. Prentis, Mount Ayr  
 C. Edwin Gilmour, Grinnell

*House Members*

Bert K. Fairchild, Ida Grove  
 Robert W. Naden, Webster City  
 Robert F. Wilson, Cedar Rapids

## IOWA-NEBRASKA BOUNDARY DISPUTE

Ch. 422

*Senate Members*

J. T. Dykhouse, Rock Rapids

*House Members*

Wm. E. Darrington, Persia  
 Fred M. Jarvis, Alta  
 Willard M. Freed, Gowrie

## CAPITOL PLANNING COMMISSION

Ch. 424

*Senate Members*

J. Kendall Lynes, Plainfield  
 R. G. Moore, Dunlap

*Other Members*

Louise (Mrs. Maurice) Noun, Des Moines.....July 4, 1963  
 Amos B. Emery, Des Moines.....July 4, 1963  
 John R. Fitzsimmons, Ames.....July 4, 1963

*House Members*

John Gray, Oskaloosa  
 Robert E. Maggert, Creston

## COMMITTEE ON CIVIL WAR CENTENNIAL

Ch. 427

*Senate Members*

Eugene M. Hill, Newton  
 George W. Weber, Columbus Junction

*Other Members*

Amy Noll, Des Moines  
 Ralph Evans, Davenport  
 William J. Petersen, Iowa City

*House Members*

Joseph B. Flatt, Winterset  
 William G. Bohi, Havelock

Willard D. Archie, Shenandoah  
 Dale Ahern, Decorah  
 William D. Houlette, Des Moines

## HIGHWAY STUDY COMMITTEE

Ch. 426

*Senate Members*

D. C. Nolan, Iowa City  
 Carroll F. McCurdy, Oskaloosa  
 Gene L. Hoffman, West Grove

*House Members*

Russell Eldred, Anamosa  
 Neal Pierce, Russell  
 Merle W. Hagedorn, Royal

## WELFARE STUDY COMMITTEE

*Senate Members*

George E. O'Malley, Des Moines  
 Jake B. Mincks, Ottumwa  
 Walter F. Edelen, Garner  
 Jack Schroeder, Bettendorf  
 Norval B. Evans, Fairfield  
 Guy G. Butler, Rolfe

*House Members*

Riley Dietz, Walcott  
 A. L. Mensing, Lowden  
 Hillman H. Sersland, Decorah  
 Kenneth E. Owen, Centerville  
 Robert R. Dodds, Danville  
 Robert D. Fulton, Waterloo

**JUDICIAL DEPARTMENT**

**JUDICIAL DEPARTMENT**

**JUDGES OF THE SUPREME COURT**

Robert L. Larson.....	Iowa City .....	Dec. 31, 1960
Henry K. Peterson.....	Council Bluffs .....	Dec. 31, 1960
T. Eugene Thornton.....	Waterloo .....	Dec. 31, 1960
Wm. L. Bliss.....	Mason City .....	Dec. 31, 1962
Norman R. Hays.....	Knoxville .....	Dec. 31, 1962
G. K. Thompson.....	Cedar Rapids .....	Dec. 31, 1962
**Harry F. Garrett.....	Corydon .....	Dec. 31, 1964
T. G. Garfield.....	Ames .....	Dec. 31, 1964
Ralph A. Oliver.....	Sioux City .....	Dec. 31, 1964

**JUDGES OF THE DISTRICT COURT**

**First Judicial District**

W. Logan Huiskamp.....	Keokuk .....	Dec. 31, 1962
J. R. Leary.....	Fort Madison .....	Dec. 31, 1962

**Second Judicial District**

Elmer K. Daugherty.....	Ottumwa .....	Dec. 31, 1962
Harold V. Levis.....	Chariton .....	Dec. 31, 1962
Edward L. Simmons.....	Centerville .....	Dec. 31, 1962
Heinrich C. Taylor.....	Bloomfield .....	Dec. 31, 1962

**Third Judicial District**

Harvey J. Kittleman.....	Corning .....	Dec. 31, 1962
Charles J. Lewis.....	Mount Ayr .....	Dec. 31, 1962
Tedford W. Miles.....	Corydon .....	Dec. 31, 1962

**Fourth Judicial District**

Ralph W. Crary.....	Sioux City .....	Dec. 31, 1962
George M. Paradise.....	Sioux City .....	Dec. 31, 1962
Lawrence W. McCormick.....	Sioux City .....	Dec. 31, 1962
M. E. Rawlings.....	Sioux City .....	Dec. 31, 1962

**Fifth Judicial District**

S. E. Prall.....	Indianola .....	Dec. 31, 1962
Geo. H. Sackett.....	Perry .....	Dec. 31, 1962
Phil R. Wilkinson.....	Winterset .....	Dec. 31, 1962

**Sixth Judicial District**

L. R. Carson.....	Oskaloosa .....	Dec. 31, 1962
Harold J. Fleck.....	Oskaloosa .....	Dec. 31, 1962
R. G. Yoder.....	Sigourney .....	Dec. 31, 1962

**Seventh Judicial District**

Arthur F. Janssen.....	Maquoketa .....	Dec. 31, 1962
Glenn D. Kelly.....	Davenport .....	Dec. 31, 1962
Nathan Grant.....	Davenport .....	Dec. 31, 1962
Merritt L. Sutton.....	Clinton .....	Dec. 31, 1962
Matthew Westrate.....	Muscatine .....	Dec. 31, 1962
Clay LeGrand.....	Davenport .....	Dec. 31, 1962

**Eighth Judicial District**

Harold D. Evans.....	Iowa City .....	Dec. 31, 1962
James P. Gaffney.....	Marengo .....	Dec. 31, 1960

**Ninth Judicial District**

Ray C. Fountain.....	Des Moines .....	Dec. 31, 1962
Wade Clarke.....	Des Moines .....	Dec. 31, 1962
Don L. Tidrick.....	Des Moines .....	Dec. 31, 1962
C. Edwin Moore.....	Des Moines .....	Dec. 31, 1962
Tom K. Murrow.....	Des Moines .....	Dec. 31, 1962
Dring D. Needham.....	Des Moines .....	Dec. 31, 1962
Carroll O. Switzer.....	Des Moines .....	Dec. 31, 1962
*Robert D. Jackson.....	Des Moines .....	Nov. —, 1960

\*Appointed to fill vacancy.

\*\*Elected to fill vacancy.

## JUDICIAL DEPARTMENT—Continued

## Tenth Judicial District

*Peter Van Metre .....	Waterloo .....	Nov. —, 1960
George C. Heath .....	Waterloo .....	Dec. 31, 1962
Blair C. Wood .....	Waterloo .....	Dec. 31, 1962

## Eleventh Judicial District

G. R. Hill .....	Clarion .....	Dec. 31, 1962
Ed J. Kelley .....	Ames .....	Dec. 31, 1962
John M. Schaupp .....	Fort Dodge .....	Dec. 31, 1962
Harvey H. Uhlenhopp .....	Hampton .....	Dec. 31, 1962

## Twelfth Judicial District

T. A. Beardmore .....	Charles City .....	Dec. 31, 1962
Tom Boynton .....	Forest City .....	Dec. 31, 1960
William P. Butler .....	Mason City .....	Dec. 31, 1962
Carrol H. Wild .....	Allison .....	Dec. 31, 1960

## Thirteenth Judicial District

W. H. Antes .....	West Union .....	Dec. 31, 1962
T. H. Goheen .....	Calmar .....	Dec. 31, 1960
George B. Richter .....	Waukon .....	Dec. 31, 1962

## Fourteenth Judicial District

Fred M. Hudson .....	Pocahontas .....	Dec. 31, 1962
Harry E. Narey .....	Spirit Lake .....	Dec. 31, 1960
G. W. Stillman .....	Algona .....	Dec. 31, 1962

## Fifteenth Judicial District

Bennett Cullison .....	Harlan .....	Dec. 31, 1962
Harold E. Davidson .....	Clarinda .....	Dec. 31, 1962
Vernon Johnson .....	Sidney .....	Dec. 31, 1960
R. Kent Martin .....	Atlantic .....	Dec. 31, 1962
Folsom Everest .....	Council Bluffs .....	Dec. 31, 1962

## Sixteenth Judicial District

F. H. Cooney .....	Carroll .....	Dec. 31, 1962
William C. Hanson .....	Jefferson .....	Dec. 31, 1962
Bruce M. Snell .....	Ida Grove .....	Dec. 31, 1962

## Seventeenth Judicial District

M. C. Farber .....	Marshalltown .....	Dec. 31, 1962
John W. Tobin .....	Vinton .....	Dec. 31, 1962

## Eighteenth Judicial District

Sandoe Jordan .....	Cedar Rapids .....	Dec. 31, 1962
Buell J. Maxwell .....	Tipton .....	Dec. 31, 1962
Charles Penningroth .....	Cedar Rapids .....	Dec. 31, 1962
Floyd Philbrick .....	Cedar Rapids .....	Dec. 31, 1962

## Nineteenth Judicial District

Frank D. Gilloon, Sr. ....	Dubuque .....	Dec. 31, 1962
Eugene J. Kean .....	Dubuque .....	Dec. 31, 1962

## Twentieth Judicial District

George O. Van Allen .....	Mount Pleasant .....	Dec. 31, 1962
E. O. Newell .....	Burlington .....	Dec. 31, 1960

## Twenty-first Judicial District

T. E. Klay .....	Orange City .....	Dec. 31, 1960
Leo O. Lampman .....	Primghar .....	Dec. 31, 1962
R. G. Rodman .....	Cherokee .....	Dec. 31, 1962

\*Appointed to fill vacancy.



## JUDICIAL DEPARTMENT—Continued

## JUDGES OF THE MUNICIPAL AND SUPERIOR COURTS

## Municipal Courts

Albert Steinberg .....	Ames
Jesse L. Thomas.....	Burlington
Donald P. Barnes.....	Cedar Rapids
Loren M. Hullinger, Jr.....	Cedar Rapids
W. A. McCullough.....	Clinton
Allan Ardell .....	Council Bluffs
Andrew J. Nielsen.....	Council Bluffs
Howard W. Brooks.....	Des Moines
Ray Harrison .....	Des Moines
Luther T. Glanton.....	Des Moines
Harry B. Grund.....	Des Moines
R. M. O'Bryon.....	Marshalltown
Berry J. Sisk.....	Sioux City
Donald E. O'Brien.....	Sioux City
Geo. J. Sager .....	Waterloo
Ben G. Howerly .....	Waterloo

## Superior Courts

Paul Proctor .....	Keokuk
--------------------	--------

## CONGRESSIONAL DIRECTORY

## United States Senators

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

## Representatives in Congress

1. Fred Schwengel .....	Davenport	Dec. 31, 1960
2. Leonard G. Wolf.....	Elkader	Dec. 31, 1960
3. H. R. Gross .....	Waterloo	Dec. 31, 1960
4. Steven V. Carter.....	Leon	Dec. 31, 1960
5. Neal E. Smith.....	Altoona	Dec. 31, 1960
6. Merwin Coad .....	Boone	Dec. 31, 1960
7. Ben F. Jensen.....	Exira	Dec. 31, 1960
8. Charles B. Hoeven.....	Alton	Dec. 31, 1960

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

NAME	Address	Age	Occupation	Dis.	Counties Composing District	Former Legislative Service
*Boothby, Laurence M.	Cleghorn	63	Farmer	46	Cherokee, Ida, Plymouth	52, 52X, 53, 54, 55, 56, 57
*Buck, Howard C.	Melbourne	59	Farmer	28	Marshall	53, 54, 55, 56, 57
Butler, Guy G.	Rolfe	71	Farmer and Banker	50	Buena Vista, Humboldt Pocahontas	52, 52X, 54, 55, 56, 57
*Byers, Frank C.	Marion	75	Lawyer	26	Linn	43, 44, 45, 45X, 46, 46X, 47, 48 49, 50, 50X, 51, 52, 52X, 53, 54, 55, 56, 57
*Coleman, C. Joseph	Clare	35	Farmer	27	Calhoun, Webster	57
*Dewel, Duane E.	Algona	57	Publisher	49	Emmet, Kossuth, Palo Alto	51, 52, 52X, 55, 56, 57
*Dykhouse, J. T.	Rock Rapids	68	Real Estate, Insurance	24	Lyon, Osceola, Sioux	47, 48, 49, 50, 50X, 51, 52, 52X 53, 54, 55, 56, 57
**Edelen, Walter E.	Garner	47	Farmer & Ex-merchant	43	Cerro Gordo, Hancock	
*Elijah, Earl	Clarence	71	Farmer-Banker	23	Cedar, Jackson, Jones	55, 56, 57
Eppers, Charles F.	Keokuk	39	Restaurant Operator	1	Lee	
*Evans, Norval B.	Fairfield	39	Implement Dealer	2	Jefferson, Van Buren	57
*Fisher, J. Louis	Osceola	49	Retail Dealer	11	Clarke, Warren	57
Frommelt, Andrew G.	Dubuque	37	Insurance	35	Dubuque	55, 56, 57
**Getting, LeRoy	Sanborn	56	Farmer & Livestock Feeder	47	Clay, Dickinson, O'Brien	
*Gillespie, Raymond R.	Dexter	67	Farmer & Banker	16	Adair, Madison	53, 54, 57
Gilmour, C. Edwin	Grinnell	40	College Professor	12	Keokuk, Poweshiek	
*Grimstead, Jacob	Lake Mills	53	Farm Owner	41	Mitchell, Winnebago, Worth	55, 56, 57
Hansen, Peter F.	Manning	63	Investments & Securities	48	Carroll, Greene, Sac	
*Harbor, William H.	Henderson	38	Grain & Feed Dealer	8	Mills, Montgomery	56, 57
*Henry, Jim O.	Carson	62	Farmer	19	Pottawattamie	55, 56, 57
Hill, Eugene M.	Newton	45	Farmer	29	Jasper	
*Hoffman, Gene L.	West Grove	46	Farmer	3	Appanoose, Davis	57
Hoschek, Carl	Burlington	66	Brickmason	9	Des Moines	53
Hoxie, Frank M.	Shenandoah	61	Farmer	7	Fremont, Page	56, 57
*Long, Irving D.	Manchester	63	Lawyer	33	Buchanan, Delaware	49, 50, 50X, 51, 52, 52X, 57
*Lynes, J. Kendall	Plainfield	55	Farmer	39	Bremer, Butler, Franklin	49, 50, 50X, 51, 52, 52X, 53, 54 55, 56, 57
*McCurdy, Carroll F.	Oskaloosa	41	Farmer	14	Mahaska	57
*Miller, Jack	Sioux City	42	Tax Lawyer & Farm Tax Writer	32	Woodbury	56, 57
Mincks, Jake B.	Ottumwa	45	Assembler, John Deere Ottumwa Works	13	Wapello	
Moore, Robert G.	Dunlap	70	Veterinarian	34	Crawford, Harrison, Monona	45, 45X, 46, 46X, 47
*Nolan, D. C.	Iowa City	56	Lawyer	25	Iowa, Johnson	55, 56, 57
*O'Connor, John J.	Strawberry Point	44	Hotel Operator	36	Clayton	57
O'Malley, George E.	Des Moines	53	Attorney	30	Polk	53, 54, 55, 56, 57
Potter, Lynn	Cresco	46	Accountant	42	Howard, Winneshiek	
*Prentis, X. T.	Mount Ayr	62	Livestock Farming, Hatcheryman	5	Decatur, Ringgold, Union	48, 49, 50, 50X, 51, 53, 54, 55, 56, 57

SENATORS IN GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	Dis.	Counties Composing District	Former Legislative Service
*Price, Carroll	Knoxville	47	Farm Machinery and Automobile Dealer	15	Marion, Monroe	57
*Prince, G. W.	Guthrie Center	51	Dairy Farmer	17	Audubon, Dallas, Guthrie	57
Putney, Lawrence	Gladbrook	58	Farmer	45	Benton, Grundy, Tama	51, 52, 52X, 53, 54, 55, 56, 57
Rigler, Robert R.	New Hampton	35	Banker	44	Floyd, Chickasaw	56, 57
*Ringgenberg, Carl H.	Ames	63	Farmer	31	Boone, Story	54, 55, 56, 57
Schroeder, Jack	Davenport	33	Lawyer	21	Scott	54, 55, 56, 57
*Scott, George L.	West Union	71	Farm Manager	40	Allamakee, Fayette	46, 46X, 47, 48, 49, 50, 55, 56, 57
Shaff, David O.	Clinton	34	Lawyer	22	Clinton	55, 56, 57
Shoeman, John D.	Atlantic	56	Veterinarian	18	Cass, Shelby	56, 57
*Stuart, W. C.	Chariton	38	Lawyer	4	Lucas, Wayne	55, 56, 57
*Turner, Francis A.	Corning	58	Merchant	6	Adams, Taylor	57
Vance, Clifford M.	Mt. Pleasant	56	Lawyer	10	Henry, Washington	57
Walker, John A.	Williams	46	Farmer and Banker	37	Hamilton, Hardin, Wright	52, 52X, 53, 54, 55, 56, 57
Weber, George W.	Columbus Jct.	75	Grain Dealer and Bank President	20	Louisa, Muscatine	56, 57
Wolf, Melvin H.	Waterloo	35	Lawyer	38	Black Hawk	

\*Holdover Senators in Fifty-eighth General Assembly.

\*\*Elected to fill vacancy.

REPRESENTATIVES IN GENERAL ASSEMBLY

NAME	Address	Age	Occupation	County	Former Legislative Service
Allen, Don G., Jr.	Adel	40	Farmer, Businessman	Dallas	57
Andrews, John E.	Des Moines	41	Lawyer	Polk	57
Aubrey, W. Dean	Ottumwa	54	Inspector, John Deere Ottumwa Works	Wapello	51, 53, 54
Balch, Bernard R.	Waterloo	36	Lawyer	Black Hawk	57
Baumhover, John A.	Carroll	63	Farmer, Insurance	Carroll	56, 57
Bohi, William G.	Havelock	57	Minister	Pocahontas	
Briles, James E.	Corning	32	Auctioneer	Adams	56
Brinck, Adrian	West Point	45	Advertising Manager	Lee	
Brown, John J.	Emmetsburg	45	Real Estate & Insurance, Farming	Palo Alto	
Burtch, Charles R.	Osage	65	Farmer	Mitchell	55, 56, 57
Cagley, M. A.	Ionia	63	Farmer	Chickasaw	
Camp, John	Bryant	43	Farm Management	Clinton	
Carstensen, Lawrence D.	Clinton	28	Lawyer	Clinton	
Casey, Reed	Corydon	43	Farmer	Wayne	
Chalupa, LeRoy	Pleasant Plain	46	Business, Farming	Jefferson	56, 57
Christophel, Clarence	Waverly	48	Livestock Farmer	Bremer	56, 57
Coffman, William J.	North English	40	General Insurance	Iowa	57
Connor, Robert E.	Ottumwa	34	Machinist	Wapello	57
Cunningham, Ray C.	Ames	65	Youth Counselor	Story	57
Currie, John D.	Schaller	75	Real Estate, Insurance	Sac	56, 57

REPRESENTATIVES IN GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	County	Former Legislative Service
Darrington, William E.	Persia	54	Farmer	Harrison	54, 55, 56, 57
Den Herder, Elmer H.	Sioux Center	50	Farmer	Sioux	57
Dietz, Riley	Walcott	53	Estimator	Scott	56, 57
Dodds, Robert R.	Danville	34	Farmer	Des Moines	57
Doyle, Donald V.	Sioux City	34	Lawyer	Woodbury	57
Duffy, John L.	Dubuque	59	Lawyer	Dubuque	52, 52X, 53, 56, 57
Dunton, Keith H.	Thornburg	43	Farmer, Business	Keokuk	
Edgington, Floyd P.	Sheffield	59	Farmer	Franklin	55, 56, 57
Eggers, Paul W.	Knoxville	62	Farmer	Marion	
Eldred, Russell	Anamosa	47	Livestock Farmer	Jones	56, 57
Eveland, Raymond	Kelley	38	Farmer	Boone	57
Fairchild, Bert K.	Ida Grove	67	Farmer	Ida	53, 54, 55, 56, 57
Falvey, Mrs. Katherine M.	Albia	54	Manager, Owner Lumber Yard	Monroe	
Fischer, Harold O.	Wellsburg	41	Farm Loans, Real Estate	Grundy	
Fisher, Raymond	Grand Junction	51	Farmer	Greene	
Flatt, Joseph B.	Winterset	36	Merchant	Madison	
Frank, Roy W.	Cresco	50	Farmer	Howard	
Freed, Willard M.	Gowrie	41	Lawyer	Webster	56, 57
Fuelling, Kenneth W.	Farmersburg	46	Retail Lumberman	Clayton	
Fulton, Robert D.	Waterloo	29	Attorney	Black Hawk	
Gordy, Royce	Bloomfield	26	Teacher	Davis	
Grassley, Charles E.	New Hartford	25	Farmer	Butler	
Gray, John	Oskaloosa	51	Farmer	Mahaska	56, 57
Greenwood, Roscoe E.	Emerson	54	Lumberman	Mills	57
Hagedorn, Merle W.	Royal	47	Farmer	Clay	56, 57
Hall, Fred W.	Humboldt	60	Hardware Dealer	Humboldt	57
Halling, Eugene	Orient	63	Farmer	Adair	56, 57
Hanson, Arthur C.	Inwood	67	Livestock, Dairy Farm	Lyon	45, 45X, 53, 54, 55, 56, 57
Harrington, R. P.	Independence	54	Real Estate, Farmer	Buchanan	
Hirsch, Carl	Indianola	57	Farmer	Warren	57
Hoth, Elmer A.	Postville	58	Hardware Dealer	Allamakee	55, 56, 57
Houston, Harold	Dow City	41	Livestock Farmer	Crawford	
Jarvis, Fred M.	Alta	61	Farmer	Buena Vista	57
Johannes, W. J.	Ashton	68	Banker	Osceola	46, 46X, 47, 48, 49, 50, 50X, 53, 56, 57
Johns, Neil E.	Toledo	32	Farmer	Tama	56, 57
Johnson, Fred L.	Hamburg	69	Retired Teacher	Fremont	57
Johnson, Harvey W.	Exira	54	Farmer	Audubon	56
Johnson, Oren H.	Kanawha	61	Retired Rural Letter Carrier	Hancock	
Kimball, Donald L.	Fayette	25	Publisher	Fayette	57
Klefstad, Gilbert E.	Council Bluffs	39	Electrician	Pottawattamie	
Kluever, Lester L.	Atlantic	38	Lawyer	Cass	57
Lisle, Vern	Clarinda	52	Manufacturer	Page	53, 54, 55, 56, 57
Loss, Casey	Algona	54	Farmer	Kossuth	52, 52X, 53, 54, 56, 57
Lucken, J. Henry	Akron	62	Farmer	Plymouth	52, 52X, 53, 54, 55, 56, 57
Lutz, Cecil V.	Osceola	57	Farmer	Clarke	
Maggert, Robert E.	Afton	60	Retired Federal & County Employee	Union	57

REPRESENTATIVES IN GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	County	Former Legislative Service
Main, Franklin S.	Lamoni	42	Farmer	Decatur	57
Martin, Frank L.	Cedar Rapids	32	Lawyer	Linn	
Maule, Elroy	Onawa	45	Farmer, Teacher	Monona	57
McArthur, William	Mason City	72	Farmer	Cerro Gordo	45, 45X, 46
McNeal, Clark H.	Belmond	40	Grain Dealer	Wright	54, 55, 56, 57
Mensing, A. L.	Lowden	62	Retired Merchant	Cedar	54, 55, 56, 57
Milroy, Jack	Vinton	35	Lawyer	Benton	56, 57
Mowry, John L.	Marshalltown	53	Lawyer	Marshall	57
Mueller, Harold	Manly	52	Farmer	Worth	
Naden, Robert W.	Webster City	37	Manufacturer	Hamilton	56, 57
Naughton, John M.	Sergeant Bluff	66	Engineer	Woodbury	57
Nelson, Henry C.	Forest City	58	Real Estate, Farm Manager	Winnebago	56, 57
Nielsen, Niels J.	Ringsted	62	Farmer	Emmet	57
Nutt, T. O.	Douds	54	Farmer	Van Buren	57
Ossian, Conrad	Stanton	58	Farmer, Merchant	Montgomery	57
O'Toole, Thomas P.	Dubuque	62	Merchant	Dubuque	
Owen, Kenneth E.	Centerville	40	Farmer	Appanoose	56, 57
Patton, James E.	Manchester	63	Farmer, Turkey Business	Delaware	
Paul, George L.	Brooklyn	55	Farmer	Poweshiek	52X, 53, 54, 55, 56, 57
Pierce, Neal	Russell	44	Grain, Livestock Farmer	Lucas	57
Rapson, George Phillip	Cherokee	55	Retired	Cherokee	
Reppert, Howard C., Jr.	Des Moines	40	Executive, Transfer and Storage	Polk	56, 57
Robinson, Samuel E.	Guthrie Center	64	Farmer	Guthrie	57
Rockwell, John B.	Mount Pleasant	47	Farmer	Henry	
Rooney, Jack A.	Council Bluffs	46	Railroad Switchman	Pottawattamie	
Rusk, Gail A.	Newton	61	Farmer	Jasper	57
Sersland, Hillman H.	Decorah	52	Farmer, Merchant	Winneshiek	55, 56, 57
Shaw, E. Wayne	Charles City	60	Teacher	Floyd	
Sickels, Lester	Kellerton	49	Farmer	Ringgold	
Smith, Marvin W.	Paullina	57	Farmer	O'Brien	57
Stanley, David M.	Muscatine	30	Lawyer	Muscatine	
Steenhusen, Peter	Irwin	54	Hardware, Feed & Seed	Shelby	57
Stephens, Richard L.	Ainsworth	54	Farmer	Washington	57
Stringer, J. Kenneth, Jr.	Davenport	36	Auto Dealership	Scott	
Summa, Dewey	Rockwell City	60	Farmer	Calhoun	
Swisher, Scott	Iowa City	39	Lawyer	Johnson	56, 57
Tabor, Howard	Baldwin	64	Farmer	Jackson	
Walter, Paul M.	Union	54	Farmer	Hardin	53, 54, 55, 56, 57
Weik, Charles, Jr.	Spirit Lake	47	Salesman	Dickinson	57
Wells, Ivan	Bedford	66	Auctioneer	Taylor	57
Wier, Fred E.	Letts	66	Farmer	Louisa	
Wilson, Robert F.	Cedar Rapids	32	Lawyer	Linn	

## OFFICERS OF THE FIFTY-EIGHTH GENERAL ASSEMBLY

### OFFICERS OF THE SENATE

<i>President</i> —Edward J. McManus.....	Keokuk
<i>President Pro Tempore</i> —J. Kendall Lynes.....	Plainfield
<i>Majority Floor Leader</i> —Jack W. Schroeder.....	Davenport
<i>Minority Floor Leader</i> —George E. O'Malley.....	Des Moines
<i>Secretary</i> —Richard W. Berglund.....	Des Moines
<i>Assistant Secretary and Journal Clerk</i> —	
Edna Gillespie.....	Des Moines
<i>Reading Clerk and Secretary's Assistant</i> —	
Joe A. Greenlief.....	Fort Dodge
<i>Law Clerk</i> —Anthony M. Critelli.....	Des Moines
<i>Secretary's Secretary</i> —Ruth E. Fisher.....	Des Moines
<i>Secretary to Lieutenant Governor</i> —	
Maxine L. Hanes.....	West Des Moines
<i>Assistant Journal Clerk</i> —Eleanor Battershell.....	Des Moines
<i>Secretary's Clerk</i> —Phyllis H. Hall.....	Des Moines
<i>Engrossing Clerk</i> —Maretta H. Blanchard.....	Des Moines
<i>Enrolling Clerk</i> —Eloise Brewer.....	Carroll
<i>Assistant Enrolling Clerk</i> —Isal Burr.....	Des Moines
<i>Payroll Clerk</i> —Julia Buth.....	Ankeny
<i>Supply Clerk</i> —Dorothy Hohnbaum.....	Des Moines
<i>Assistant Enrolled Bills Clerk</i> —Katherine Walter.....	Des Moines
<i>Assistant Enrolled Bills Clerk</i> —Ruth Johnson.....	Slater
<i>Sergeant-at-Arms</i> —N. A. Jensen.....	Cedar Rapids
<i>Assistant Sergeant-at-Arms</i> —Victor E. Lindquist.....	Chariton
<i>Assistant Sergeant-at-Arms</i> —John Nelson.....	Jewell
<i>Chief Doorkeeper</i> —Albert Marshall.....	Northwood
<i>Bill Clerk</i> —Charles Hanson.....	Altoona
<i>File Clerk</i> —Daniel E. Smith.....	Des Moines
<i>Assistant File Clerk</i> —David Smith.....	Des Moines
<i>Postmistress</i> —Nancy Page.....	Des Moines

### OFFICERS OF THE HOUSE

<i>Speaker</i> —Vern Lisle.....	Clarinda
<i>Speaker Pro Tempore</i> —J. Henry Lucken.....	Akron
<i>Majority Floor Leader</i> —Clark H. McNeal.....	Belmond
<i>Minority Floor Leader</i> —Scott Swisher.....	Iowa City
<i>Chief Clerk</i> —William R. Kendrick.....	Des Moines
<i>Assistant Chief Clerk</i> —Burl B. Beam.....	Martensdale
<i>Reading Clerk</i> —Loran Braught.....	Des Moines
<i>Law Clerk</i> —Lillian Leffert.....	Des Moines
<i>Assistant Law Clerk</i> —Colleen Frances O'Brien.....	Des Moines
<i>Chief Journal Clerk</i> —Sue Reed.....	Des Moines
<i>Engrossing Clerk</i> —Lucille Long.....	Whitten
<i>Secretary to Chief Clerk</i> —Charlotte E. Pritchett.....	Des Moines
<i>Finance Clerk</i> —Jacqueline Day.....	Des Moines
<i>Chief Enrolling Clerk</i> —Della Harper.....	Des Moines
<i>Assistant Enrolling Clerk</i> —Pauline E. Kephart.....	Des Moines
<i>Assistant Enrolling Clerk</i> —Nancy A. Morrison.....	Des Moines
<i>Supervisor of Clerks</i> —Anna Van Laningham.....	Des Moines
<i>Assistant Journal Clerk</i> —Maxine Dayton.....	Des Moines
<i>Secretary to Speaker</i> —Dorothea Hyde.....	Des Moines
<i>General Clerk</i> —Jessie Augustine.....	Des Moines
<i>Index Clerk</i> —Sara G. Goodman.....	Des Moines
<i>Clerk to Chief Clerk</i> —Marilynn Nickell.....	Des Moines
<i>Clip Sheet Clerk</i> —Mae Hornseth.....	Rock Rapids
<i>Sergeant-at-Arms</i> —Clarence Anderson.....	Des Moines
<i>Assistant Sergeant-at-Arms</i> —Robert J. Parish.....	Des Moines
<i>Bill Clerk</i> —Robert Hyde.....	Des Moines
<i>Assistant Bill Clerk</i> —Edwin L. Getz.....	Des Moines
<i>File Clerk</i> —Robert Lindquist.....	Chariton
<i>File Clerk</i> —Daisy E. McAlister.....	Des Moines
<i>Supply Clerk</i> —Mary Freels.....	Clinton
<i>Supply Clerk</i> —Alcynetta Miller.....	Des Moines
<i>Chief Electrician</i> —Alex W. Thompson.....	Des Moines
<i>Assistant Electrician</i> —Earl East.....	Des Moines
<i>Control Board Operator</i> —Larry Selvy.....	Des Moines
<i>Postmistress</i> —Mabel H. Barker.....	Des Moines

# CONDITION OF STATE TREASURY

Receipts, Disbursements and Balances in the Several Funds  
for each year of the Biennial Period Ending June 30, 1958

Fiscal Year Ending June 30, 1957					
	Balance July 1, 1956	Total Receipts and Transfers	Total Available	Total Warrants Redeemed Treasurer's Checks Issued And Transfers	Balance June 30, 1957
General Revenue	\$ 23,584,893.49	\$151,710,223.71	\$175,680,299.42	\$ 89,058,920.07	\$ 32,980,383.43
Transfers	—	885,182.22	—	53,640,995.92	—
General Revenue					
Special Reserve Fund	20,391,804.51	—	20,391,804.51	9,538.22	20,381,766.29
Trust Funds	55,342,380.33	37,221,875.17	208,759,836.64	161,158,348.06	47,567,603.01
Transfers	—	116,195,781.14	—	33,886.57	—
Special Funds					
(Comptroller Warrants)	75,804,451.64	69,387,620.85	213,552,168.17	129,311,380.11	84,240,788.06
Transfers	—	68,360,095.68	—	—	—
Special Funds					
(Treasurer's Checks)	2,895,345.49	136,884,195.55	140,586,124.94	48,518,809.68	11,451,387.58
Transfers	—	806,583.90	—	80,620,927.68	—
<b>TOTAL</b>	<b>\$178,018,375.46</b>	<b>\$580,951,358.22</b>	<b>\$758,969,733.68</b>	<b>\$562,847,805.31</b>	<b>\$196,621,928.37</b>
Balance July 1, 1956	\$178,018,375.46				
Receipts and Transfers	580,951,358.22				
Total	\$758,969,733.68				
Disbursements and Transfers	562,347,805.31				
Balance June 30, 1957	\$196,621,928.37				

Fiscal Year Ending June 30, 1958					
	Balance July 1, 1957	Total Receipts and Transfers	Total Available	Total Warrants Redeemed Treasurer's Checks Issued And Transfers	Balance June 30, 1958
General Revenue	\$ 32,980,383.43	\$148,877,642.57	\$182,097,195.15	\$ 94,815,214.53	\$ 31,358,356.51
Transfers	—	239,169.15	—	55,923,624.11	—
General Revenue					
Special Reserve Fund	20,381,766.29	6,399.30	20,388,165.59	29,240.81	20,358,924.78
Trust Funds	47,567,603.01	69,862,418.24	236,208,443.27	187,968,593.24	48,220,073.82
Transfers	—	118,778,422.02	—	19,776.71	—
Special Funds					
(Comptroller Warrants)	84,240,788.06	77,918,176.58	236,123,968.76	141,163,218.56	94,909,473.69
Transfers	—	73,965,004.12	—	51,276.51	—
Special Funds					
(Treasurer's Checks)	11,451,387.58	127,503,681.58	139,815,457.87	40,628,042.51	13,555,663.35
Transfers	—	860,388.71	—	85,631,752.01	—
<b>TOTAL</b>	<b>\$196,621,928.37</b>	<b>\$618,011,302.27</b>	<b>\$814,633,230.64</b>	<b>\$606,230,738.99</b>	<b>\$208,402,491.65</b>
Balance July 1, 1957	\$196,621,928.37				
Receipts and Transfers	618,011,302.27				
Total	\$814,633,230.64				
Disbursements and Transfers	606,230,738.99				
Balance June 30, 1958	\$208,402,491.65				

## APPROPRIATIONS TO STATE DEPARTMENTS

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

	SECTION		SECTION
Agriculture Department .....	1, 2	Liquor Control Commission .....	51
Attorney General .....	3	Mine Examining Board .....	19
Auditor of State .....	4	Mine Inspectors .....	20
Blind, Commission for .....	5	National Guard and State Guard .....	46
Car dispatcher .....	50	Natural Resources Council .....	21
Civil Defense Administration .....	38	Parole, Board of .....	22
Code Editor .....	34	Pharmacy Examiners .....	23
Commerce Commission .....	6	Pioneer Lawmakers .....	24
Comptroller .....	7	Printing Board .....	25
Conservation Commission .....	39	Public Buildings and Grounds, Superintendent of .....	26
Council of State Government .....	40	Public Instruction, Department of .....	27, 48
Development Commission .....	41	Public Safety, Department of .....	47
District Court Judges .....	42	Real Estate Commission .....	28
Employment Security Commission .....	8	Secretary of State .....	29
Executive Council .....	9	Social Welfare Board .....	52
Fair Board .....	43	Soil Conservation .....	30
Geological Survey .....	10	Soldiers' Bonus Board .....	49
Governor .....	12	Spanish-American War Veterans .....	31
Health Department .....	13	Supreme Court .....	32
Historical Society .....	45	Supreme Court, Clerk of .....	33
History and Archives .....	14	Supreme Court, Reporter .....	34
Hoover Birthplace Foundation .....	44	Tax Commission .....	35
Industrial Commission .....	15	Treasurer of State .....	36
Insurance Department .....	16	Uniform Laws, Commission on .....	37
Iowa Reciprocity Board .....	45a	Vocational Education .....	27
Labor, Bureau of .....	17	Vocational Rehabilitation .....	48
Libraries .....	18	War Orphans' Aid .....	49
Lieutenant Governor .....	11		



# LAWS

OF THE

## Fifty-eighth General Assembly

OF THE

### STATE OF IOWA

PASSED AT THE REGULAR SESSION THEREOF, AT DES MOINES, THE CAPITAL OF THE STATE, BEGUN ON THE TWELFTH DAY OF JANUARY, AND ENDED ON THE SEVENTH DAY OF MAY, A. D. 1959, IN THE ONE HUNDRED THIRTEENTH YEAR OF THE STATE.

### APPROPRIATIONS

For additional appropriations, see chapters  
139, 421, 423, 425, 426, 428

#### CHAPTER 1

#### DEPARTMENTAL APPROPRIATIONS

S. F. 532

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1959, and ending June 30, 1961, funds for various departments and various divisions thereof, of the state of Iowa, for the purposes provided by law, and relating to the judicial and peace officers' retirement systems, and to salaries of various statutory positions, and to the transfer of the Gardner log cabin and previously appropriated funds to the state historical society, and to the striking of a portion of section three hundred twenty-one point one hundred sixty-three (321.163), Code 1958, and to amend section eighty point eight (80.8), Code 1958, relating to compensation of highway patrolmen.

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

#### AGRICULTURE, DEPARTMENT OF

1	SECTION 1. For the department of agriculture there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1959, and ending June 30, 1961, the sum	
4	of one hundred eighteen thousand one hundred fifty dollars (\$118,-	
5	150.00) or so much thereof as may be necessary to be used for various	
6	services and state aids in the following manner:	
7	(1) AGRICULTURAL STATISTICS	
8	For state aid.....	\$ 16,000.00
9	(2) BARBERRY ERADICATION	
10	For state aid.....	4,000.00

11	(3) BEE INSPECTION	
12	For state aid .....	\$ 12,000.00
13	(4) BEEF PRODUCERS' ASSOCIATION	
14	For state aid.....	13,750.00
15	(5) CROP IMPROVEMENT	
16	For state aid.....	3,000.00
17	(6) CROP PEST	
18	For state aid.....	7,000.00
19	(7) DAIRY ASSOCIATION	
20	For state aid.....	13,750.00
21	(8) DAIRY CALF CLUB	
22	For state aid.....	2,000.00
23	(9) HORTICULTURAL SOCIETIES	
24	For state aid.....	7,200.00
25	(10) IOWA SHEEP ASSOCIATION	
26	For state aid.....	9,000.00
27	(11) MARKET NEWS (POULTRY)	
28	For state aid.....	4,600.00
29	(12) POULTRY ASSOCIATION, SHORT COURSES AND	
30	ACHIEVEMENT SHOWS	
31	For state aid.....	3,000.00
32	(13) SWINE BREEDERS' ASSOCIATION	
33	For state aid.....	13,750.00
34	(14) VEGETABLE GROWERS' ASSOCIATION	
35	For state aid.....	4,100.00
36	(15) WEATHER BUREAU	
37	For state aid.....	5,000.00
38	Grand total of all appropriations for all purposes for	
39	each year of the biennium for the department of agricul-	
40	ture or divisions thereof provided by this section.....	\$ 118,150.00
1	SEC. 2. For the department of agriculture there is	
2	hereby appropriated from the general fund of the state	
3	for each year of the biennium beginning July 1, 1959,	
4	and ending June 30, 1961, the sum of six hundred eight-	
5	teen thousand six hundred dollars (\$618,600.00), or so	
6	much thereof as may be necessary to be used in the fol-	
7	lowing manner:	
8	Main office, dairy specialists and bacteriologists, en-	
9	tomology, hatchery inspection, restaurant and hotel in-	
10	spection, disposal of dead animals, motor fuel chemists	
11	and fertilizer law:	
12	For salary of secretary of agriculture .....	\$ 10,000.00
13	For salaries, support, maintenance and miscellaneous	
14	purposes .....	402,200.00
15	Total .....	\$ 412,200.00

CH. 1] LAWS OF THE FIFTY-EIGHTH GENERAL ASSEMBLY

16	(1) ANIMAL HEALTH AND VETERINARY	
17	For salary of chief of animal health .....	\$ 8,000.00
18	For control of eradication of contagious and infec-	
19	tious livestock diseases, including Bang's Disease,	
20	salaries and traveling expenses; assistant state veteri-	
21	narians (per diem and expenses), indemnities and mis-	
22	cellaneous purposes .....	198,000.00
		<hr/>
23	Total for animal health and veterinary.....	\$ 206,000.00
		<hr/>
24	(2) VETERINARY EXAMINERS	
25	Per diem and expenses.....	\$ 400.00
		<hr/>
26	Grand total of all appropriations for all purposes for	
27	each year of the biennium for the department of agri-	
28	culture or divisions thereof provided by this section.....	\$ 618,600.00

ATTORNEY GENERAL

1	SEC. 3. For the office of attorney general there is hereby appro-	
2	priated from the general fund of the state for each year of the bien-	
3	niennium beginning July 1, 1959, and ending June 30, 1961, the sum of	
4	one hundred twelve thousand three hundred eighty dollars (\$112,-	
5	380.00) or so much thereof as may be necessary to be	
6	used in the following manner:	
7	For salary of attorney general.....	\$ 11,000.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes .....	101,380.00
		<hr/>
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the office of attorney gen-	
12	eral .....	\$ 112,380.00

AUDITOR OF STATE

1	SEC. 4. 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, 1959, and ending June 30, 1961, the sum of two	
4	hundred ninety thousand eight hundred dollars (\$290,800.00) or so	
5	much thereof as may be necessary to be used in the following manner:	
6	For salary of state auditor.....	\$ 10,000.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes .....	268,800.00

BUILDING AND LOAN DIVISION

9	For salaries, support, maintenance and miscellaneous	
10	purposes .....	12,000.00
		<hr/>
11	Grand total of all appropriations for all purposes for	
12	each year of the biennium for the office of auditor of	
13	state .....	\$ 290,800.00

## BLIND, IOWA COMMISSION FOR THE

1 SEC. 5. 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, 1959, and ending June 30, 1961,  
 4 the sum of one hundred twenty-five thousand dollars (\$125,000.00)  
 5 or so much thereof as may be necessary to be used in the following  
 6 manner:

7	For salary of director.....	\$ 7,500.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes .....	117,500.00
		<hr/>
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the office of the commis-	
12	sion for the blind .....	\$ 125,000.00

## COMMERCE COMMISSION, IOWA STATE

1 SEC. 6. 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, 1959, and ending June 30, 1961,  
 4 the sum of two hundred thirty-two thousand dollars (\$232,000.00)  
 5 or so much thereof as may be necessary to be used in the following  
 6 manner:

GENERAL ADMINISTRATION		
7	For salaries of commissioners (3 at \$8,500.00 each)....	\$ 25,500.00
8	For salary of secretary.....	6,000.00
9	For salaries, support, maintenance and miscellaneous	
10	purposes .....	131,850.00
		<hr/>
11	Total for general administration of the commerce	
12	commission .....	\$ 163,350.00
13	(1) CLASS RATE CASES	
14	For salaries, support, maintenance and miscellaneous	
15	purposes .....	\$ 1,100.00
16	(2) MOTOR TRANSPORTATION DIVISION	
17	For salaries, support, maintenance and miscellaneous	
18	purposes .....	19,950.00
19	(3) WAREHOUSE DIVISION	
20	For salaries, support, maintenance and miscellaneous	
21	purposes .....	47,600.00
		<hr/>
22	Grand total of all appropriations for all purposes for	
23	each year of the biennium for the department of the	
24	commerce commission .....	\$ 232,000.00

## COMPTROLLER, OFFICE OF STATE

1 SEC. 7. For the office of state comptroller there is hereby appro-  
 2 priated from the general fund of the state for each year of the bien-  
 3 nium beginning July 1, 1959, and ending June 30, 1961, the sum of  
 4 one hundred eighty-two thousand three hundred eighty dollars (\$182,-  
 5 380.00) or so much thereof as may be necessary to be used in the  
 6 following manner:

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

7	For state comptroller salary.....	\$ 12,000.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes .....	170,380.00
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the office of state comp-	
12	troller .....	\$ 182,380.00

## EMPLOYMENT SECURITY COMMISSION

1	SEC. 8. For the Iowa employment security commission for the ad-	
2	ministration of Chapters 97 and 97C and section 294.15, Code 1958,	
3	there is hereby appropriated from the general fund of the state of	
4	Iowa for each year of the biennium beginning July 1, 1959, and end-	
5	ing June 30, 1961, the sum of ninety thousand six hundred dollars	
6	(\$90,600.00) or so much thereof as may be necessary to be used in the	
7	following manner:	
8	For salaries, support, maintenance and miscellaneous	
9	purposes for the administration of Chapters 97 and 97C	
10	and section 294.15, Code 1958.....	\$ 90,600.00
11	The salary for each member of the Iowa employment security com-	
12	mission shall be eight thousand dollars (\$8,000.00) for each year of the	
13	biennium beginning July 1, 1959, and ending June 30, 1961, and of	
14	this amount seven thousand dollars (\$7,000.00) shall be compensation	
15	for administering Chapter 96 of the Iowa statutes, and one thou-	
16	sand dollars (\$1,000.00) shall be compensation for administering	
17	Chapter 97B of the Iowa statutes, and such sums shall be in full com-	
18	penetration for all services, and provisions made in any other Act or	
19	statutes for compensation of the members of the Iowa employment	
20	security commission shall be ineffective and void.	

## EXECUTIVE COUNCIL

1	SEC. 9. For the office of the executive council there is hereby appro-	
2	riated from the general fund of the state for each year of the bien-	
3	niennium beginning July 1, 1959, and ending June 30, 1961, the sum of	
4	five hundred eleven thousand dollars (\$511,000.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For salary of the secretary of executive council.....	\$ 6,000.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes .....	505,000.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the office of the executive	
11	council .....	511,000.00

## GEOLOGICAL SURVEY

1	SEC. 10. For the office of geological survey there is hereby appro-	
2	riated from the general fund of the state for each year of the bien-	
3	niennium beginning July 1, 1959, and ending June 30, 1961, the sum of	
4	one hundred sixty-four thousand eight hundred dollars (\$164,800.00)	
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 .....	\$ 122,800.00
9	Stream gauging and siltation, salaries, support and	
10	miscellaneous purposes .....	42,000.00
11	Grand total of all appropriations for all purposes for	
12	each year of the biennium for geological survey.....	\$ 164,800.00

## LIEUTENANT GOVERNOR

1 SEC. 11. For the office of lieutenant governor there is hereby appro-  
 2 priated from the general fund of the state for each year of the bien-  
 3 nium beginning July 1, 1959, and ending June 30, 1961, a sum suffi-  
 4 cient to pay such actual and necessary expenses as are incurred when  
 5 said lieutenant governor is required by reason of his office to leave  
 6 the county of his residence but not to exceed the sum of fifteen hun-  
 7 dred dollars (\$1,500.00) per annum; an itemized expense account shall  
 8 be so certified by said officer entitled thereto to the state comptroller,  
 9 which account shall be rendered quarterly.

10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the office of lieutenant	
12	governor .....	\$ 1,500.00

## GOVERNOR

1 SEC. 12. 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, 1959, and ending June 30, 1961, the sum of sixty-  
 4 seven thousand five hundred dollars (\$67,500.00) or so much thereof  
 5 as may be necessary to be used in the following manner:

6 For salary of the governor the sum of twenty thou-  
 7 sand dollars (\$20,000.00), provided that not in excess of  
 8 four thousand dollars (\$4,000.00) thereof shall be used  
 9 as reimbursement for expenses incurred by him in con-  
 10 nexion with the duties of governor; and for all other  
 11 salaries, support, maintenance and miscellaneous pur-  
 12 poses the sum of forty-seven thousand five hundred dol-  
 13 lars (\$47,500.00) .....

		\$ 67,500.00
14	Grand total of all appropriations for all purposes for	
15	each year of the biennium for the office of governor.....	\$ 67,500.00

## HEALTH, STATE DEPARTMENT OF

1 SEC. 13. For the department of health there is hereby appropriated  
 2 from the general fund of the state for each year of the biennium be-  
 3 ginning July 1, 1959, and ending June 30, 1961, the sum of six hun-  
 4 dred fifty-two thousand three hundred dollars (\$652,300.00) or so  
 5 much thereof as may be necessary to be used in the following manner:

6 GENERAL OFFICE (Central Administration)

7	For salary of commissioner.....	\$ 9,500.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes .....	57,650.00
10	Total for general office.....	\$ 67,150.00

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

11	(1) CANCER CONTROL	
12	For salaries, support, maintenance and miscellaneous	
13	purposes .....	\$ 4,400.00
14	(2) DENTAL HYGIENE	
15	For salaries, support, maintenance and miscellaneous	
16	purposes .....	4,500.00
17	(3) HOSPITAL SURVEY AND PLANNING	
18	For salaries, support, maintenance and miscellaneous	
19	purposes .....	77,200.00
20	(4) MATERNAL AND CHILD HEALTH	
21	For salaries, support, maintenance and miscellaneous	
22	purposes .....	15,000.00
23	(5) PREVENTABLE DISEASES, SERUM CENTER AND	
24	BLOOD BANK	
25	For salaries, support, maintenance and miscellaneous	
26	purposes .....	29,600.00
27	(6) PUBLIC HEALTH ENGINEERING AND	
28	INDUSTRIAL HYGIENE	
29	For salaries, support, maintenance and miscellaneous	
30	purposes .....	128,200.00
31	(7) PUBLIC HEALTH NURSING	
32	For salaries, support, maintenance and miscellaneous	
33	purposes .....	9,700.00
34	(8) TUBERCULOSIS CONTROL	
35	For salaries, support and maintenance in the general	
36	tuberculosis control program involving all methods of	
37	case finding .....	38,200.00
38	(9) VENEREAL DISEASE CONTROL	
39	For salaries, support, maintenance and miscellaneous	
40	purposes .....	33,100.00
41	(10) VITAL STATISTICS	
42	For salaries, support, maintenance and miscellaneous	
43	purposes .....	136,500.00
44	(11) BOARD OF EUGENICS	
45	For salaries, support, maintenance and miscellaneous	
46	purposes .....	5,400.00
47	Sub-total for public health administrative activities.....	\$ 548,950.00
48	(12) BARBERS' EXAMINING BOARD	
49	For compensation, support, maintenance and miscella-	
50	neous purposes .....	\$ 32,100.00
51	(13) CHIROPODY EXAMINING BOARD	
52	For compensation, support, maintenance and miscella-	
53	neous purposes .....	500.00
54	(14) CHIROPRACTIC EXAMINING BOARD	
55	For compensation, support, maintenance and miscella-	
56	neous purposes .....	5,000.00
57	(15) COSMETOLOGY EXAMINING BOARD	
58	For compensation, support, maintenance and miscella-	
59	neous purposes .....	32,700.00

60	(16) DENTAL EXAMINING BOARD	
61	For compensation, support, maintenance and miscella-	
62	neous purposes .....	\$ 2,800.00
63	(17) EMBALMERS' EXAMINING BOARD	
64	For compensation, support, maintenance and miscella-	
65	neous purposes .....	3,500.00
66	(18) LICENSURE AND REGISTRATION	
67	(Central Administration)	
68	For salaries, support, maintenance and miscellaneous	
69	purposes .....	8,600.00
70	(19) MEDICAL EXAMINING BOARD	
71	For compensation, support, maintenance and miscella-	
72	neous purposes .....	14,600.00
73	(20) OPTOMETRY EXAMINING BOARD	
74	For compensation, support, maintenance and miscella-	
75	neous purposes .....	1,250.00
76	(21) OSTEOPATHY EXAMINING BOARD	
77	For compensation, support, maintenance and miscella-	
78	neous purposes .....	2,300.00
79	Sub-total for division of licensure and registration.....	\$ 103,350.00
80	Grand total of all appropriations for all purposes for	
81	each year of the biennium for the department of health	
82	and the various divisions thereof.....	\$ 652,300.00

HISTORY AND ARCHIVES, IOWA STATE  
DEPARTMENT OF

1	SEC. 14. For the department of history and archives there is here-	
2	by appropriated from the general fund of the state for each year of	
3	the biennium beginning July 1, 1959, and ending June 30, 1961, the	
4	sum of ninety-two thousand five hundred dollars (\$92,500.00) or so	
5	much thereof as may be necessary to be used in the following manner:	
6	For salary of curator.....	\$ 5,500.00
7	For salaries, support, maintenance, miscellaneous pur-	
8	poses, and extra book binding.....	72,000.00
9	For micro-filming .....	15,000.00
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the department of history	
12	and archives .....	\$ 92,500.00

INDUSTRIAL COMMISSIONER

1	SEC. 15. For the industrial commissioner there is hereby appro-	
2	priated from the general fund of the state for each year of the bien-	
3	niennium beginning July 1, 1959, and ending June 30, 1961, the sum of	
4	fifty-one thousand dollars (\$51,000.00) or so much thereof as may be	
5	necessary to be used in the following manner:	
6	For salary of commissioner.....	\$ 7,500.00
7	For salaries, support, maintenance, travel expense,	
8	state share of employment retirement fund and miscel-	
9	laneous purposes .....	43,500.00



10 Grand total of all appropriations for all purposes for  
 11 each year of the biennium for the industrial commis-  
 12 sioner .....\$ 51,000.00

INSURANCE DEPARTMENT OF IOWA

1 SEC. 16. For the office of the insurance commission there is here-  
 2 by appropriated from the general fund of the state for each year of  
 3 the biennium beginning July 1, 1959, and ending June 30, 1961, the  
 4 sum of one hundred eighty thousand dollars (\$180,000.00) or so much  
 5 thereof as may be necessary to be used in the following manner:

6 For salary of commissioner.....\$ 10,000.00  
 7 For salary of first deputy insurance commissioner..... 9,000.00  
 8 For salaries, support, maintenance and miscellaneous  
 9 purposes ..... 161,000.00

10 Grand total of all appropriations for all purposes for  
 11 each year of the biennium for the office of the insurance  
 12 commission .....\$ 180,000.00

LABOR, BUREAU OF

1 SEC. 17. For the bureau of labor there is hereby appropriated  
 2 from the general fund of the state for each year of the biennium be-  
 3 ginning July 1, 1959, and ending June 30, 1961, the sum of ninety-one  
 4 thousand dollars (\$91,000.00) or so much thereof as may be neces-  
 5 sary to be used in the following manner:

6 For salary of commissioner of bureau of labor.....\$ 6,000.00  
 7 For salaries, support, maintenance and miscellaneous  
 8 purposes ..... 85,000.00

9 Grand total of all appropriations for all purposes for  
 10 each year of the biennium for the bureau of labor.....\$ 91,000.00

LIBRARIES, IOWA STATE

1 SEC. 18. For the board of trustees there is hereby appropriated  
 2 from the general fund of the state for each year of the biennium  
 3 beginning July 1, 1959, and ending June 30, 1961, for state libraries,  
 4 the sum of one hundred forty-seven thousand five hundred fifty dol-  
 5 lars (\$147,550.00) or so much thereof as may be necessary to be used  
 6 in the following manner:

7 LAW DIVISION  
 8 For salary of librarian.....\$ 6,000.00  
 9 For salaries, support, maintenance and miscellaneous  
 10 purposes ..... 38,100.00

11 Total for law division.....\$ 44,100.00

12 (1) MEDICAL DIVISION  
 13 For salary of librarian.....\$ 6,000.00  
 14 For salaries, support, maintenance and miscellaneous  
 15 purposes ..... 28,350.00

16 Total for medical division.....\$ 34,350.00

17	(2) TRAVELING DIVISION	
18	For salary of librarian.....	\$ 6,000.00
19	For salaries, support, maintenance and miscellaneous	
20	purposes .....	63,100.00
		<hr/>
21	Total for traveling library division.....	\$ 69,100.00
		<hr/>
22	Grand total of all appropriations for all purposes for	
23	each year of the biennium for the state libraries.....	\$ 147,550.00

## MINE EXAMINING BOARD

1	SEC. 19. For the mine examining board there is hereby appro-	
2	priated from the general fund of the state for each year of the bien-	
3	niennium beginning July 1, 1959, and ending June 30, 1961, the sum of	
4	two thousand one hundred dollars (\$2,100.00) or so much thereof as	
5	may be necessary to be used in the following manner:	
6	For per diem and expenses.....	\$ 2,100.00
		<hr/>
7	Grand total of all appropriations for all purposes for	
8	each year of the biennium for the mine examining	
9	board .....	\$ 2,100.00

## MINE INSPECTORS

1	SEC. 20. 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, 1959, and ending June 30, 1961, the sum	
4	of eleven thousand five hundred dollars (\$11,500.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For the salary of one (1) mine inspector. ....	\$ 6,000.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes .....	5,500.00
		<hr/>
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the department of mine	
11	inspectors .....	\$ 11,500.00

## NATURAL RESOURCES COUNCIL, IOWA

1	SEC. 21. For the Iowa natural resources council there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1959, and ending June 30, 1961, the sum	
4	of one hundred fifty thousand dollars (\$150,000.00) or so much there-	
5	of as may be necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous	
7	purposes .....	\$ 150,000.00
		<hr/>
8	Grand total of all appropriations for all purposes for	
9	each year of the biennium for the Iowa natural resources	
10	council .....	\$ 150,000.00

## PAROLE, BOARD OF

1 SEC. 22. For the office of the board of parole there is hereby appro-  
 2 priated from the general fund of the state for each year of the bien-  
 3 nium beginning July 1, 1959, and ending June 30, 1961, the sum of  
 4 two hundred eight thousand six hundred dollars (\$208,600.00) or so  
 5 much thereof as may be necessary to be used in the following manner:  
 6 For board members salaries (2 members at \$5,000.00  
 7 each) .....\$ 10,000.00  
 8 For board member salary (whose term expires June  
 9 30, 1961) ..... 4,800.00  
 10 For salary of secretary and superintendent of parole  
 11 agents ..... 7,000.00  
 12 For salaries, support, maintenance and miscellaneous  
 13 purposes ..... 186,800.00

---

14 Grand total of all appropriations for all purposes for  
 15 each year of the biennium for the board of parole.....\$ 208,600.00

## PHARMACY EXAMINERS

1 SEC. 23. 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, 1959, and ending June 30, 1961, the sum  
 4 of sixty-seven thousand six hundred dollars (\$67,600.00) or so much  
 5 thereof as may be necessary to be used in the following manner:  
 6 GENERAL OFFICE  
 7 For salary of secretary and narcotic supervisor.....\$ 6,000.00  
 8 For salaries, support, maintenance and miscellaneous  
 9 purposes for all duties of the board..... 61,600.00

---

10 Grand total of all appropriations for all purposes for  
 11 each year of the biennium for the pharmacy examining  
 12 board .....\$ 67,600.00

## PIONEER LAWMAKERS

1 SEC. 24. For the pioneer lawmakers there is hereby appropriated  
 2 from the general fund of the state for each year of the biennium be-  
 3 ginning July 1, 1959, and ending June 30, 1961, the sum of one hun-  
 4 dred fifty dollars (\$150.00) or so much thereof as may be necessary  
 5 to be used in the following manner:  
 6 For salary of secretary.....\$ 50.00  
 7 For miscellaneous purposes..... 100.00

---

8 Grand total of all appropriations for all purposes for  
 9 each year of the biennium for the pioneer lawmakers.....\$ 150.00

## PRINTING BOARD, THE

1 SEC. 25. For the state printing board there is hereby appropriated  
 2 from the general fund of the state for each year of the biennium be-  
 3 ginning July 1, 1959, and ending June 30, 1961, the sum of seventy-  
 4 one thousand five hundred dollars (\$71,500.00) or so much thereof as

5	may be necessary to be used in the following manner:	
6	GENERAL OFFICE	
7	For salary for superintendent.....	\$ 6,000.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes .....	65,500.00
10	Total for general office.....	\$ 71,500.00
11	Provided that funds appropriated for the general office by this section, in the discretion of the printing board, may be used to pay the cost of printing of the "Iowa Official Register", proceedings of Iowa Academy of Science, "Iowa Welcomes You" booklet, and other miscellaneous items.	
16	Grand total of all appropriations for all purposes for each year of the biennium for the state printing board provided by this section.....	\$ 71,500.00

PUBLIC BUILDINGS AND GROUNDS,  
SUPERINTENDENT OF

1	SEC. 26. For the office of the superintendent of public buildings and grounds there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1959, and ending June 30, 1961, the sum of five hundred thirteen thousand six hundred dollars (\$513,600.00) or so much thereof as may be necessary to be used in the following manner:	
7	For salaries, support, maintenance and miscellaneous purposes .....	\$ 450,150.00
9	For maintenance, repairs, replacements, alterations or equipment of public buildings and grounds of the state of Iowa, subject to approval of the executive council.....	\$ 63,450.00
12	Grand total of all appropriations for all purposes for each year of the biennium for the office of the superintendent of public buildings and grounds.....	\$ 513,600.00

PUBLIC INSTRUCTION, DEPARTMENT OF

1	SEC. 27. For the department of public instruction there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1959, and ending June 30, 1961, the sum of five hundred fifty-nine thousand six hundred fifty dollars (\$559,650.00) or so much thereof as may be necessary to be used in the following manner:	
7	GENERAL OFFICE	
8	For salary of superintendent of public instruction.....	\$ 12,000.00
9	For salaries .....	323,300.00
10	Total general office .....	\$ 335,300.00
11	SCHOOL LUNCH PROGRAM	
12	For salaries (should federal appropriations be stopped for public school lunches then this money should revert to the general fund).....	\$ 41,500.00
15	Total salaries .....	\$ 376,800.00

16	OTHER EXPENSES FOR GENERAL OFFICE AND	
17	SCHOOL LUNCH PROGRAM (consolidated)	
18	Travel and contingent.....	\$ 40,000.00
19	General office supplies.....	700.00
20	Books and periodicals.....	700.00
21	Bond premium.....	250.00
22	Equipment aid for handicapped children.....	5,500.00
23	Educational television.....	4,000.00
24	Administration and conference fund.....	5,000.00
25	Expense state board of public instruction.....	5,000.00
26	Revision and study school courses.....	3,000.00
27	Veterans education program.....	200.00
28	I.B.M. rental, service and supplies.....	16,000.00
29	Microfilming.....	1,500.00
30	Printing and binding.....	36,000.00
31	Total other expenses.....	\$ 117,850.00
32	Sub-total.....	\$ 494,650.00
33	(1) VOCATIONAL EDUCATION	
34	For salaries, support, maintenance and miscellaneous	
35	purposes.....	65,000.00
36	Grand total of all appropriations for all purposes for	
37	each year of the biennium for the department of public	
38	instruction and the various divisions thereof provided	
39	by this section.....	\$ 559,650.00

## REAL ESTATE COMMISSION, IOWA

1	SEC. 28. 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, 1959, and ending June 30, 1961, the sum	
4	of twenty-five thousand two hundred dollars (\$25,200.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For salary of director.....	\$ 6,000.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes.....	19,200.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the Iowa real estate com-	
11	mission.....	\$ 25,200.00

## SECRETARY OF STATE

1	SEC. 29. For the office of secretary of state there is hereby appro-	
2	priated from the general fund of the state for each year of the bien-	
3	niun beginning July 1, 1959, and ending June 30, 1961, the sum of	
4	sixty-eight thousand dollars (\$68,000.00) or so much thereof as may	
5	be necessary to be used in the following manner:	

6	For salary secretary of state.....	\$ 10,000.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes .....	58,000.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the office of secretary of	
11	state .....	\$ 68,000.00

## SOIL CONSERVATION

1	SEC. 30. For soil conservation there is hereby appropriated from	
2	the general fund of the state for each year of the biennium beginning	
3	July 1, 1959, and ending June 30, 1961, the sum of fifty thousand dol-	
4	lars (\$50,000.00) or so much thereof as may be necessary to be used	
5	in the following manner:	
6	For salaries, support, maintenance and miscellaneous	
7	purposes .....	\$ 50,000.00
8	Grand total of all appropriations for all purposes for	
9	each year of the biennium for soil conservation.....	\$ 50,000.00

## SPANISH-AMERICAN WAR VETERANS

1	SEC. 31. 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, 1959, and ending June 30, 1961, the sum	
4	of three thousand five hundred dollars (\$3,500.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous	
7	purposes .....	\$ 3,500.00
8	Grand total of all appropriations for all purposes for	
9	each year of the biennium for the Spanish-American war	
10	veterans .....	\$ 3,500.00

## SUPREME COURT

1	SEC. 32. 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, 1959, and ending June 30, 1961, the sum of one hundred fifty-	
4	eight thousand four hundred dollars (\$158,400.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For salaries of judges of the supreme court of Iowa,	
7	and for the state's contribution, in the amount of three	
8	percent of such salaries, to the judicial retirement sys-	
9	tem provided for in chapter 605A, Code 1958 and for sal-	
10	aries, support, maintenance and miscellaneous purposes..	\$ 158,150.00
11	Rules of procedure.....	250.00
12	Grand total of all appropriations for all purposes for	
13	each year of the biennium for the supreme court.....	\$ 158,400.00
14	Section six hundred eighty-four point seventeen (684.17), Code	
15	1958, is amended by striking from line three (3) the words "twelve	

16 thousand dollars per year." and substituting in lieu thereof the words  
 17 "fourteen thousand five hundred dollars per year, provided that the  
 18 compensation of judges during the terms existing at the time of the  
 19 passage of this Act shall be at the rate of twelve thousand dollars per  
 20 year until the end of said existing terms."

SUPREME COURT, CLERK OF

1 SEC. 33. For the office of clerk of supreme court there is hereby  
 2 appropriated from the general fund of the state for each year of the  
 3 biennium beginning July 1, 1959, and ending June 30, 1961, the sum  
 4 of eighteen thousand seven hundred dollars (\$18,700.00) or so much  
 5 thereof as may be necessary to be used in the following manner:

6 For salary of chief clerk.....	\$ 5,500.00
7 For salaries, support, maintenance and miscellaneous	
8 purposes .....	13,200.00
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 .....	\$ 18,700.00

SUPREME COURT, REPORTER OF  
AND CODE EDITOR

1 SEC. 34. 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, 1959, and  
 4 ending June 30, 1961, the sum of thirty thousand eight hundred fifty  
 5 dollars (\$30,850.00) or so much thereof as may be necessary to be  
 6 used in the following manner:

7 For salary of code editor.....	\$ 6,750.00
8 For salary of deputy code editor.....	6,500.00
9 For salaries, support, maintenance and miscellaneous	
10 purposes .....	17,600.00
11 Grand total of all appropriations for all purposes for	
12 each year of the biennium for the department of reporter	
13 of supreme court and code editor.....	\$ 30,850.00

TAX COMMISSION, STATE

1 SEC. 35. 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, 1959, and ending June 30, 1961, the sum of one million  
 4 three hundred forty-seven thousand dollars (\$1,347,000.00) or so  
 5 much thereof as may be necessary to be used in the following manner:

6 For salary of commissioners (2 commissioners at	
7 \$8,000.00 each) .....	\$ 16,000.00
8 For salary of commissioner (whose term expires June	
9 30, 1963) .....	6,500.00
10 For printing and binding.....	100,000.00
11 For salaries, support, maintenance and miscellaneous	
12 purposes, including the sum of twenty-four thousand	

13	three hundred dollars (\$24,300.00) for microfilming in-	
14	come tax returns, or portions thereof, filed with the	
15	District Director of Internal Revenue for the state of	
16	Iowa .....	\$1,224,500.00
<hr/>		
17	Grand total of all appropriations for all purposes for	
18	each year of the biennium for the state tax commission...	\$1,347,000.00

TREASURER OF STATE

1	SEC. 36. 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, 1959, and ending June 30, 1961, the sum	
4	of ninety-eight thousand six hundred dollars (\$98,600.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For salary of treasurer.....	\$ 10,000.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes .....	\$ 88,600.00
<hr/>		
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the department of treas-	
11	urer of state.....	\$ 98,600.00

UNIFORM LAWS, COMMISSION ON

1	SEC. 37. 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, 1959, and ending June 30, 1961, the sum	
4	of two thousand fifty dollars (\$2,050.00) or so much thereof as may	
5	be necessary to be used in the following manner:	
6	For support of the conference of commissioners on	
7	uniform state laws.....	\$ 850.00
8	For traveling expenses of members of the commission	
9	on uniform laws.....	1,200.00
<hr/>		
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the commission on uni-	
12	form laws .....	\$ 2,050.00
<hr/>		
13	<b>Total administrative departments.....</b>	<b>\$7,116,060.00</b>

CIVIL DEFENSE ADMINISTRATION

1	SEC. 38. For the civil defense administration there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1959, and ending June 30, 1961, the sum	
4	of thirty-four thousand one hundred dollars (\$34,100.00) 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 .....	\$ 34,100.00
<hr/>		
8	Grand total of all appropriations for all purposes for	
9	each year of the biennium for the civil defense adminis-	
10	tration .....	\$ 34,100.00



## CONSERVATION COMMISSION, STATE

1	SEC. 39. 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, 1959, and ending June 30, 1961, the	
4	sum of five hundred eighty-three thousand five hundred dollars (\$583,-	
5	500.00) or so much thereof as may be necessary to be used in the fol-	
6	lowing manner:	
7	For salary of director .....	\$ 9,000.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes of the office and maintenance of state parks,	
10	purchase of land and general improvements and for the	
11	construction and improvement of roads and highways	
12	under its control to include \$75,000.00 for utilization of	
13	prison inmates under the board of control.....	\$ 574,500.00
14	Grand total of all appropriations for all purposes for	
15	each year of the biennium for the conservation commis-	
16	sion .....	\$ 583,500.00

## COUNCIL OF STATE GOVERNMENT

1	SEC. 40. 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, 1959, and ending June 30, 1961, the sum	
4	of five thousand dollars (\$5,000.00) or so much thereof as may be	
5	necessary to be used in the following manner:	
6	For support of the council of state government.....	\$ 5,000.00
7	Grand total of all appropriations for all purposes for	
8	each year of the biennium for the council of state gov-	
9	ernment .....	\$ 5,000.00

## DEVELOPMENT COMMISSION, THE IOWA

1	SEC. 41. For the Iowa development commission there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1959, and ending June 30, 1961, the sum	
4	of two hundred thousand dollars (\$200,000.00) 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, including twelve thousand five hundred dol-	
8	lars (\$12,500.00) for the establishment of a state plan-	
9	ning department .....	\$ 200,000.00
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the Iowa development	
12	commission .....	\$ 200,000.00

## DISTRICT COURT JUDGES

1	SEC. 42. 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, 1959, and ending June 30, 1961, the sum of eight	

4 hundred forty-seven thousand two hundred fifty dollars (\$847,250.00)  
 5 or so much thereof as may be necessary to be used in the following  
 6 manner:  
 7 For salaries of the judges of the district courts of  
 8 Iowa and for the state's contribution, in the amount of  
 9 three percent of such salaries, to the judicial retirement  
 10 system provided for in chapter 605A, Code 1958.....\$ 774,250.00  
 11 For traveling expenses of judges and court reporters  
 12 in and out of districts..... 73,000.00

---

13 Grand total of all appropriations for all purposes for  
 14 each year of the biennium for district court judges and  
 15 reporters .....\$ 847,250.00  
 16 Section six hundred five point one (605.1), Code 1958, is amended  
 17 by striking from lines two (2) and three (3) the words "ten thousand  
 18 dollars per year" and substituting in lieu thereof the words "twelve  
 19 thousand five hundred dollars per year, provided that the compensa-  
 20 tion of judges during the terms existing at the time of the passage of  
 21 this Act shall be at the rate of ten thousand dollars per year until  
 22 the end of said existing terms."

FAIR BOARD, IOWA STATE

1 SEC. 43. For the state fair board there is hereby appropriated from  
 2 the general fund of the state for each year of the biennium beginning  
 3 July 1, 1959, and ending June 30, 1961, the sum of fifty-five thousand  
 4 dollars (\$55,000.00) or so much thereof 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 seven  
 7 thousand five hundred dollars (\$7,500.00) per annum to be paid out of  
 8 the funds of the state fair board.  
 9 For maintenance, insurance and operating expenses...\$ 45,000.00  
 10 For premiums ..... 10,000.00

---

11 Grand total of all appropriations for all purposes for  
 12 each year of the biennium for the state fair board.....\$ 55,000.00

HERBERT HOOVER BIRTHPLACE FOUNDATION, INC.

1 SEC. 44. For the Herbert Hoover Birthplace Foundation, Inc.,  
 2 there is hereby appropriated from the general fund of the state for  
 3 each year of the biennium beginning July 1, 1959, and ending June  
 4 30, 1961, the sum of ten thousand six hundred eighty-five dollars (\$10,-  
 5 685.00) or so much thereof as may be necessary to be used in the  
 6 following manner:  
 7 For salaries, support, maintenance and miscellaneous  
 8 purposes .....\$ 10,685.00

---

9 Grand total of all appropriations for all purposes for  
 10 each year of the biennium for the Herbert Hoover Birth-  
 11 place Foundation, Inc.....\$ 10,685.00

## HISTORICAL SOCIETY, THE STATE

1 SEC. 45. For the historical society at Iowa City there is hereby  
 2 appropriated from the general fund of the state for each year of the  
 3 biennium beginning July 1, 1959, and ending June 30, 1961, the sum  
 4 of ninety-four thousand dollars (\$94,000.00) or so much thereof as  
 5 may be necessary to be used in the following manner:

6	For salary of historian.....	\$ 5,500.00
7	For salaries, support, maintenance, moving into new	
8	building, janitorial expense and miscellaneous purposes..	88,500.00

9 Grand total of all appropriations for all purposes for  
 10 each year of the biennium for the historical society at  
 11 Iowa City .....\$ 94,000.00

12 (1) The control and maintenance of the Gardner Log Cabin, in-  
 13 cluding the contents of said cabin of historical value, adjoining the  
 14 Spirit Lake Massacre Monument in Arnolds Park, located on Lot A  
 15 of the plat of Pillsbury Point Park in Dickinson county, is hereby  
 16 transferred from the conservation commission to the state historical  
 17 society. There is hereby transferred from the conservation commis-  
 18 sion appropriation provided by Section 1, chapter 12 of the 56th Gen-  
 19 eral Assembly the sum of three thousand dollars (\$3,000.00) to the  
 20 state historical society subject to the conditions of said section.

## IOWA RECIPROCITY BOARD

1 SEC. 45a. For the reciprocity board there is hereby appropriated  
 2 from moneys credited to the general fund of the state by section three  
 3 hundred twenty-one point one hundred forty-five (321.145), of the  
 4 code, the sum of thirty thousand seven hundred fifty dollars (\$30,-  
 5 750.00) or so much thereof as may be necessary to be used in the  
 6 following manner:

7	For salary of executive secretary.....	\$ 6,000.00
8	For salaries, support, maintenance, pro-rate plates	
9	and stickers and miscellaneous purposes.....	24,750.00

10 Salaries for employees of said board, other than the  
 11 executive secretary, shall be based on a table of organiza-  
 12 tion and salary schedule adopted by said board subject  
 13 to the approval of the executive council

14 Grand total of all appropriations for all purposes for  
 15 each year of the biennium for the reciprocity board.....\$ 30,750.00

## NATIONAL GUARD AND STATE GUARD

1 SEC. 46. 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, 1959, and ending June 30, 1961, the sum  
 4 of eight hundred thirty thousand dollars (\$830,000.00) or so much  
 5 thereof as may be necessary to be used in the following manner:

6	For salaries, support, maintenance, armories and mis-	
7	cellaneous purposes .....	\$ 830,000.00

8	Grand total of all appropriations for all purposes for	
9	each year of the biennium for the national guard and	
10	state guard .....	\$ 830,000.00
11	Total miscellaneous services .....	\$2,690,285.00

## PUBLIC SAFETY:

## PUBLIC SAFETY, DEPARTMENT OF

1	SEC. 47. 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, 1959, and ending June 30, 1961, the sum	
4	of four million six hundred thirteen thousand eight hundred dollars	
5	(\$4,613,800.00) or so much thereof as may be necessary to be used	
6	in the following manner:	
7	DIVISION OF ADMINISTRATION	
8	For salary of commissioner.....	\$ 10,000.00
9	For salaries, support, maintenance and miscellaneous	
10	purposes .....	42,500.00
11		\$ 52,500.00
12	(1) DIVISION OF CRIMINAL INVESTIGATION	
13	For salaries, support, maintenance, miscellaneous pur-	
14	poses, and for the state's contribution to the peace offi-	
15	cers' retirement, accident and disability system, pro-	
16	vided in chapter 97A, Code of 1958, in the amount of	
17	sixteen percent of the salaries of personnel included in	
18	the system .....	\$ 188,000.00
19	(2) DIVISION OF FIRE MARSHAL	
20	For salaries, including salary of fire marshal, sup-	
21	port, maintenance and miscellaneous purposes.....	88,000.00
22	(3) DIVISION OF HIGHWAY PATROL	
23	For salaries, support, maintenance, miscellaneous pur-	
24	poses, and for the state's contribution to the peace offi-	
25	cers' retirement, accident and disability system, pro-	
26	vided in chapter 97A, Code 1958, in the amount of	
27	sixteen percent (16%) of the salaries of personnel in-	
28	cluded in the system, and including liability insurance	
29	and including a \$300.00 increase to the annual base rate	
30	of pay for highway patrolman .....	\$2,696,300.00
31	(4) DIVISION OF MOTOR VEHICLE FINANCIAL	
32	AND SAFETY RESPONSIBILITY AND RECORDS	
33	For salaries, support, maintenance and miscellaneous	
34	purposes .....	210,000.00
35	(5) DIVISION OF MOTOR REGISTRATION	
36	For the cost of non-reflective registration plates.....	325,000.00
37	For salaries, support, maintenance and miscellaneous	
38	purposes .....	374,000.00
39		\$ 699,000.00

40	(6) DIVISION OF OPERATORS AND	
41	CHAUFFEURS LICENSE	
42	For salaries, support, maintenance and miscellaneous	
43	purposes .....	\$ 338,000.00
44	(7) DIVISION OF RADIO COMMUNICATION	
45	For salaries, support, maintenance and miscellaneous	
46	purposes .....	275,000.00
47	(8) DIVISION OF SAFETY EDUCATION	
48	For salaries, support, maintenance and miscellaneous	
49	purposes .....	67,000.00
50	Grand total of all appropriations for all purposes for	
51	each year of the biennium for the department of public	
52	safety and all divisions thereof.....	\$4,613,800.00

53 (9) Section three hundred twenty-one point one hundred sixty-  
 54 three (321.163), Code 1958, is hereby amended by striking the last  
 55 paragraph of said section beginning at line sixteen (16).

56 (10) Section eighty point eight (80.8), Code 1958, is hereby  
 57 amended as follows:

58 By striking the word "fifteen" in line thirty-two (32) and by in-  
 59 serting in lieu thereof the word "twenty-five (25)".

60 By striking the word "fifteen" in line thirty-seven (37) and by in-  
 61 serting in lieu thereof the word "twenty-five (25)".

62 By striking the word "fifteen" in line forty-five (45) and by in-  
 63 serting in lieu thereof the word "twenty-five (25)".

64 By striking the word "fifteen" in line fifty-two (52) and by insert-  
 65 ing in lieu thereof the word "twenty-five (25)".

#### DIRECT EDUCATIONAL AID:

##### PUBLIC INSTRUCTION, DEPARTMENT OF

1 SEC. 48. 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, 1959, and ending June 30, 1961, the sum  
 4 of four hundred forty thousand dollars (\$440,000.00) or so much  
 5 thereof as may be necessary to be used in the following manner:

6	VOCATIONAL REHABILITATION	
7	For salaries, support, maintenance and miscellaneous	
8	purposes .....	\$ 440,000.00

9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the department of pub-	
11	lic instruction provided by this section.....	\$ 440,000.00

##### SOLDIERS' BONUS BOARD, WORLD WAR ORPHANS' EDUCATION AID

1 SEC. 49. 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, 1959, and ending June 30, 1961, the sum  
 4 of twenty-five thousand dollars (\$25,000.00) or so much thereof as  
 5 may be necessary to be used in the following manner:

6	For the purpose of administration and aiding in the	
7	education of children of honorably discharged soldiers,	
8	sailors, marines, nurses or other component part of the	
9	military forces of this state or nation as specified in	
10	Section 35.9, Code 1958.....	\$ 25,000.00
11	Grand total of all appropriations for all purposes for	
12	each year of the biennium for the soldiers' bonus board....	\$ 25,000.00
13	<b>Total direct educational aid.....</b>	<b>\$ 465,000.00</b>

1 SEC. 50. The salary of the state car dispatcher shall be six thou-  
 2 sand dollars (\$6,000.00) for each year of the biennium beginning July  
 3 1, 1959, and ending June 30, 1961, to be paid from the car dispatcher  
 4 funds.

1 SEC. 51. The salaries of the three members of the liquor control  
 2 commission shall be eight thousand dollars (\$8,000.00) for each com-  
 3 missioner for each year of the biennium beginning July 1, 1959, and  
 4 ending June 30, 1961, to be paid from the Iowa liquor control act fund.

1 SEC. 52. The salaries of the three (3) members of the board of  
 2 social welfare shall be seven thousand dollars (\$7,000.00) for each  
 3 member for each year of the biennium beginning July 1, 1959, and  
 4 ending June 30, 1961, to be paid from the funds of the department  
 5 of social welfare.

1 SEC. 53. No department or commission of state located in the city  
 2 of Des Moines shall expend any funds for the publication or distri-  
 3 bution of books or pamphlets or reports unless the publication thereof  
 4 be expressly required by law or approved by the budget and financial  
 5 control committee and the state printing board. A violation of this  
 6 section shall constitute misfeasance in office.

1 SEC. 54. All salaries provided for in this Act are in lieu of all  
 2 existing statutory salaries, for the positions provided herein, and shall  
 3 be payable in equal monthly or semi-monthly installments, and shall  
 4 be in full compensation for all services except as otherwise expressly  
 5 provided and except further that expense allowances shall be author-  
 6 ized, any ruling of the Federal Internal Revenue Service with respect  
 7 to the tax status thereof notwithstanding.

1 SEC. 55. Where any provisions of the laws of this state are in con-  
 2 flict with this Act the provisions of this Act shall govern for the  
 3 biennium.

Approved May 14, 1959.

## CHAPTER 2

## BOARD OF CONTROL APPROPRIATIONS

H. F. 745

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1959, and ending June 30, 1961, to the board of control for salaries, support, maintenance, repairs, replacements, alterations or equipment of institutions, and for salaries, support, maintenance and miscellaneous purposes for the central office, and for mobile housing units for inmates of certain state institutions, all under the board of control, and to provide that chapter eight (8), except section eight point five (8.5), Code 1958, shall apply to this Act.

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

1 SECTION 1. There is hereby appropriated from the general fund of  
2 the state of Iowa for the biennium beginning July 1, 1959, and ending  
3 June 30, 1961, for the board of control of state institutions for all  
4 purposes including salaries, support, maintenance, repairs, replace-  
5 ments, alterations or equipment and miscellaneous purposes for in-  
6 stitutions, and for salaries, support, maintenance and miscellaneous  
7 purposes for the central office, and for mobile housing units for in-  
8 mates of certain state institutions, all under the board of control, the  
9 sum of forty million two hundred thirty-seven thousand forty dollars  
10 (\$40,237,040.00) or so much thereof as may be necessary to be used  
11 for the following purposes and at the following times, to wit:

## MENTAL HEALTH INSTITUTE

## Cherokee

1 SEC. 2. For the Mental Health Institute at Cherokee, Iowa, there  
2 is hereby appropriated from the general fund of the state for each  
3 year of the biennium beginning July 1, 1959, and ending June 30,  
4 1961, the sum of two million one hundred ninety-one thousand one  
5 hundred dollars (\$2,191,100.00) or so much thereof as may be neces-  
6 sary to be used in the following manner:

7	For salaries .....	\$1,627,600.00
8	For support and maintenance.....	484,500.00
9	For repairs, replacements or alterations.....	47,500.00
10	For equipment .....	31,500.00
11	Total for Mental Health Institute, Cherokee.....	\$2,191,100.00

## MENTAL HEALTH INSTITUTE

## Clarinda

1 SEC. 3. For the Mental Health Institute at Clarinda, Iowa, there  
2 is hereby appropriated from the general fund of the state for each  
3 year of the biennium beginning July 1, 1959, and ending June 30, 1961,  
4 the sum of one million nine hundred fifty-four thousand six hundred  
5 dollars (\$1,954,600.00) or so much thereof as may be necessary to be  
6 used in the following manner:

7	For salaries .....	\$1,356,600.00
8	For support and maintenance.....	519,000.00
9	For repairs, replacements or alterations.....	47,500.00
10	For equipment .....	31,500.00
11	Total for Mental Health Institute, Clarinda.....	\$1,954,600.00

---

 MENTAL HEALTH INSTITUTE

## Independence

1 SEC. 4. For the Mental Health Institute at Independence, Iowa,  
 2 there is hereby appropriated from the general fund of the state for  
 3 each year of the biennium beginning July 1, 1959, and ending June  
 4 30, 1961, the sum of two million two hundred twenty-six thousand  
 5 seven hundred dollars (\$2,226,700.00) or so much thereof as may be  
 6 necessary to be used in the following manner:

7	For salaries .....	\$1,730,700.00
8	For support and maintenance.....	417,000.00
9	For repairs, replacements or alterations.....	47,500.00
10	For equipment .....	31,500.00
11	Total for Mental Health Institute, Independence.....	\$2,226,700.00

## MENTAL HEALTH INSTITUTE

## Mount Pleasant

1 SEC. 5. For the Mental Health Institute at Mount Pleasant, Iowa,  
 2 there is hereby appropriated from the general fund of the state for  
 3 each year of the biennium beginning July 1, 1959, and ending June  
 4 30, 1961, the sum of one million nine hundred twenty-four thousand  
 5 seven hundred dollars (\$1,924,700.00) or so much thereof as may be  
 6 necessary to be used in the following manner:

7	For salaries .....	\$1,357,200.00
8	For support and maintenance.....	488,500.00
9	For repairs, replacements or alterations.....	47,500.00
10	For equipment .....	31,500.00
11	Total for Mental Health Institute, Mount Pleasant.....	\$1,924,700.00

## GLENWOOD STATE SCHOOL

## Glenwood

1 SEC. 6. 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, 1959, and ending June 30, 1961,  
 4 the sum of two million one hundred seventy-one thousand three hun-  
 5 dred dollars (\$2,171,300.00) or so much thereof as may be necessary  
 6 to be used in the following manner:

7	For salaries .....	\$1,522,800.00
8	For support and maintenance.....	569,500.00
9	For repairs, replacements or alterations.....	47,500.00
10	For equipment .....	31,500.00
11	Total for Glenwood State School, Glenwood.....	\$2,171,300.00



## STATE HOSPITAL AND SCHOOL

## Woodward

1 SEC. 7. For the State Hospital and School at Woodward, Iowa,  
 2 there is hereby appropriated from the general fund of the state for  
 3 each year of the biennium beginning July 1, 1959, and ending June  
 4 30, 1961, the sum of two million one hundred seventy-one thousand  
 5 dollars (\$2,171,000.00) or so much thereof as may be necessary to be  
 6 used in the following manner:

7	For salaries .....	\$1,589,000.00
8	For support and maintenance.....	503,000.00
9	For repairs, replacements or alterations .....	47,500.00
10	For equipment .....	31,500.00
11	Total for State Hospital and School, Woodward.....	\$2,171,000.00

## ANNIE WITTENMYER HOME, THE IOWA

## Davenport

1 SEC. 8. For The Iowa Annie Wittenmyer Home at Davenport,  
 2 Iowa, there is hereby appropriated from the general fund of the state  
 3 for each year of the biennium beginning July 1, 1959, and ending  
 4 June 30, 1961, the sum of six hundred eighty thousand three hundred  
 5 dollars (\$680,300.00) or so much thereof as may be necessary to be  
 6 used in the following manner:

7	For salaries .....	\$ 464,300.00
8	For support and maintenance.....	168,500.00
9	For repairs, replacements or alterations.....	26,500.00
10	For equipment .....	21,000.00
11	Total for The Iowa Annie Wittenmyer Home, Daven-	
12	port .....	\$ 680,300.00

## JUVENILE HOME, STATE

## Toledo

1 SEC. 9. 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, 1959, and ending June 30, 1961, the  
 4 sum of five hundred thirty-three thousand six hundred dollars (\$533,-  
 5 600.00) or so much thereof as may be necessary to be used in the fol-  
 6 lowing manner:

7	For salaries .....	\$ 361,000.00
8	For support and maintenance.....	135,600.00
9	For repairs, replacements or alterations.....	26,500.00
10	For equipment .....	10,500.00
11	Total for State Juvenile Home, Toledo.....	\$ 533,600.00

## SOLDIERS HOME, IOWA

## Marshalltown

1 SEC. 10. 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, 1959, and ending June 30,  
 4 1961, the sum of eight hundred thirty-nine thousand dollars (\$839,-  
 5 000.00) or so much thereof as may be necessary to be used in the  
 6 following manner:

7	For salaries .....	\$ 673,100.00
8	For support and maintenance.....	120,400.00
9	For repairs, replacements or alterations .....	26,500.00
10	For equipment .....	19,000.00
11	Total for Iowa Soldiers Home, Marshalltown.....	\$ 839,000.00

## 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, 1959, and ending June 30, 1961,  
 4 the sum of one million two hundred fifty-six thousand two hundred  
 5 dollars (\$1,256,200.00) or so much thereof as may be necessary to be  
 6 used in the following manner:

7	For salaries .....	\$ 781,000.00
8	For support and maintenance.....	425,700.00
9	For repairs, replacements or alterations .....	37,000.00
10	For equipment .....	12,500.00
11	Total for Men's Reformatory, Anamosa.....	\$1,256,200.00

## PENITENTIARY, STATE

## Fort Madison

1 SEC. 12. For the State Penitentiary at Fort Madison, Iowa, there  
 2 is hereby appropriated from the general fund of the state for each  
 3 year of the biennium beginning July 1, 1959, and ending June 30,  
 4 1961, the sum of one million six hundred forty thousand one hundred  
 5 dollars (\$1,640,100.00) or so much thereof as may be necessary to be  
 6 used in the following manner:

7	For salaries .....	\$ 910,900.00
8	For support and maintenance.....	679,700.00
9	For repairs, replacements or alterations.....	37,000.00
10	For equipment .....	12,500.00
11	Total for State Penitentiary, Fort Madison.....	\$1,640,100.00

## WOMEN'S REFORMATORY

## Rockwell City

1 SEC. 13. 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, 1959, and ending June	
4	30, 1961, the sum of one hundred eighty-six thousand six hundred	
5	dollars (\$186,600.00) or so much thereof as may be necessary to be	
6	used in the following manner:	
7	For salaries .....	\$ 110,000.00
8	For support and maintenance.....	59,100.00
9	For repairs, replacements or alterations.....	11,000.00
10	For equipment .....	6,500.00
11	Total for Women's Reformatory, Rockwell City.....	\$ 186,600.00

## TRAINING SCHOOL FOR BOYS

## Eldora

1	SEC. 14. For the Training School for Boys at Eldora, Iowa, there	
2	is hereby appropriated from the general fund of the state for each	
3	year of the biennium beginning July 1, 1959, and ending June 30,	
4	1961, the sum of eight hundred twenty-two thousand five hundred	
5	dollars (\$822,500.00) or so much thereof as may be necessary to be	
6	used in the following manner:	
7	For salaries .....	\$ 553,000.00
8	For support and maintenance.....	222,000.00
9	For repairs, replacements or alterations.....	26,500.00
10	For equipment .....	21,000.00
11	Total for Training School for Boys, Eldora.....	\$ 822,500.00

## TRAINING SCHOOL FOR GIRLS

## Mitchellville

1	SEC. 15. 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, 1959, and ending June	
4	30, 1961, the sum of two hundred forty-five thousand nine hundred	
5	dollars (\$245,900.00) or so much thereof as may be necessary to be	
6	used in the following manner:	
7	For salaries .....	\$ 149,400.00
8	For support and maintenance.....	70,000.00
9	For repairs, replacements or alterations.....	16,000.00
10	For equipment .....	10,500.00
11	Total for Training School for Girls, Mitchellville.....	\$ 245,900.00

## BOARD OF CONTROL

1	SEC. 16. For the board of control of state institutions in addition	
2	to any other appropriation for mental health for such institution se-	
3	lected by said board, subject to the approval of the budget and finan-	
4	cial control committee, there is hereby appropriated from the general	
5	fund of the state for each year of the biennium beginning July 1,	
6	1959, and ending June 30, 1961, the sum of seven hundred ninety-two	
7	thousand six hundred dollars (\$792,600.00) or so much thereof as may	
8	be necessary to be used in the following manner:	

9	For salaries, support, maintenance, repairs, replace-	
10	ments, alterations or equipment and miscellaneous pur-	
11	poses .....	\$ 375,000.00
12	The said sum of three hundred seventy-five thousand	
13	dollars (\$375,000.00) shall be used as follows: For out-	
14	patient care to approximately 2,400 mental patients in	
15	county homes; for aid and support to community mental	
16	health clinics; and to strengthen children's programs.	
17	For mental health services at the Training School for	
18	Boys, the Training School for Girls, the Juvenile Home,	
19	the Iowa Annie Wittenmyer Home, the Women's Re-	
20	formatory, the Men's Reformatory, and the State Peni-	
21	tentiary .....	\$ 375,000.00
22	For upgrading the salary schedule of attendants at the	
23	four (4) mental health institutes located at Cherokee,	
24	Clarinda, Mount Pleasant and Independence and the two	
25	(2) institutions for the mentally retarded, located at	
26	Glenwood and Woodward .....	\$ 417,600.00
27	Total for additional mental health.....	\$ 792,600.00

1 SEC. 17. For the board of control of state institutions, for the pur-  
 2 pose of aiding in the rehabilitation of inmates of the Men's Reforma-  
 3 tory and the State Penitentiary, there is hereby appropriated from  
 4 the general fund of the state for the biennium beginning July 1, 1959,  
 5 and ending June 30, 1961, the sum of thirty thousand four hundred  
 6 forty dollars (\$30,440.00), said sum to be used for mobile housing  
 7 units for inmates of said institutions.

#### CENTRAL OFFICE

##### Des Moines

1	SEC. 18. For the central office of the board of control there is	
2	hereby appropriated from the general fund of the state for each year	
3	of the biennium beginning July 1, 1959, and ending June 30, 1961, the	
4	sum of four hundred sixty-seven thousand one hundred dollars	
5	(\$467,100.00) or so much thereof as may be necessary to be used in	
6	the following manner:	
7	For salary of board members (2 persons at \$8,000.00	
8	each) .....	\$ 16,000.00
9	For salary of board member (whose term expires	
10	June 30, 1965).....	\$ 7,000.00
11	For salaries, support, maintenance and miscellaneous	
12	purposes .....	444,100.00
13	Grand total of all appropriations for all purposes for	
14	each year of the biennium for the central office of the	
15	board of control provided by this section.....	\$ 467,100.00

1 SEC. 19. All salaries provided for in this Act shall be payable in  
 2 equal monthly or semi-monthly installments, and shall be in full com-  
 3 pensation for all services except as otherwise expressly provided and

4 except further that expense allowances shall be authorized, any ruling  
5 of the Federal Internal Revenue Service with respect to the tax status  
6 thereof notwithstanding.

1 SEC. 20. Chapter eight (8), Code 1958, shall apply to this Act, ex-  
2 cept that employees whose salaries are appropriated herein shall not  
3 come under the division of personnel under section eight point five  
4 (8.5), Code 1958.

Approved May 15, 1959.

### CHAPTER 3

#### BOARD OF CONTROL APPROPRIATION

H. F. 751

AN ACT to appropriate funds to the board of control for the repair or restoration of a building, and for the restoration and replacement of furniture, fixtures, equipment and other items of inventory damaged or destroyed by fire in the shops building at the training school for boys at Eldora on April 4, 1959.

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

1 SECTION 1. There is hereby appropriated from the general fund  
2 of the state to the board of control the sum of thirty-eight thousand  
3 four hundred fifty-four dollars (\$38,454.00) or so much thereof as  
4 may be necessary to be used for the repair or restoration of a shops  
5 building, and for the restoration and replacement of furniture, fix-  
6 tures, equipment and other items of inventory damaged or destroyed  
7 by fire at the training school for boys at Eldora on April 4, 1959.

1 SEC. 2. Any unexpended balance of funds herein appropriated as  
2 of June 30, 1961, shall revert to the general fund of the state.

1 SEC. 3. This Act being deemed of immediate importance shall be  
2 in full force and effect from and after its passage and publication in  
3 the Grinnell Herald-Register, a newspaper published at Grinnell,  
4 Iowa, and the Kossuth County Advance, a newspaper published at  
5 Algona, Iowa.

Approved May 15, 1959.

I hereby certify that the foregoing Act, House File 751, was published in the Grinnell Herald-Register, Grinnell, Iowa, May 21, 1959, and in the Kossuth County Advance, Algona, Iowa, May 26, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 4

## BOARD OF CONTROL CAPITAL IMPROVEMENTS

H. F. 498

AN ACT to appropriate from the general fund of the state of Iowa for capital improvements for institutions under the board of control, including construction of new buildings, repairs, improvements, replacements, or alterations, and providing for the joint control for the expenditure thereof by the board of control and the budget and financial control committee.

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

1	SECTION 1. There is hereby appropriated from the general fund of	
2	the state to the board of control the sum of five million one hundred	
3	twenty-five thousand (\$5,125,000.00) dollars to be used in the follow-	
4	ing manner, to wit:	
5	Infirmary building only, at the soldiers' home at Mar-	
6	shalltown .....	\$1,500,000
7	Ward replacement at the mental health institute at	
8	Mount Pleasant .....	1,600,000
9	New administration building at the boys' training school	
10	at Eldora .....	200,000
11	One new cottage at the girls' training school at Mitchell-	
12	ville .....	250,000
13	For capital repairs and improvements as conditions war-	
14	rarrant at institutions under the board of control to supplement	
15	any prior appropriations for capital improvement items for	
16	construction of new buildings, repairs, improvements, re-	
17	placements or alterations, or for any other capital expendi-	
18	ture the board of control may deem necessary for the proper	
19	and necessary function of any institution under its juris-	
20	isdiction .....	\$1,575,000
21	TOTAL.....	\$5,125,000

1 SEC. 2. Such sums for each institution shall be expended in ac-  
 2 cordance with the above list of priorities in the approximate esti-  
 3 mated amounts. Such amounts and order of priority may be changed  
 4 by the board of control with the approval of the budget and financial  
 5 control committee.

1 SEC. 3. Before any of the funds herein appropriated shall be ex-  
 2 pended, it shall be determined by the board of control, with the ap-  
 3 proval of the budget and financial control committee, that the expen-  
 4 ditures shall be for the best interests of the state.

1 SEC. 4. Contracts, plans and specifications, or plan of operation  
 2 for improvements for which funds are herein appropriated, shall be  
 3 submitted by the board of control to the budget and financial control  
 4 committee for approval, except that items commonly known as change  
 5 orders need not be submitted to the budget and financial control com-  
 6 mittee for approval unless such change orders actually increase the  
 7 total cost of that particular project.

1 SEC. 5. The board of control and the budget and financial control  
2 committee are hereby authorized to obtain federal grants to the state  
3 to be used in connection with the funds above appropriated.

1 SEC. 6. The Act being deemed of immediate importance shall be  
2 in full force and effect after publication in the Eldora Herald-Ledger,  
3 a newspaper published at Eldora, Iowa and in the West Des Moines  
4 Express, a newspaper published at West Des Moines, Iowa.

Approved March 23, 1959.

I hereby certify that the foregoing Act, House File 498, was published in the Eldora Herald-Ledger, Eldora, Iowa, March 31, 1959, and in the West Des Moines Express, West Des Moines, Iowa, April 2, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 5

### BOARD OF REGENTS APPROPRIATIONS

#### H. F. 741

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1959, and ending June 30, 1961, to the state board of regents for the support, maintenance, equipment, repairs, replacements and alterations of institutions under said state board of regents, and for the support and maintenance of the central office under said state board of regents.

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

1 SECTION 1. There is hereby appropriated from the general fund of  
2 the state for each year of the biennium, beginning July 1, 1959, and  
3 ending June 30, 1961, for the support, maintenance, equipment, re-  
4 pairs, replacements and alterations of all institutions under the con-  
5 trol of the state board of regents, and for the support and maintenance  
6 of the central office under the control of the state board of regents, the  
7 sum of thirty-six million five hundred eighty thousand seven hundred  
8 twenty-two dollars (\$36,580,722.00), or so much thereof as may be  
9 necessary, and for the following purposes to wit:

#### CENTRAL OFFICE

##### Des Moines

1 SEC. 2. For the central office of the board of regents there is here-  
2 by appropriated from the general fund of the state for each year of  
3 the biennium beginning July 1, 1959, and ending June 30, 1961, the  
4 sum of seventy-seven thousand nine hundred dollars (\$77,900.00) or  
5 so much thereof as may be necessary to be used in the following man-  
6 ner:

7	For salary of secretary.....	\$ 9,000.00
8	For salary of chairman of finance committee.....	8,000.00
9	For salary of finance committee member.....	8,000.00
10	For salary of director of research and statistics.....	6,000.00
11	For salaries, support, maintenance and miscellaneous	
12	purposes .....	46,900.00

13	Board members to receive a per diem of \$20.00 per	
14	day and shall not exceed \$7,200.00 per year for all mem-	
15	bers.	
16	Grand total of all appropriations for all purposes for	
17	each year of the biennium for the central office of board	
18	of regents provided by this section.....	\$ 77,900.00

## STATE UNIVERSITY OF IOWA

## Iowa City

1	SEC. 3. 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, 1959, and ending June 30, 1961, the sum of eleven	
4	million eight hundred eighteen thousand five hundred seventy dollars	
5	(\$11,818,570.00) or so much thereof as may be necessary to be used	
6	in the following manner:	
7	For salaries, support, maintenance and miscellaneous	
8	purposes, to include \$453,050.00 for equipment.....	\$11,480,995.00
9	For repairs, replacements and alterations.....	333,375.00
10	For Lakeside laboratory, for repairs, replacements,	
11	alterations and equipment.....	4,200.00
12	A school of mortuary science may be established at	
13	the State University of Iowa at the discretion of the	
14	Board of Regents.	
15	Total for state university of Iowa.....	\$11,818,570.00

## UNIVERSITY HOSPITAL

1	SEC. 4. For the purpose of carrying out the purpose of chapter two	
2	hundred fifty-five (255), Code 1958, there is hereby appropriated from	
3	the general fund of the state for each year of the biennium, begin-	
4	ning July 1, 1959, and ending June 30, 1961, the sum of five million	
5	two hundred seventy-five thousand three hundred twelve dollars	
6	(\$5,275,312.00) or so much thereof as may be necessary to be used	
7	in the following manner:	
8	For salaries, support, maintenance, and for medical-	
9	surgical treatment of indigent patients at the university	
10	hospital, to include \$147,000.00 for equipment.....	\$ 5,109,312.00
11	For repairs, replacements and alterations.....	166,000.00
12	Total for the university hospital.....	\$ 5,275,312.00

## PSYCHOPATHIC HOSPITAL

1	SEC. 5. For the psychopathic hospital for the purpose of chapter	
2	two hundred twenty-five (225), Code 1958, there is hereby appropri-	
3	ated from the general fund of the state for each year of the biennium,	
4	beginning July 1, 1959, and ending June 30, 1961, the sum of eight	
5	hundred seventy thousand three hundred forty-three dollars (\$870,-	
6	343.00), or so much thereof as may be necessary to be used in the	
7	following manner:	



8	For salaries, support, maintenance and for the care,	
9	treatment and maintenance of committed and voluntary	
10	public patients therein, to include \$8,904.00 for equip-	
11	ment .....	\$ 857,743.00
12	For repairs, replacements and alterations.....	12,600.00
13	Total for psychopathic hospital.....	\$ 870,343.00

## BACTERIOLOGICAL LABORATORY

1	SEC. 6. For the bacteriological laboratory there is hereby appro-	
2	riated from the general fund of the state for each year of the bien-	
3	niun, beginning July 1, 1959, and ending June 30, 1961, the sum of	
4	three hundred twenty-one thousand three hundred seventy-seven dol-	
5	lars (\$321,377.00), or so much thereof as may be necessary to be	
6	used in the manner and under the authority provided in chapter two	
7	hundred sixty-three (263), Code 1958:	
8	For salaries, support, maintenance, and miscellaneous	
9	purposes, to include \$19,478.00 for equipment.....	\$ 321,377.00
10	Total for bacteriological laboratory.....	\$ 321,377.00

## HOSPITAL SCHOOL

1	SEC. 7. 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, 1959, and ending June 30, 1961, the sum of five hundred sixty-	
4	five thousand eight hundred two dollars (\$565,802.00), or so much	
5	thereof as may be necessary to be used in the manner and under the	
6	authority provided in chapter two hundred sixty-three (263), Code	
7	1958:	
8	For salaries, support, maintenance and miscellaneous	
9	purposes, to include \$10,000 for equipment.....	\$ 560,802.00
10	For repairs, replacements and alterations.....	\$ 5,000.00
11	Total for hospital school.....	\$ 565,802.00

IOWA STATE COLLEGE OF AGRICULTURE  
AND MECHANIC ARTS\*

## Ames

1	SEC. 8. For the Iowa state college of agriculture and mechanic	
2	arts, including the Iowa agricultural experiment station and the co-	
3	operative extension service in agriculture and home economics, there	
4	is hereby appropriated from the general fund of the state for each	
5	year of the biennium beginning July 1, 1959, and ending June 30,	
6	1961, the sum of eleven million eight hundred eighty-seven thou-	
7	sand sixty-seven dollars (\$11,887,067.00), or so much thereof as may	
8	be necessary to be used in the following manner:	
9	(1) GENERAL COLLEGE	
10	For salaries, support, maintenance and miscellaneous	

\*See chapter 74.

11	purposes, to include \$360,469.00 for equipment.....	\$ 8,175,821.00
12	For repairs, replacements and alterations.....	333,375.00
13	Total for general college.....	\$ 8,509,196.00
14	(2) IOWA AGRICULTURAL EXPERIMENT STATION	
15	For salaries, support, maintenance and miscellaneous	
16	purposes, to include \$52,868.00 for equipment:.....	\$ 2,054,752.00
17	Total for Iowa agricultural experiment station.....	\$ 2,054,752.00
18	(3) CO-OPERATIVE EXTENSION SERVICE IN	
19	AGRICULTURE AND HOME ECONOMICS	
20	For salaries, support, maintenance, and miscellaneous	
21	purposes, to include \$23,850.00 for equipment.....	\$ 1,323,119.00
22	Total for co-operative extension service in agriculture	
23	and home economics.....	\$ 1,323,119.00
24	Grand total of all appropriations for all purposes of	
25	the Iowa state college of agriculture and mechanic arts,	
26	including the Iowa agricultural experiment station and	
27	the co-operative extension service in agriculture and	
28	home economics .....	\$11,887,067.00

## IOWA STATE TEACHERS COLLEGE

## Cedar Falls

1	SEC. 9. For the Iowa state teachers college there is hereby appro-	
2	riated from the general fund of the state for each year of the bien-	
3	niun, beginning July 1, 1959, and ending June 30, 1961, the sum of	
4	three million four hundred eighty-eight thousand six hundred sixty-	
5	seven dollars (\$3,488,667.00), or so much thereof as may be necessary	
6	to be used in the following manner:	
7	For salaries, support, maintenance and miscellaneous	
8	purposes, to include \$85,368.00 for equipment.....	\$ 3,331,167.00
9	For repairs, replacement and alterations.....	157,500.00
10	Total for Iowa state teachers college.....	\$ 3,488,667.00

IOWA BRAILLE AND SIGHT-SAVING  
SCHOOL

## Vinton

1	SEC. 10. For the Iowa braille and sight-saving school there is	
2	hereby appropriated from the general fund of the state for each year	
3	of the biennium beginning July 1, 1959, and ending June 30, 1961,	
4	the sum of four hundred thirty-four thousand eight hundred eighty-	
5	four dollars (\$434,884.00), or so much thereof as may be necessary	
6	to be used in the following manner:	
7	For salaries, support, maintenance and miscellaneous	
8	purposes, to include \$17,200.00 for equipment.....	\$ 419,884.00
9	For repairs, replacement and alterations.....	\$ 15,000.00
10	Total for Iowa braille and sight-saving school.....	\$ 434,884.00

## IOWA SCHOOL FOR THE DEAF

## Council Bluffs

1 SEC. 11. For the Iowa school for the deaf there is hereby appro-  
 2 priated from the general fund of the state for each year of the bien-  
 3 nium, beginning July 1, 1959, and ending June 30, 1961, the sum of  
 4 seven hundred seventy-six thousand eight hundred seventy-six dol-  
 5 lars (\$776,876.00), or so much thereof as may be necessary to be  
 6 used in the following manner:

7	For salaries, support, maintenance and miscellaneous	
8	purposes, to include \$20,025.00 for equipment.....	\$ 760,076.00
9	For repairs, replacements and alterations.....	16,800.00
10	Total for the Iowa school for the deaf.....	<u>\$ 776,876.00</u>

## STATE SANATORIUM

## Oakdale

1 SEC. 12. For the state sanatorium at Oakdale, Iowa, there is here-  
 2 by appropriated from the general fund of the state for each year of  
 3 the biennium beginning July 1, 1959, and ending June 30, 1961, the  
 4 sum of one million sixty-three thousand nine hundred twenty-four  
 5 dollars (\$1,063,924.00), or so much thereof as may be necessary to  
 6 be used in the following manner:

7	For salaries, support, maintenance and miscellaneous	
8	purposes, to include \$25,200.00 for equipment.....	\$ 1,018,924.00
9	For repairs, replacements and alterations.....	45,000.00
10	Total for state sanatorium, Oakdale, Iowa.....	<u>\$ 1,063,924.00</u>
11	Grand total of all appropriations to the state board of	
12	regents for all purposes.....	<u>\$36,580,722.00</u>

1 SEC. 13. The budget of total expenditures for each institution un-  
 2 der the control of the state board of regents, including state appro-  
 3 priations and such other receipts as may be available for the same  
 4 purpose as the state appropriations, during the biennium shall not  
 5 exceed the budget for each institution as hereinafter set forth, except  
 6 the state board of regents may, in the event of an emergency or neces-  
 7 sity, which may arise at any particular institution under its control,  
 8 expend more than the amount budgeted for such institution which  
 9 expenditure shall be made out of increase in receipts of such institu-  
 10 tion, such increase in receipts meaning receipts in excess of the esti-  
 11 mation of receipts of the respective institutions as set forth in the  
 12 appropriations proposals submitted to the general assembly, provided  
 13 that thirty days prior to such proposed increased expenditure the  
 14 board shall report in writing to the state comptroller the specific pur-  
 15 pose of such additional expenditure and the source and amount of  
 16 funds available therefor, and further said board shall set out in its  
 17 biennial report to the governor and the next general assembly such  
 18 increased expenditures, the purpose thereof, and the source and  
 19 amount of funds used therefor. No funds appropriated by this Act  
 20 or receipts, which may be used for the same purpose as said appro-  
 21 priations, may be used for capital improvements.

22	State university of Iowa.....	\$29,321,132.00
23	University hospital .....	16,507,722.00
24	Psychopathic hospital .....	2,014,690.00
25	Bacteriological laboratory .....	724,830.00
26	Hospital school .....	1,131,604.00
27	Iowa state college*	
28	General college .....	\$22,358,392.00
29	Agricultural experiment station....	5,400,164.00
30	Co-operative extension service in	
31	agriculture and home economics	5,485,106.00
32	.....	\$33,243,662.00
33	Iowa state teachers college.....	8,156,034.00
34	Iowa braille and sight-saving school.....	871,768.00
35	Iowa school for the deaf.....	1,569,752.00
36	State sanatorium .....	2,402,648.00
37	Total budget for all institutions under the state board	
38	of regents for the biennium beginning July 1, 1959, and	
39	ending June 30, 1961.....	\$95,943,842.00

1     SEC. 14. All salaries provided for in this Act shall be payable in  
2 equal monthly or semi-monthly installments, and shall be in full com-  
3 pensation for all services except as otherwise expressly provided and  
4 except further that expense allowances shall be authorized, any ruling  
5 of the Federal Internal Revenue Service with respect to the tax status  
6 thereof notwithstanding.

1     SEC. 15. Chapter 8, Code 1958, shall apply to this Act.

Approved May 15, 1959.

\*See chapter 74.

## CHAPTER 6

### BOARD OF REGENTS CAPITAL IMPROVEMENTS

S. F. 352

AN ACT to appropriate from the general fund of the state of Iowa to the state board of regents for capital improvements, repairs, replacements, alterations, equipment and institutional roads at state institutions and to the state historical society of Iowa for equipment in the centennial building at Iowa City.

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

1     SECTION 1. There is hereby appropriated from the general fund  
2 of the state of Iowa to the state board of regents for capital improve-  
3 ments, repairs, replacements, alterations, equipment and institutional  
4 roads the sum of sixteen million, two hundred forty-two thousand,  
5 three hundred thirty dollars (\$16,242,330.00), the same being al-  
6 lotted to the various institutions and the central office under the state  
7 board of regents in the following amounts:  
8 STATE UNIVERSITY OF IOWA .....

	\$6,190,900.00
9     1. Law Center without equipment ....	\$ 312,500.00
10    2. Utilities .....	1,594,500.00
11    3. Volatile storage without equipment	78,500.00

12	4. Library addition without equip-	
13	ment .....	\$ 828,400.00
14	5. Lakeside Laboratory .....	31,500.00
15	6. Land purchases .....	100,000.00
16	7. Student infirmary without equip-	
17	ment .....	85,000.00
18	8. Pharmacy building without equip-	
19	ment .....	1,418,000.00
20	9. Psychopathic hospital addition and	
21	equipment for expanded program of re-	
22	search, teaching and training .....	235,000.00
23	10. Chemistry building without equip-	
24	ment .....	852,500.00
25	11. Special repairs, replacements, al-	
26	terations and equipment:	
27	(a) Steam production services .....	160,000.00
28	(b) Steam distribution .....	165,000.00
29	(c) Art building remodeling .....	60,000.00
30	(d) Equipment and installation for	
31	use of gas fuel (including the sum not	
32	to exceed \$50,000.00 for the purchase	
33	and installation of fly ash control equip-	
34	ment on the boilers at the power plant	
35	at said institution) .....	100,000.00
36	(e) Redevelopment of department	
37	of obstetrics (university hospital) .....	100,000.00
38	(f) Renovate seven story elevator	
39	(university hospital) .....	40,000.00
40	(g) Renovate head specialties op-	
41	erating suite (university hospital) .....	30,000.00
42	IOWA STATE COLLEGE* .....	\$6,200,000.00
43	1. Library addition and equipment ...	\$1,312,500.00
44	2. Power plant	
45	Turbo generator, including auxil-	
46	iary equipment .....	770,000.00
47	Steam generator, including auxil-	
48	iary equipment .....	530,000.00
49	3. Classroom building and equipment	1,575,000.00
50	4. Food processing building and	
51	equipment (agricultural experiment	
52	station) .....	367,500.00
53	5. Land and minor structures .....	300,000.00
54	(agricultural experiment station)	
55	6. Service building addition without	
56	equipment .....	300,000.00
57	7. Instrumentation research labora-	
58	tory without equipment .....	200,000.00
59	8. Special repairs, replacements, al-	
60	terations and equipment	
61	(a) Chemistry, laboratory renova-	
62	tion .....	250,000.00

\*See chapter 74.

63	(b) Chemistry, Remodel basement		
64	for bio-chemistry .....	\$	125,000.00
65	(c) Mechanical engineering labo-		
66	ratory—remodeling .....		50,000.00
67	(d) Armory, heating, ventilating		
68	painting, etc. ....		118,000.00
69	(e) New well, pump, pump house,		
70	pipng .....		30,000.00
71	(f) Hospital elevators .....		30,000.00
72	(g) Physics, court enclosures .....		75,000.00
73	(h) Home ecconomics, remodeling..		42,000.00
74	(i) Parking lot improvements.....		25,000.00
75	(j) Street lighting improvements		25,000.00
76	(k) Pammel drive paving exten-		
77	sion .....		40,000.00
78	(l) Gas distribution system .....		25,000.00
79	(m) Ankeny headquarters build-		
80	ing, reroofng .....		10,000.00
81	IOWA STATE TEACHERS COLLEGE .....		\$2,572,250.00
82	1. Land purchases .....	\$	200,000.00
83	2. Heating plant improvements .....		570,000.00
84	Steam generator and auxiliary		
85	equipment		
86	Replace coal handling equipment		
87	3. Health service building and equip-		
88	ment .....		315,000.00
89	4. Music education building and		
90	equipment .....		1,155,000.00
91	5. Arts and industries building .....		209,250.00
92	Addition and equipment		
93	Remodel for office and storage		
94	space		
95	6. Special repairs, replacements, al-		
96	terations and equipment		
97	(a) Fire prevention improvements		20,000.00
98	(b) Auditorium, fire escape and		
99	remodel stage .....		35,000.00
100	(c) Greenhouse, addition for		
101	equipment storage .....		10,000.00
102	(d) Auditorium, modernize heat-		
103	ing system .....		58,000.00
104	IOWA BRAILLE AND SIGHT-SAVING SCHOOL .....	\$	173,250.00
105	1. Physical education building and		
106	equipment .....	\$	173,250.00
107	IOWA SCHOOL FOR THE DEAF .....	\$	186,330.00
108	1. Remodel primary hall dormitory		
109	and equipment .....	\$	157,500.00
110	2. Special repairs, replacements, al-		
111	terations and equipment		
112	(a) Remodel and improve main		
113	building .....		28,830.00
114	STATE SANATORIUM .....	\$	831,600.00
115	1. Addition to power plant and equip-		

116	ment—steps 2 and 3 .....	\$ 831,600.00	
117	CENTRAL OFFICE .....		\$ 88,000.00
118	1. Institutional roads		
119	Resurface 13th street, Ames .....	\$ 44,000.00	
120	Resurface State avenue, Ames .....	44,000.00	

1     SEC. 2. Such sums for each institution shall be expended in ac-  
2 cordance with the above list of priorities in the approximate esti-  
3 mated amounts. Such amounts and order of priority may be changed  
4 by the state board of regents with the approval of the budget and  
5 financial control committee.

1     SEC. 3. Preliminary plans, or descriptions, and a project esti-  
2 mate for improvements for which funds are hereinabove appropri-  
3 ated shall be submitted by the state board of regents to the budget  
4 and financial control committee for approval before bids on the im-  
5 provements are requested. Contracts for construction of improve-  
6 ments for which funds are hereinabove appropriated and project  
7 budgets shall be submitted by the state board of regents to the budget  
8 and financial control committee for approval after bids are received.  
9 Items commonly known as change orders need not be submitted to  
10 the budget and financial control committee for approval unless such  
11 change orders actually increase the total cost of that particular con-  
12 tract by three per cent (3%) or more.

1     SEC. 4. The state board of regents and the budget and financial  
2 control committee are hereby authorized to accept federal grants to  
3 the state to be used in connection with the funds hereinabove appro-  
4 priated.

1     SEC. 5. Upon the completion of any project as set forth in this  
2 Act, any unobligated balance remaining may be used for any repairs  
3 as needed at the respective institution and to supplement at such  
4 institution any current or prior appropriations for buildings, repairs,  
5 improvements, replacements, alterations and equipment.

1     SEC. 6. Before any of the funds hereinabove appropriated shall  
2 be expended, it shall be determined by the state board of regents,  
3 with the approval of the budget and financial control committee, that  
4 the expenditure shall be for the best interests of the state.

1     SEC. 7. There is hereby appropriated from the general fund of  
2 the state of Iowa to the state historical society of Iowa the sum of  
3 eighty-five thousand dollars (\$85,000.00), to be used for the pur-  
4 chase and installation of equipment in the centennial building at  
5 Iowa City.

1     SEC. 8. This Act being deemed of immediate importance shall be  
2 in full force and effect from and after its passage and publication in  
3 the Belle Plaine Union, a newspaper published in Belle Plaine, Iowa,  
4 and the Chariton Herald-Patriot, a newspaper published in Chariton,  
5 Iowa.

Approved March 9, 1959.

I hereby certify that the foregoing Act, Senate File 352, was published in the Belle Plaine Union, Belle Plaine, Iowa, March 18, 1959, and in the Chariton Herald-Patriot, Chariton, Iowa, March 19, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 7

## BOARD OF REGENTS APPROPRIATIONS

H. F. 207

AN ACT to revert to the general fund of the state the unexpended balance of appropriations provided for the improvement of university hospital buildings for the care and treatment of emotionally disturbed or mentally retarded children, and to appropriate funds to the state board of regents for the construction and equipment of facilities for emotionally disturbed children.

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

1 SECTION 1. On the effective date of this Act, there shall be re-  
2 verted to the general fund of the state the remaining unexpended bal-  
3 ance of appropriations provided by section nine (9) of chapter five  
4 (5), Acts of the Fifty-sixth General Assembly, for the improvement  
5 of university hospital buildings for the care and treatment of emo-  
6 tionally disturbed or mentally retarded children.

1 SEC. 2. There is hereby appropriated from the general fund of  
2 the state to the state board of regents the sum of one hundred seventy  
3 thousand dollars (\$170,000.00) for the construction and equipment of  
4 facilities

5 1. For the observation, diagnosis, care and treatment of emotion-  
6 ally disturbed children.

7 2. For the purpose of research, study, and training of profes-  
8 sional workers in respect to the care, treatment and training of such  
9 children.

1 SEC. 3. Said facilities shall be located at Iowa City, Iowa, and be  
2 integrated with existing facilities under the jurisdiction of the state  
3 board of regents as said board may determine, and said board is  
4 authorized and designated to apply for, accept, and use any match-  
5 ing funds available from the Federal Government for such purposes.

Approved March 19, 1959.

## CHAPTER 8

## HIGHER EDUCATION STUDY

S. F. 521

AN ACT to provide for a study of the problems of higher education in Iowa and to appropriate funds for such study.

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

1 SECTION 1. There is hereby appropriated from the general fund  
2 for each year of the ensuing biennium the sum of twelve thousand  
3 five hundred dollars (\$12,500), or so much thereof as may be neces-  
4 sary, to the Legislative Research Bureau of the state of Iowa, for a  
5 comprehensive study of the needs and facilities available for higher  
6 education in Iowa.



1 SEC. 2. That in making the aforesaid study the director of said  
 2 bureau may select an advisory committee of three (3) consisting of a  
 3 representative from the publicly supported institutions of higher edu-  
 4 cation in Iowa, the privately supported and endowed colleges and uni-  
 5 versities in the state of Iowa and Junior Colleges, both private and  
 6 publicly supported in the state of Iowa.

1 SEC. 3. That a report of such study shall be filed with the General  
 2 Assembly on or before the 15th day of January, 1961.

Approved April 28, 1959.

CHAPTER 9

SOCIAL WELFARE APPROPRIATIONS

H. F. 747

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1959, and ending June 30, 1961, to the social welfare department for the purpose of aid to blind fund, aid to dependent children fund, child welfare fund, emergency relief fund, old-age assistance fund, and aid to the disabled fund; to make available to residents of the state, federal funds to be used for aid to the disabled; to appropriate county and state funds for said purpose; and to provide for the uniform administration throughout the state of said fund for the benefit of the disabled under the supervision of the state board of social welfare.

*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, 1959, and ending June 30, 1961, the sum  
 4 of eighteen million three hundred thirty-five thousand dollars (\$18,-  
 5 335,000.00) to be used in the following manner:

6	For aid to blind fund.....	\$ 550,000.00
7	For aid to dependent children fund.....	3,500,000.00
8	For child welfare fund.....	350,000.00
9	For emergency relief fund.....	35,000.00
10	Old-age assistance fund.....	13,765,000.00
11	Aid to the disabled fund.....	125,000.00
12	Support for Indians residing on a reservation.....	10,000.00
13	Grand total of all appropriations for all purposes for	
14	each year of the biennium for the social welfare depart-	
15	ment .....	\$18,335,000.00

1 SEC. 2. No more than the amount herein appropriated to each fund  
 2 plus the unexpended balance in each fund on June 30, 1959, shall be  
 3 expended from state funds for the purposes of each said fund during  
 4 the biennium beginning July 1, 1959, and ending June 30, 1961. Any  
 5 balance remaining in the funds, to which appropriations are made by  
 6 this Act, at the end of the ensuing biennium shall revert to the gen-  
 7 eral fund of the state.

1 SEC. 3. As used in this Act:  
 2 1. The terms "state department", "state board" and "county board"

3 shall have the same definitions as provided for in chapter two hun-  
4 dred thirty-four (234) of the Code.

5 2. The term "applicant" means a person who has applied for assist-  
6 ance under this Act.

7 3. The term "recipient" means a person who has received assistance  
8 under this Act.

9 4. The term "assistance" means money payable to or in behalf of  
10 disabled persons in need.

1 SEC. 4. Assistance shall be granted under the provisions of this  
2 Act to any disabled individual who:

3 1. Is more than eighteen (18) years of age and less than sixty-five  
4 (65) years of age.

5 2. Is not an inmate of a public institution except as a patient in a  
6 medical institution for treatment for other than tuberculosis or men-  
7 tal diseases, and is not an inmate of a private institution for tubercu-  
8 losis or mental diseases.

9 3. Has not made an assignment or transfer of property for the  
10 purpose of rendering himself eligible for assistance under this Act.

11 4. Has not sufficient income or other resources to provide a reason-  
12 able subsistence consistent with decency.

13 5. Has resided in the state one (1) year immediately preceding the  
14 date of the grant of assistance, or whose disability resulted from an  
15 accident or condition occurring after he became a resident of the state.

1 SEC. 5. The amount of assistance which any person shall receive  
2 under this Act shall be determined with due regard to the resources  
3 and necessary expenditures of the individual and the conditions in  
4 such cases; and in accordance with the rules and regulations made by  
5 the state board; and shall be sufficient, when added to all other income  
6 and support of the recipient, to provide such person with a reasonable  
7 subsistence.

1 SEC. 6. The state board and county board shall, in the administra-  
2 tion of this Act, have the same powers and duties provided for by  
3 chapter two hundred thirty-four (234) of the Code.

1 SEC. 7. Application for assistance under this Act shall be made to  
2 the county board of the county in which the individual resides. When-  
3 ever the county board receives an application for assistance under this  
4 Act, an investigation and record shall promptly be made of the cir-  
5 cumstances of the applicant in order to ascertain the facts supporting  
6 the application and in order to obtain such other information as may  
7 be required by the rules of the state board. The state board may re-  
8 quire an applicant to submit to a physical examination by a physician  
9 chosen by the state board.

1 SEC. 8. Upon the completion of an investigation, the county board  
2 shall decide whether the person is eligible for assistance under the  
3 rules and regulations of the state board and recommend the amount  
4 of assistance to be certified for payment by the state board. The per-  
5 son shall be notified of the decision made on the application. Assist-  
6 ance, when granted, shall be paid monthly from the fund "Aid to the  
7 Disabled", as established by this Act. Continued eligibility for assist-

8   ance granted under this Act shall be reconsidered as frequently as may  
9   be required by the state board.

1    SEC. 9. Assistance granted under this Act shall not be assignable  
2    or subject to execution, levy, attachment, garnishment, or other legal  
3    processes, or the operation of any bankruptcy or insolvency law.

1    SEC. 10. If an application is not acted upon promptly and assist-  
2    ance granted by the state department of social welfare, or is denied  
3    in whole or in part, or if any award of assistance is modified, sus-  
4    pended or cancelled under any provision of this Act, an applicant or  
5    recipient may appeal to the state board in the manner and on forms  
6    prescribed by the state board. The state board shall, upon receipt of  
7    such appeal, give the applicant or recipient reasonable notice of, and  
8    opportunity for, a fair hearing before the state board, or its duly  
9    authorized representative.

10   An applicant whose application for assistance has been rejected, or  
11   a recipient whose certificate for assistance has been cancelled or modi-  
12   fied after a review hearing hereinabove provided, within thirty (30)  
13   days after notice of such action is given, may appeal from the deci-  
14   sion of the state board to the district court of the county in which the  
15   applicant or recipient resides, by serving a ten (10) day notice of such  
16   appeal upon any member of the state board, in the manner required  
17   for the service of an original notice in any civil action. Upon the  
18   service of such notice, the state board shall furnish the applicant with  
19   a copy of the application and all supporting papers, a transcript of  
20   the testimony taken in a hearing, if any, and a copy of its decision.  
21   The district court shall act as an appellate court to review the decision  
22   of the state board to determine whether or not it has therein com-  
23   mitted fraud or abused its discretion. The costs may be taxed to  
24   appellant where the appeal is affirmed or may be remitted.

1    SEC. 11. When, in the opinion of the county board, a recipient of  
2    or applicant for assistance under the provisions of this Act is unable  
3    to use his assistance judiciously, the county board shall request the  
4    district court to appoint a guardian to administer such assistance for  
5    the benefit of the recipient. The guardianship proceedings in the  
6    case of an applicant or recipient shall be carried out without fee or  
7    other expense, including all court costs. At the discretion of the  
8    court, such a guardian may give bond without sureties.

1    SEC. 12. If, at any time during the continuance of assistance, the  
2    recipient thereof becomes possessed of any property or income, it  
3    shall be the duty of the recipient to immediately notify the county  
4    board of the receipt or possession of such property or income; and  
5    the county board shall, after investigation, determine if such assist-  
6    ance should be continued, modified or cancelled, as the circumstances  
7    may require. Any assistance paid after the recipient has come into  
8    possession of such property or income in excess of his needs, shall be  
9    recoverable by the state as a debt due and, upon recovery, the state  
10   shall repay to the county that portion of the amount so recovered  
11   which is equal to the amount paid by the county for such assistance.

1    SEC. 13. On the death of any person who has been approved for  
2    assistance under this chapter, such reasonable funeral expenses shall

3 be paid from the aid to the disabled fund, to such person as the county  
4 board directs, in an amount of not to exceed one hundred seventy-five  
5 dollars (\$175.00), provided:

6 1. That the total expense of such funeral does not exceed three hun-  
7 dred fifty dollars (\$350.00).

8 2. That the decedent does not leave an estate with sufficient pro-  
9 ceeds to allow a funeral claim of at least three hundred fifty dollars  
10 (\$350.00), as provided by section six hundred thirty-five point sixty-  
11 five (635.65) of the Code.

12 3. That any payment which is due the decedent's estate, spouse,  
13 children, father, mother, brother, or sister by reason of the liability of  
14 any life insurance or death or funeral benefit company, association or  
15 society to be made in the event of the death of such decedent who  
16 was a recipient of aid to the disabled may be deducted from the state  
17 department's liability of one hundred seventy-five dollars (\$175.00).

18 4. That in the event the total funeral expenses exceed the depart-  
19 ment's liability of one hundred seventy-five dollars (\$175.00), as pro-  
20 vided under paragraphs 1, 2, and 3 above, the additional expenses shall  
21 accrue only when there is an extraordinary expense or when the fam-  
22 ily or next best friend of the decedent specify the use of a steel or  
23 concrete outside burial vault. Provided that said additional expense  
24 shall not be paid by the state. However, if the county board directs  
25 that a burial lot, grave opening, or clothing be furnished for the deced-  
26 ent, the expense thereof shall be paid by the state in a total amount  
27 not to exceed fifty dollars (\$50.00), to such person or persons as the  
28 county board directs, and such expense shall be allowed in addition  
29 to the one hundred seventy-five dollars (\$175.00) limit provided in this  
30 section, provided further, however, that in such cases no extraordi-  
31 nary expenses shall be permitted nor will the family or next best  
32 friend be permitted to specify the use of a steel or concrete outside  
33 burial vault. Where a person has been receiving assistance under  
34 the provisions of this chapter and while receiving such assistance is  
35 committed or admitted to any tax-supported institution for any cause  
36 and is not receiving assistance at the time of his death, he shall, not-  
37 withstanding such facts, be qualified to receive his burial expense as  
38 provided in this section.

1 SEC. 14. Any person who shall obtain assistance under this Act by  
2 misrepresentation or failure, with fraudulent intent, to bring forth  
3 all of the facts required by an applicant for assistance under the pro-  
4 visions of this Act, or any person who shall knowingly make false  
5 statements concerning the applicant's eligibility for assistance under  
6 the provisions of this Act, shall be guilty of a misdemeanor, punish-  
7 able as such.

1 SEC. 15. The county board of supervisors in each county of this  
2 state shall appropriate annually and pay in the manner hereinafter  
3 specified from the county poor fund, such sum as shall result in the  
4 payment by such county of that portion of all assistance and benefits,  
5 payable with respect to disabled persons chargeable to the county  
6 under this Act, which shall equal one-half ( $\frac{1}{2}$ ) of all such assist-  
7 ance and benefits chargeable to the county, exclusive of such receipts  
8 and contributions to such fund other than state or county funds as

9 may, from time to time, be legally received from any source and cred-  
10 ited to the state department, and shall include in the tax levy for  
11 such county, the sum or sums so appropriated, for that purpose. The  
12 sums necessary, as above provided, shall be originally determined  
13 upon the basis of an annual budget prepared by the county board.  
14 Should the sum so appropriated, however, be expended or exhausted  
15 during the year for which it was appropriated, such additional sum  
16 shall be appropriated by the board of supervisors from the county  
17 poor fund, as shall be sufficient to meet the obligation of the county  
18 to pay its share, as heretofore provided, of all assistance and benefits  
19 with respect to disabled persons chargeable to the county. The appro-  
20 priation provided for in this section shall not exceed the statutory tax  
21 limitations now or hereinafter provided, except that in counties having  
22 a population of sixty thousand (60,000) or more, the board of super-  
23 visors may levy annually an additional tax not to exceed one-fourth  
24 ( $\frac{1}{4}$ ) mill to carry out the provisions of this Act; and in counties  
25 having a population of over thirty-five thousand (35,000) and less  
26 than sixty thousand (60,000), the board of supervisors may levy an-  
27 nually an additional tax not to exceed one-eighth ( $\frac{1}{8}$ ) mill to carry  
28 out the provisions of this Act. Funds appropriated under this section  
29 shall be used exclusively for the purpose stated above.

30 The share of any county for assistance and benefits payable to the  
31 dependent Indian who is disabled, and living on an Indian reservation  
32 in said county, shall be paid by the state from the fund for the dis-  
33 abled.

1 SEC. 16. There is hereby established in the state treasury a fund  
2 to be known as the "Fund for Aid to the Disabled" to which shall be  
3 credited all funds appropriated by the state for the payment of ad-  
4 ministration expenses, assistance and benefits under this Act, all  
5 moneys received from the federal government for such purposes, and  
6 all funds paid by the counties to the state board as provided by this  
7 Act. All assistance, benefits and administration expense shall be paid  
8 from said fund by the state board. The state department shall report  
9 to the county board each month the total amount of assistance and  
10 benefits paid during the preceding month with respect to recipients  
11 chargeable to the county. The county board shall promptly report the  
12 same to the county board of supervisors which shall then order paid  
13 to the state board from the county poor fund, a sum representing the  
14 county's share thereof, determined in the manner heretofore provided,  
15 which payment shall be credited to the fund for the disabled.

1 SEC. 17. When any recipient moves to another county, he shall be  
2 entitled to receive assistance which shall be chargeable to the county  
3 from which he has removed until said recipient has resided in another  
4 county for six (6) months.

1 SEC. 18. All applications, investigations and records shall be priv-  
2 ileged communications and shall be confidential. They shall be used  
3 exclusively for administering assistance under this Act. The violation  
4 of this provision is hereby made a misdemeanor and is punishable  
5 as such.

Approved May 15, 1959.

## CHAPTER 10

## SOCIAL WELFARE APPROPRIATIONS

## H. F. 168

AN ACT to permit the retention of certain balances in the funds appropriated for the welfare program administered by the state board of social welfare.

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

1 SECTION 1. Section two (2), Chapter four (4), Acts of the Fifty-  
2 seventh General Assembly, is hereby amended by striking from line  
3 seven (7) the period after the word "state" and inserting the follow-  
4 ing: ", except that balances not to exceed the following specified  
5 amounts may be retained in each fund:

6	Aid to dependent children .....	\$600,000.00
7	Old-age assistance .....	500,000.00
8	Aid to the blind .....	80,000.00
9	Emergency relief .....	50,000.00."

1 SEC. 2. This Act being of immediate importance shall be in full  
2 force and effect from and after its passage and publication in The  
3 Tipton Advertiser, a newspaper published at Tipton, Iowa, and the  
4 Lyon County Reporter, a newspaper published at Rock Rapids, Iowa.

Approved March 18, 1959.

I hereby certify that the foregoing Act, House File 168, was published in The Tipton Advertiser, Tipton, Iowa, March 26, 1959, and in the Lyon County Reporter, Rock Rapids, Iowa, March 23, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 11

## GENERAL SCHOOL AID

## H. F. 712

AN ACT to appropriate thirty-one million dollars (\$31,000,000.00) from the general fund of the state of Iowa to the department of public instruction for general state aid for school districts as provided by chapter two hundred eighty-six A (286A) of the Code.

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

1 SECTION 1. There is hereby appropriated from the general fund  
2 of the state of Iowa to the department of public instruction for each  
3 year of the biennium beginning July 1, 1959, and ending June 30,  
4 1961, the sum of fifteen million five hundred thousand dollars (\$15,-  
5 500,000.00), or so much thereof as may be necessary, for general  
6 state aid to the school districts as provided by chapter two hundred  
7 eighty-six A (286A) of the Code, provided, however, that no school  
8 district shall receive financial aid under the provisions of said chap-  
9 ter of the Code in the event a school tax levy for the general fund of  
10 at least fifteen (15) mills was not made in such district for the pre-  
11 ceding year.

Approved May 1, 1959.

## CHAPTER 12

## SCHOOL TRANSPORTATION AID

H. F. 713

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

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

1 SECTION 1. There is hereby appropriated from the general fund  
2 of the state of Iowa to the department of public instruction for each  
3 year of the biennium beginning July 1, 1959, and ending June 30,  
4 1961, the sum of three million dollars (\$3,000,000.00), or so much  
5 thereof as may be necessary, for state aid for transportation as pro-  
6 vided by chapter two hundred eighty-five (285) of the Code.

Approved May 1, 1959.

## CHAPTER 13

## PUBLIC INSTRUCTION SPECIFIED SCHOOL AID

H. F. 714

AN ACT to make an appropriation from the general fund of the state of Iowa to the department of public instruction for specified school aid.

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

1 SECTION 1. There is hereby appropriated from the general fund  
2 of the state of Iowa to the department of public instruction for each  
3 year of the biennium beginning July 1, 1959, and ending June 30,  
4 1961, the sum of one million three hundred twenty-one thousand five  
5 hundred dollars (\$1,321,500.00), or so much thereof as may be neces-  
6 sary, to be used in the following manner:  
7 Aid to handicapped children (special education as pro-  
8 vided in chapter two hundred eighty-one (281) of the  
9 Code) .....\$1,000,000.00  
10 Mining camp schools emergency fund ..... 27,000.00  
11 Mining camp schools state aid ..... 45,000.00  
12 Normal institute ..... 49,500.00  
13 Emergency aid for schools ..... 100,000.00  
14 (None of such aid shall be distributed to any school  
15 which the department estimates could maintain reason-  
16 able educational standards without levying a tax in  
17 excess of one hundred (100) mills)  
18 For vocational education aid ..... 100,000.00  
19 (In addition to the two hundred thousand dollars  
20 (\$200,000.00) appropriated for this purpose under sec-  
21 tion two hundred fifty-eight point eight (258.8) of the  
22 Code)  
23 Any unencumbered balance shall revert in the manner  
24 provided by chapter eight (8), Code 1958  
25 Total .....\$1,321,500.00

Approved May 5, 1959.

CHAPTER 14

SUPPLEMENTAL SCHOOL AID

H. F. 715

AN ACT to appropriate from the general fund of the state of Iowa eight million dollars (\$8,000,000.00) to the department of public instruction for supplemental aid to certain school districts of the state, as provided by chapter two hundred eighty-six (286) of the Code.

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

1 SECTION 1. There is hereby appropriated from the general fund
2 of the state of Iowa to the department of public instruction for each
3 year of the biennium beginning July 1, 1959, and ending June 30,
4 1961, the sum of four million dollars (\$4,000,000.00), or so much
5 thereof as may be necessary, for supplemental aid to such school dis-
6 tricts of the state as qualify under provisions of chapter two hundred
7 eighty-six (286) of the Code, provided, however, that no school dis-
8 trict shall receive financial aid under the provisions of said chapter
9 of the Code for reimbursement for any year in which a school tax
10 levy for the general fund of at least fifteen (15) mills was not made
11 in such district.

Approved May 1, 1959.

CHAPTER 15

NATIONAL DEFENSE EDUCATION

H. F. 717

AN ACT to accept the National Defense Education Act of 1958 and to make an appro-
piation from the general fund of the state of Iowa to the department of public
instruction for participation in said Act.

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

1 SECTION 1. The provisions of the Act of Congress entitled "Na-
2 tional Defense Education Act of 1958," approved September 2, 1958,
3 (P.L. 864, 85th Congress) and all amendments thereto and the benefit
4 of all funds appropriated under said Act are accepted.

1 SEC. 2. There is hereby appropriated from the general fund of
2 the state of Iowa to the department of public instruction for each year
3 of the biennium beginning July 1, 1959, and ending June 30, 1961, the
4 sum of seventy-nine thousand six hundred forty-eight dollars (\$79,-
5 648.00), or so much thereof as may be necessary, to be used in the
6 following manner:

7 For the administration and extension of supervisory and
8 related services by the department of title III, financial as-
9 sistance for strengthening science, mathematics and modern
10 foreign language instruction .....\$79,648.00

1 SEC. 3. There is hereby appropriated from the general fund of the
2 state of Iowa to the department of public instruction for each year of



3 the biennium beginning July 1, 1959, and ending June 30, 1961, the  
 4 sum of fifty thousand dollars (\$50,000.00), or so much thereof as may  
 5 be necessary, to be used in the following manner:  
 6 For title X, improvement and expansion of statistical  
 7 services of the state department.....\$50,000.00

Approved April 24, 1959.

CHAPTER 16

PUBLIC INSTRUCTION REVOLVING FUND

H. F. 752

AN ACT to appropriate from the general fund of the state of Iowa to the department of public instruction twelve thousand dollars (\$12,000.00) for use as a revolving fund for the Veterans Administration, and five thousand dollars (\$5,000.00) for the school lunch program, and fifteen thousand dollars (\$15,000.00) for mentally retarded children and students who fail to complete their high school education.

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

1 SECTION 1. There is hereby appropriated from the general fund  
 2 of the state for the biennium beginning July 1, 1959, and ending  
 3 June 30, 1961, to the department of public instruction the sum of  
 4 twelve thousand dollars (\$12,000.00) or so much thereof as may be  
 5 necessary for the use of the veterans education program to be used  
 6 as a revolving fund to pay salaries and travel of personnel which will  
 7 be reimbursed by the veterans administration.  
 8 Total .....\$12,000.00

1 SEC. 2. There is hereby appropriated from the general fund of  
 2 the state for the biennium beginning July 1, 1959, and ending  
 3 June 30, 1961, to the department of public instruction the sum of  
 4 five thousand dollars (\$5,000.00) or so much thereof as may be neces-  
 5 sary to be used as a revolving fund to cover warehousing, handling,  
 6 and transportation of direct distribution of federal surplus com-  
 7 modities which will be reimbursed by charging pro rata costs of  
 8 these items to receiving schools and institutions.  
 9 Total .....\$ 5,000.00

1 SEC. 3. There is hereby appropriated from the general fund of  
 2 the state for the biennium beginning July 1, 1959, and ending June  
 3 30, 1961, to the department of public instruction the sum of fifteen  
 4 thousand dollars (\$15,000.00) or so much thereof as may be neces-  
 5 sary to be used as a revolving fund to pay salaries, travel and mis-  
 6 cellaneous expenses of research projects regarding mentally retarded  
 7 children and students who fail to complete their high school educa-  
 8 tion, carried on co-operatively with the United States office of educa-  
 9 tion.  
 10 Total .....\$15,000.00

Approved May 5, 1959.

## CHAPTER 17

## HIGHWAY COMMISSION EXPENDITURES

S. F. 486

AN ACT authorizing expenditures by state highway commission from the primary road fund for the biennium beginning July 1, 1959, and ending June 30, 1961.

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

1 SECTION 1. The state highway commission is hereby authorized to  
 2 expend from the primary road fund for each year of the biennium  
 3 beginning July 1, 1959, and ending June 30, 1961, not to exceed eight-  
 4 een million one hundred thousand dollars (\$18,100,000.00), or so  
 5 much thereof as may be necessary to be used in the following manner:  
 6 For support of the state highway commission, engineering, testing  
 7 materials and administration of primary and secondary road work,  
 8 including salaries for five (5) commissioners at fifty-two hundred and  
 9 fifty dollars (\$5,250.) each .....\$ 5,600,000.00  
 10 For maintenance of primary road system ..... 12,500,000.00

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, 1959, and ending June 30, 1961, not to exceed one hundred  
 5 thousand dollars (\$100,000.00) or so much thereof as may be neces-  
 6 sary for the purpose of paying costs and expenses of litigation arising  
 7 from or pertaining to primary roads or farm-to-market roads. Any  
 8 balance unused during the first fiscal year of the biennium shall be  
 9 carried over and augment the amount authorized for the second year  
 10 of the biennium, and at the end of the biennium any balance shall re-  
 11 vert to the primary road fund.

Approved April 17, 1959.

## CHAPTER 18

## WORKMEN'S COMPENSATION FOR HIGHWAY EMPLOYEES

S. F. 487

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

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

1 SECTION 1. There is hereby appropriated to the industrial com-  
 2 missioner from the primary road fund for each year of the biennium  
 3 beginning July 1, 1959, and ending June 30, 1961, the sum of sixty  
 4 thousand dollars (\$60,000.00) 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 eighty-five (85), Code 1958.

Approved April 1, 1959.

## CHAPTER 19

## SOIL CONSERVATION APPROPRIATION

S. F. 546

AN ACT to appropriate from the general fund of the state of Iowa to the state soil conservation committee the sum of one million one hundred thousand dollars (\$1,100,000.00) to carry on soil conservation work in soil conservation districts.

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

1 SECTION 1. There is hereby appropriated from the general fund of  
2 the state of Iowa to the state soil conservation committee the sum of  
3 five hundred thousand dollars (\$500,000.00) for each year of the  
4 biennium beginning July 1, 1959, and ending June 30, 1961, or so  
5 much thereof as may be necessary, to carry on soil conservation work  
6 in soil conservation districts organized under the soil conservation  
7 districts law of the state of Iowa. The fund shall be used as follows:

8 1. Aid to soil conservation districts for district commissioners'  
9 expenses, stationery, postage and other uses as they may be author-  
10 ized by the state soil conservation committee; five hundred dollars  
11 (\$500.00) per district. Total fifty thousand dollars (\$50,000.00).

12 2. Personnel (technicians and clerical personnel), and their neces-  
13 sary expenses including office rental, equipment and materials to be  
14 assigned to the soil conservation districts by the state soil conserva-  
15 tion committee on a need basis; four hundred fifty thousand dollars  
16 (\$450,000.00).

1 SEC. 2. There is hereby appropriated from the general fund of the  
2 state of Iowa to the state soil conservation committee the sum of fifty  
3 thousand dollars (\$50,000.00) for each year of the biennium begin-  
4 ning July 1, 1959, and ending June 30, 1961, or so much thereof as  
5 may be necessary, to be used and expended in participation and con-  
6 junction with the federal government or any of its agencies in joint  
7 operations of watershed planning and development within the state of  
8 Iowa.

Approved April 28, 1959.

## CHAPTER 20

## NATIONAL GUARD APPROPRIATIONS

S. F. 516

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

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

1 SECTION 1. There is hereby appropriated from the general fund of  
2 the state to the national guard and state guard the sum of three hun-  
3 dred eighty-eight thousand, seven hundred fifty dollars (\$388,750.00)  
4 to be used in the following manner:

5	For the state's share of the armory construction pro-	
6	gram made available to the states by the federal govern-	
7	ment for the acquisition, construction, expansion, rehabili-	
8	tion and converting facilities of the administration and	
9	training units of the national guard and state guard.....	\$151,250.00
10	For repairs, replacements, alterations, equipment and	
11	rehabilitation of armories in connection with which fed-	
12	eral funds may be accepted.....	70,000.00
13	For repairs, replacements, alterations, equipment and	
14	rehabilitation of grounds, buildings, roads, swimming pool	
15	and filter system at Camp Dodge, Iowa.....	167,500.00

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

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 as  
 3 provided by law, in the Aplington News, a newspaper published at  
 4 Aplington, Iowa, and in the New Hampton Economist, a newspaper  
 5 published at New Hampton, Iowa.

Approved April 28, 1959.

I hereby certify that the foregoing Act, Senate File 516, was published in the Ap-  
 lington News, Aplington, Iowa, May 7, 1959, and in the New Hampton Economist, New  
 Hampton, Iowa, May 5, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 21

### MOTOR VEHICLE FUEL TAX REFUNDS

#### S. F. 291

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

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

1 SECTION 1. There is hereby appropriated to the state comptroller  
 2 from the motor vehicle fuel tax fund for each year of the biennium  
 3 beginning July 1, 1959, and ending June 30, 1961, the sum of four-  
 4 teen thousand four hundred dollars (\$14,400.00) or so much thereof  
 5 as may be necessary for use in employing help and defraying other  
 6 expenses in writing motor vehicle fuel tax refund warrants and keep-  
 7 ing necessary records.

Approved March 19, 1959.

## CHAPTER 22

## REVERSION OF CAPITAL APPROPRIATIONS

S. F. 500

AN ACT relating to the reversion of appropriations for capital improvements to the general fund of the state.

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

1 SECTION 1. Any unencumbered balances remaining as of June 30,  
2 1963, in any appropriation, from the general fund of the state for cap-  
3 ital improvements, to any board, commission, institution, or state  
4 department, made by the 58th, or any previous General Assembly,  
5 shall revert to the general fund of the state as of June 30, 1963.

Approved April 6, 1959.

## CHAPTER 23

## CAPITOL BUILDINGS APPROPRIATION

H. F. 686

AN ACT to appropriate from the general fund of the state of Iowa for capital improvements for buildings and grounds under the superintendent of public buildings and grounds.

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

1 SECTION 1. There is hereby appropriated from the general fund of  
2 the state to the superintendent of public buildings and grounds the  
3 sum of four hundred thirty-seven thousand five hundred dollars  
4 (\$437,500.00) to be used in the following manner:

1 SEC. 2. Said sum shall be allocated in the following amounts:

2	CAPITOL BUILDING	
3	Electrical wiring—interior wiring .....	\$ 50,000.00
4	Remodeling ladies restroom on 2nd floor of state capitol	
5	building .....	5,000.00
6	Outside ground lighting—cables, underground wiring....	150,000.00
7	Restoration of state capitol building—restore deteriorated	
8	stone surface but no portion shall be used for washing	
9	or cleaning the exterior of the building .....	100,000.00
10	Replace machinery in north elevator .....	20,000.00
11	Refurnishing and renovating the cloakroom of the house	
12	of representatives .....	2,500.00
13	HISTORY AND ARCHIVES BUILDING	
14	Portrait gallery—remodel .....	1,500.00
15	Overhaul ventilating system and temperature control.....	12,000.00
16	Restoration of history and archives building—restore	
17	deteriorated stone surfaces .....	15,000.00
18	Electrical wiring—wiring, switches, panels and fixtures	
19	replaced .....	75,000.00
20	ARCHIVES BUILDING	
21	Braces and footings for the floor joists.....	2,500.00

22 GROUND\$  
23 Equipment—power mowers, etc. ....\$ 4,000.00

1 SEC. 3. Before any of the funds hereinabove appropriated shall be  
2 expended, it shall be determined by the superintendent of public  
3 buildings and grounds, with the approval of the executive council,  
4 that the expenditure shall be for the best interests of the state.

1 SEC. 4. Upon the completion of any project as set forth in this  
2 Act, any unobligated balance remaining may be used to supplement  
3 any other project as set forth in this Act or for such other repairs or  
4 projects needed, and to supplement any current or prior appropria-  
5 tion for repairs, improvements, replacements, alterations, and equip-  
6 ment for public buildings and grounds.

1 SEC. 5. This Act, being deemed of immediate importance, shall be  
2 in full force and effect from and after its passage and publication as  
3 provided by law, in the Griswold American, a newspaper published at  
4 Griswold, Iowa, and in the Sheldon Mail, a newspaper published at  
5 Sheldon, Iowa.

Approved April 27, 1959.

I hereby certify that the foregoing Act, House File 686, was published in the Griswold American, Griswold, Iowa, May 6, 1959, and in the Sheldon Mail, Sheldon, Iowa, April 29, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 24

### PUBLIC SAFETY DEPARTMENT APPROPRIATION

S. F. 517

AN ACT to appropriate from the general fund of the state of Iowa to the department of public safety for the purpose of various capital improvements, equipment and vehicles for the division of radio communication.

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

1 SECTION 1. There is hereby appropriated to the division of radio  
2 communication, department of public safety, from the general fund  
3 of the state the sum of two hundred forty-six thousand eight hundred  
4 dollars (\$246,800.00) to be used for, purchase and replace repeaters,  
5 equipment, tractors, cars, moving and replacing buildings and equip-  
6 ment, purchase of land, construction of two (2) radio stations, and  
7 miscellaneous items connected with these projects.

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

1 SEC. 3. The department of public safety and executive council  
2 are hereby authorized to accept federal grants to the state to be used  
3 in connection with the fund hereinabove appropriated.

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 as

3 provided by law, in the Corning Free-Press, a newspaper published  
4 at Corning, Iowa, and in the Knoxville Journal, a newspaper pub-  
5 lished at Knoxville, Iowa.

Approved April 28, 1959.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3.9, Code of Iowa, 1958, there being no newspaper by the name of Corning Free-Press, published at Corning, Iowa, the Adams County Free Press, a newspaper published at Corning, Iowa, is designated to publish the foregoing Act, Senate File 517.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, Senate File 517, was published in the Adams County Free Press, Corning, Iowa, May 7, 1959, and in the Knoxville Journal, Knoxville, Iowa, May 7, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 25

### HIGHWAY PATROL APPROPRIATION

S. F. 412

AN ACT to authorize the public safety department, highway patrol division, to use money provided by chapter one (1), section forty-nine (49), Acts of the Fifty-seventh General Assembly.

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

1 SECTION 1. The public safety department, highway patrol divi-  
2 sion, is hereby authorized to use appropriations in the amount of  
3 ninety thousand dollars (\$90,000), or as much thereof as is necessary,  
4 provided by chapter one (1) section forty-nine (49), Acts of the  
5 Fifty-seventh General Assembly, for the purpose of constructing  
6 building or buildings for providing highway patrol headquarters at  
7 Fort Dodge, Cedar Rapids and Atlantic.

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 Atlantic News Telegraph, a newspaper published at Atlantic, Iowa.

Approved April 22, 1959.

I hereby certify that the foregoing Act, Senate File 412, was published in the Allison Tribune, Allison, Iowa, April 29, 1959, and in the Atlantic News Telegraph, Atlantic, Iowa, April 23, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 26

### PUBLIC SAFETY DEPARTMENT APPROPRIATIONS

H. F. 766

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1959, and ending June 30, 1961, funds for the department of public safety of the state of Iowa for salaries, support, maintenance and miscellaneous purposes, and relating to the peace officers' retirement system for the increased number of highway patrolmen, as increased by the Fifty-eighth General Assembly.

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

1 SECTION 1. For the department of public safety, division of high-  
2 way patrol, there is hereby appropriated from the general fund of the

3 state for each year of the biennium beginning July 1, 1959, and end-  
 4 ing June 30, 1961, the sum of two hundred fifty thousand dollars  
 5 (\$250,000.00) or so much thereof as may be necessary to be used for  
 6 salaries, support, maintenance, miscellaneous purposes, and for the  
 7 state's contribution to the peace officers' retirement, accident and dis-  
 8 ability system, provided in chapter 97A, Code 1958, in the amount of  
 9 sixteen percent (16%) of the salaries of personnel included in the  
 10 system, and including liability insurance and including a \$300.00  
 11 increase to the annual base rate of pay for highway patrolmen, for  
 12 the increased number of highway patrolmen as increased by the  
 13 Fifty-eighth General Assembly.

Approved May 15, 1959.

## CHAPTER 27

### PAMMEL PARK APPROPRIATION

H. F. 425

AN ACT to make an emergency appropriation from the general fund of the state of Iowa to the state conservation commission for flood damage repair to Pammel State Park.

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

1 SECTION 1. There is hereby appropriated from the general fund  
 2 of the state of Iowa to the state conservation commission from funds  
 3 not otherwise appropriated the sum of twenty-five thousand dollars  
 4 (\$25,000.00) or so much thereof as is necessary for flood damage re-  
 5 pairs to the roads, tunnel, dikes and river crossing in Pammel State  
 6 Park, Madison County, Iowa. The release of said funds shall be sub-  
 7 ject to the approval of the budget and financial control committee.  
 8 Any unused balance remaining shall revert to the general fund.

1 SEC. 2. This Act being deemed of immediate importance shall be  
 2 in full force from and after its passage and publication in the Atlantic  
 3 News-Telegraph, a newspaper published at Atlantic, Iowa, and in the  
 4 Winterset Madisonian, a newspaper published at Winterset, Iowa.

Approved February 25, 1959.

I hereby certify that the foregoing Act, House File 425, was published in the Atlantic News-Telegraph, Atlantic, Iowa, February 28, 1959, and in the Winterset Madisonian, Winterset, Iowa, March 4, 1959.

MELVIN D. SYNHORST, *Secretary of State.*



## CHAPTER 28

## CONSERVATION COMMISSION APPROPRIATIONS

H. F. 548

AN ACT to appropriate funds from the general fund of the state of Iowa to the conservation commission for construction, replacement, repairs, acquisition of land, development, forestry, watershed area improvements, siltation and boundary surveys, and dredging.

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

1	SECTION 1. There is hereby appropriated to the state conserva-	
2	tion commission from the general fund of the state of Iowa the sum	
3	of one million four hundred ninety-two thousand six hundred fifty	
4	(\$1,492,650.00) dollars for construction, replacement, repairs, de-	
5	velopment and alterations to state parks and reserves, state forests	
6	and state waters, and for dredging, artificial lake development, ero-	
7	sion control, for stream and lake access, land acquisition, and for	
8	siltation and boundary surveys.	
1	SEC. 2. Said sum shall be allocated in the following amounts:	
2	STATE CONSERVATION COMMISSION	
3	Backbone State Park	
4	shower and toilet building .....	\$ 7,500.00
5	power line extension to camp area .....	1,250.00
6	latrine .....	2,000.00
7	Beeds Lake State Park	
8	boat launching ramp and dock .....	2,000.00
9	Bixby State Park	
10	well .....	600.00
11	picnic area development .....	750.00
12	Black Hawk Lake State Park	
13	road and parking area .....	3,000.00
14	well .....	1,500.00
15	latrine .....	2,000.00
16	boat launching ramp and dock .....	3,000.00
17	Browns Lake State Park	
18	boat launching ramp and dock .....	1,000.00
19	dressing booths for beach .....	1,000.00
20	Clear Lake State Park	
21	new lodge roof .....	1,200.00
22	shower and toilet building .....	7,500.00
23	Dolliver Memorial State Park	
24	latrine .....	2,500.00
25	parking area .....	5,000.00
26	cabin area grading .....	1,000.00
27	bathhouse for group camp .....	7,500.00
28	camping area .....	1,500.00
29	Fort Defiance State Park	
30	power line .....	3,000.00
31	well .....	5,000.00
32	camping area .....	2,500.00
33	Geode State Park	
34	park development .....	50,000.00

35	George Wyth Memorial State Park	
36	wells (picnic area) .....	\$ 750.00
37	latrines (2) .....	4,000.00
38	picnic area development .....	2,500.00
39	camping area development .....	2,000.00
40	Green Valley Lake State Park	
41	water lines .....	10,000.00
42	residence and service building .....	20,000.00
43	boat ramp and parking area .....	3,500.00
44	tree planting .....	2,500.00
45	Gull Point State Park	
46	camping area .....	5,000.00
47	parking area .....	6,000.00
48	picnic area development .....	1,500.00
49	Lacey-Keosauqua State Park	
50	shower and toilet building .....	6,500.00
51	power line extension .....	500.00
52	Lake Ahquabi State Park	
53	shower and toilet building .....	7,500.00
54	boat launching ramp and dock .....	2,000.00
55	auxiliary water supply .....	7,500.00
56	water reservoir (present system) .....	2,500.00
57	Lake Cornelia	
58	picnic area development .....	5,000.00
59	road and parking area .....	9,000.00
60	boat launching ramp .....	2,000.00
61	Lake Darling State Park	
62	boat launching ramp and dock .....	3,000.00
63	roads and parking area .....	15,000.00
64	latrines (3) .....	6,000.00
65	shower and toilet building .....	7,500.00
66	Lake Keomah State Park	
67	silt basin cleaning .....	5,000.00
68	shower and toilet building .....	6,500.00
69	camp area addition .....	1,500.00
70	boat launching ramp and dock .....	2,000.00
71	Lake Macbride State Park	
72	service building .....	4,500.00
73	camping area .....	2,000.00
74	boat launching ramps and docks .....	4,000.00
75	roads and parking areas .....	10,000.00
76	fencing .....	18,500.00
77	Lake Manawa State Park	
78	boat launching ramp and dock .....	5,000.00
79	picnic area development .....	2,500.00
80	parking areas .....	2,000.00
81	Lake of Three Fires State Park	
82	shower and toilet building .....	6,500.00
83	boat launching ramp and dock .....	2,000.00
84	Lake Wapello State Park	
85	spillway repairs .....	80,000.00
86	parking areas .....	5,000.00
87	bathing beach improvements .....	7,500.00

88	boat launching ramp and dock .....	\$ 3,000.00
89	camping area .....	7,500.00
90	Ledges State Park	
91	shower and toilet building .....	6,500.00
92	repair trails and steps .....	5,000.00
93	latrines (2) .....	4,000.00
94	parking area .....	5,000.00
95	power line extension .....	1,000.00
96	Lewis and Clark State Park	
97	camping area .....	7,500.00
98	parking areas .....	5,000.00
99	Lost Island State Park	
100	boat launching ramp and dock .....	2,000.00
101	Maquoketa Caves State Park	
102	water line extension .....	1,000.00
103	McGregor Areas	
104	trails and steps .....	5,000.00
105	McIntosh Woods State Park	
106	boat launching ramp and dock .....	3,000.00
107	camping area .....	7,500.00
108	camping area road .....	1,500.00
109	Nine Eagles State Park	
110	service building .....	5,000.00
111	water lines .....	10,000.00
112	picnic area development .....	2,500.00
113	camping area .....	7,500.00
114	Oak Grove State Park	
115	latrine .....	2,000.00
116	picnic area development .....	1,500.00
117	Okamanpedan State Park	
118	boat launching ramp and dock .....	3,000.00
119	Orleans Beach	
120	parking posts .....	500.00
121	Palisades-Kepler State Park	
122	dam repairs .....	50,000.00
123	shower and toilet building .....	6,500.00
124	boat launching ramp and dock .....	2,000.00
125	latrine .....	2,000.00
126	Pikes Point State Park	
127	parking area .....	3,500.00
128	picnic area expansion .....	5,000.00
129	Pilot Knob State Park	
130	picnic area expansion .....	1,500.00
131	well .....	3,000.00
132	steel stairway for observation tower .....	6,000.00
133	Pine Lake State Park	
134	boat launching ramp and dock .....	2,000.00
135	Prairie Rose State Park	
136	residence remodeling .....	5,000.00
137	dam construction .....	60,000.00
138	Preparation Canyon State Park	
139	picnic area development .....	1,000.00

140	Red Haw State Park	
141	water lines .....	\$10,000.00
142	boat launching ramp and dock .....	1,000.00
143	camping area .....	7,500.00
144	Rice Lake State Park	
145	parking area .....	750.00
146	Rock Creek Lake State Park	
147	boat launching ramp and dock .....	5,000.00
148	water system and lines .....	40,000.00
149	residence .....	17,500.00
150	camping area .....	10,000.00
151	Springbrook State Park	
152	sluiceway repairs .....	10,000.00
153	shower and toilet building .....	7,500.00
154	Spring Lake State Park	
155	parking area .....	2,500.00
156	service building .....	3,000.00
157	Stone Park	
158	picnic area development .....	3,000.00
159	parking areas .....	5,000.00
160	shower and toilet building .....	7,500.00
161	Storm Lake State Park	
162	service headquarters .....	5,000.00
163	boat launching ramp and dock .....	3,000.00
164	Twin Lakes State Park	
165	latrine .....	2,000.00
166	well .....	500.00
167	boat launching ramp and dock .....	4,000.00
168	Union Grove State Park	
169	well and water lines .....	3,000.00
170	boat launching ramp and dock .....	1,000.00
171	residence and service building .....	20,000.00
172	shoreline riprapping .....	2,500.00
173	Wapsipinicon State Park	
174	well for picnic area .....	1,000.00
175	Waubonsie State Park	
176	camping area .....	8,500.00
177	Wild Cat Den State Park	
178	rebuild mill dam .....	7,500.00
179	Shimek State Forest	
180	roads .....	3,000.00
181	tree planting .....	2,000.00
182	Stephens State Forest	
183	residence .....	17,000.00
184	Yellow River State Forest	
185	roads .....	3,500.00
186	tree planting .....	2,150.00
187	signs .....	250.00
188	Black Hawk Lake	
189	shoreline riprapping .....	10,000.00
190	Five Island Lake	
191	boat launching ramp .....	1,500.00

192	High Lake	
193	shoreline riprapping .....	\$ 7,500.00
194	boat launching ramp .....	1,500.00
195	Ingham Lake	
196	shoreline riprapping .....	7,500.00
197	boat launching ramp .....	1,500.00
198	Lake Darling	
199	shoreline riprapping .....	6,000.00
200	Lake Keomah	
201	shoreline riprapping .....	2,500.00
202	Lake Wapello	
203	shoreline riprapping .....	10,000.00
204	East Okoboji Lake	
205	shoreline riprapping .....	5,500.00
206	West Okoboji Lake	
207	shoreline riprapping .....	7,500.00
208	Pillsbury Point riprapping .....	4,000.00
209	Rock Creek Lake	
210	shoreline riprapping .....	5,000.00
211	Spirit Lake	
212	shoreline riprapping .....	10,000.00
213	Storm Lake	
214	shoreline riprapping .....	10,000.00
215	rock jetty at lake outlet .....	10,000.00
216	Erosion control on watersheds of state-owned	
217	artificial lakes .....	80,000.00
218	Geode State Park	
219	land acquisition .....	8,000.00
220	Lizard Lake	
221	land acquisition .....	35,000.00
222	Backbone State Park	
223	land acquisition .....	800.00
224	Yellow River Forest	
225	land acquisition .....	26,000.00
226	Shimek State Forest	
227	land acquisition .....	2,400.00
228	Stephens State Forest	
229	land acquisition .....	6,000.00
230	Beeds Lake State Park	
231	land acquisition .....	4,000.00
232	Margo Frankel Woods State Park	
233	land acquisition .....	15,000.00
234	Palisades-Kepler State Park	
235	land acquisition .....	8,250.00
236	Siltation and boundary surveys	
237	lake siltation surveys .....	25,000.00
238	lake boundary surveys .....	50,000.00

1     SEC. 3. There is hereby appropriated to the state conservation  
2 commission for lake dredging at Storm Lake the sum of one hundred  
3 twenty thousand (120,000) dollars, said appropriation shall be con-  
4 tingent upon and be supplemented by an additional fifty thousand  
5 (50,000) dollars to be raised in contributions, from other than state  
6 funds, by the community around said lake.

1 SEC. 4. There is hereby appropriated to the state conservation  
2 commission for lake improvement at upper Pine Lake the sum of  
3 ninety-three thousand five hundred (93,500) dollars, said appropria-  
4 tion shall be contingent upon and be supplemented by additional  
5 funds raised by the local community, these to be used for the recon-  
6 struction of the existing road at said lake and purchase of land for  
7 expansion of said lake, and the additional sum of five thousand  
8 (5,000) dollars to be supplied by the Hardin county conservation  
9 board.

1 SEC. 5. There is hereby appropriated from the general fund to  
2 the state conservation commission the sum of fifty thousand (50,000)  
3 dollars to be used as a contingent fund, said contingent fund shall be  
4 administered by the state conservation commission. Allocations from  
5 said contingent fund shall be made only for contingencies arising  
6 during the ensuing biennium. No such allocation shall be made with-  
7 out prior approval of the budget and financial control committee.

1 SEC. 6. The funds appropriated and set aside by this Act shall  
2 not be expended until it shall be determined by the conservation com-  
3 mission with approval of the budget and financial control committee  
4 that its expenditures shall be for the best interests of the state.

1 SEC. 7. The treasurer of the state of Iowa is hereby empowered  
2 to invest any of the funds so appropriated and set aside by the provi-  
3 sions of section one (1) of the Act in securities of the United States  
4 government.

1 SEC. 8. When contracts, plans and specifications for improve-  
2 ments for which funds are herein appropriated have been accepted  
3 by the conservation commission and approved and certified by the  
4 budget and financial control committee of the state of Iowa, the state  
5 treasurer is authorized and directed to sell sufficient securities herein  
6 provided in section seven (7) of this Act to cover the cost of said  
7 improvement.

1 SEC. 9. The provisions of all Acts or statutes in conflict or in-  
2 consistent 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, sub-  
8 sections, paragraphs, sentences, clauses or phrases be declared un-  
9 constitutional.

1 SEC. 11. 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 Red Oak Express, a newspaper published at Red Oak, Iowa,  
4 and in the Webster City Freeman-Journal, a newspaper published at  
5 Webster City, Iowa.

Approved March 27, 1959.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3.9, Code of Iowa, 1958, there being no newspaper by the name of Webster City Freeman-Journal published at Webster City, Iowa, the Daily Freeman-Journal, a newspaper published at Webster City, Iowa, is designated to publish the foregoing Act, House File 548.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, House File 548, was published in the Red Oak Express, Red Oak, Iowa, April 2, 1959, and in the Daily Freeman-Journal, Webster City, Iowa, April 3, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 29

### CLAIMS APPROPRIATIONS

S. F. 494

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			
2	fund of the state of Iowa to the following named persons and/or firms			
3	the amount set opposite their respective names in full settlement of			
4	all claims which they may have against the state of Iowa, to wit:			
5		Claim		
6	Claimant	No.	Nature of Claim	Amount
7	Hamilton County	2	Sales and use tax	\$ 826.83
8	Webster City, Iowa			
9	City of Oskaloosa	3	Sales and use tax	113.21
10	Oskaloosa, Iowa			
11	City of Eagle Grove	4	Sales and use tax	2,245.68
12	Eagle Grove, Iowa			
13	City of Bettendorf	6	Sales and use tax	582.56
14	Bettendorf, Iowa			
15	Town of Buffalo Center	13	Sales and use tax	483.55
16	Buffalo Center, Iowa			
17	State Board of Regents	14	Sales and use tax	1,446.40
18	Bennett Community School	24	Sales and use tax	3,176.71
19	Dist., Bennett, Iowa			
20	Community School Dist.	25	Sales and use tax	243.57
21	West Bend, Iowa			
22	City of New Hampton	26	Sales and use tax	69.40
23	New Hampton, Iowa			
24	Steamboat Rock Community	34	Sales and use tax	1,375.19
25	School Dist., Steamboat			
26	Rock, Iowa			
27	Town of Story City	51	Sales and use tax	66.90
28	Story City, Iowa			
29	Town of Farmington	56	Sales and use tax	57.77
30	Farmington, Iowa			
31	City of Grundy Center	62	Sales and use tax	146.20
32	Grundy Center, Iowa			

	Claim No.	Nature of Claim	Amount
33 Claimant Fairfield Independent	65	Sales and use tax	\$ 43.31
34 School Dist., Fairfield,			
35 Iowa			
36 Scott County	76	Sales and use tax	17.76
37 Davenport, Iowa			
38 City of Muscatine	82	Sales and use tax	3,468.66
39 Muscatine, Iowa			
40 City of Mason City	83	Sales and use tax	52.26
41 Mason City, Iowa			
42 Olin Consolidated School	91	Sales and use tax	17.21
43 Dist., Olin, Iowa			
44 Iowa State College*	92	Sales and use tax	21.35
45 Board of Regents			
46 Ames, Iowa			
47 Urbandale Ind. School	93	Sales and use tax	8.04
48 Des Moines, Iowa			
49 Ankeny Community School	95	Sales and use tax	15.80
50 Ankeny, Iowa			
51 Ames Community School	97	Sales and use tax	5.21
52 Dist., Ames, Iowa			
53 Ottumwa Independent School	98	Sales and use tax	32.58
54 Dist., Ottumwa, Iowa			
55 H. J. Schaefer	103	Sales and use tax	11,717.91
56 Acting City Manager			
57 Ottumwa, Iowa			
58 Estherville Independent	104	Sales and use tax	15.62
59 School Dist.,			
60 Estherville, Iowa			
61 City of West Des Moines	105	Sales and use tax	454.74
62 West Des Moines, Iowa			
63 Consolidated School Dist.	109	Sales and use tax	2,106.79
64 of Washington Twp.			
65 Greene County, Iowa			
66 Town of Fremont	110	Sales and use tax	60.00
67 Fremont, Iowa			
68 Henry County	114	Sales and use tax	165.63
69 Mt. Pleasant, Iowa			
70 Minburn Independent School	116	Sales and use tax	1,261.85
71 Dist., Minburn, Iowa			
72 City of Ottumwa	118	Sales and use tax	651.47
73 Ottumwa, Iowa			
74 City of Lake City	119	Sales and use tax	511.03
75 Lake City, Iowa			
76 City of Cresco	134	Sales and use tax	779.25
77 Cresco, Iowa			
78 Baxter Community School	142	Sales and use tax	1,976.48
79 Dist., Baxter, Iowa			
80 City of Red Oak	150	Sales and use tax	529.43
81 Red Oak, Iowa			
82 City of Red Oak	151	Sales and use tax	125.68
83 Red Oak, Iowa			

\*See chapter 74.



	Claimant	Claim No.	Nature of Claim	Amount
84	City of Grinnell	182	Sales and use tax	\$ 298.31
85	Grinnell, Iowa			
86	Emmetsburg Community	195	Sales and use tax	844.15
87	School, Emmetsburg, Iowa			
88	Algona Community School	199	Sales and use tax	195.64
89	Dist., Algona, Iowa			
90	Geneseo Consolidated	201	Sales and use tax	169.50
91	School Dist.,			
92	Buckingham, Iowa			
93	Lisbon Consolidated School	204	Sales and use tax	1,400.14
94	Dist., Lisbon, Iowa			
95	Marion County	209	Sales and use tax	383.35
96	Knoxville, Iowa			
97	City of Winterset	212	Sales and use tax	212.60
98	Winterset, Iowa			
99	Parkersburg Community	216	Sales and use tax	24.85
100	School Dist.,			
101	Parkersburg, Iowa			
102	Grundy Center Community	227	Sales and use tax	135.60
103	School, Grundy Center,			
104	Iowa			
105	City of Red Oak	228	Sales and use tax	1,109.60
106	Red Oak, Iowa			
107	City of Atlantic	246	Sales and use tax	1,288.94
108	Atlantic, Iowa			
109	City of Nevada	251	Sales and use tax	137.22
110	Nevada, Iowa			
111	City of Marengo	252	Sales and use tax	80.04
112	Marengo, Iowa			
113	Town of Lawler	253	Sales and use tax	221.00
114	Lawler, Iowa			
115	Martensdale Community	267	Sales and use tax	124.84
116	School Dist.,			
117	Martensdale, Iowa			
118	Floyd County	27	Agr. land tax credit	1,261.68
119	Clarke County	35	Agr. land tax credit	150.68
120	Osceola, Iowa			
121	Calhoun County Treasurer	40	Agr. land tax credit	41.00
122	Rockwell City, Iowa			
123	Cass County Treasurer	59	Agr. land tax credit	65.91
124	Atlantic, Iowa			
125	Tama County Treasurer	72	Agr. land tax credit	292.38
126	Toledo, Iowa			
127	O'Brien County Treasurer	75	Agr. land tax credit	9.82
128	Primghar, Iowa			
129	Palo Alto County Treasurer	79	Agr. land tax credit	63.94
130	Emmetsburg, Iowa			
131	Appanoose County Treasurer	85	Agr. land tax credit	69.86
132	Centerville, Iowa			
133	Allamakee County Treasurer	87	Agr. land tax credit	48.19
134	Waukon, Iowa			

	Claimant	Claim No.	Nature of Claim	Amount
135	County Treasurer	101	Agr. land tax credit	\$ 628.79
136	Toledo, Iowa			
137	Palo Alto County	120	Agr. land tax credit	777.38
138	Emmetsburg, Iowa			
139	Osceola County	121	Agr. land tax credit	243.30
140	Sibley, Iowa			
141	Tama County	139	Agr. land tax credit	636.78
142	Toledo, Iowa			
143	Buena Vista County	140	Agr. land tax credit	27.54
144	Storm Lake, Iowa			
145	Dallas County	141	Agr. land tax credit	1,540.31
146	Adel, Iowa			
147	Franklin County	147	Agr. land tax credit	27.57
148	Hampton, Iowa			
149	Mahaska County	148	Agr. land tax credit	62.79
150	Oskaloosa, Iowa			
151	Dallas County	149	Agr. land tax credit	41.83
152	Pottawattamie County	167	Agr. land tax credit	254.97
153	Treasurer			
154	Council Bluffs, Iowa			
155	Clayton County Treasurer	174	Agr. land tax credit	185.39
156	Elkader, Iowa			
157	Adams County Treasurer	175	Agr. land tax credit	4,384.98
158	Corning, Iowa			
159	Adair County Treasurer	176	Agr. land tax credit	83.54
160	Greenfield, Iowa			
161	Appanoose County Treasurer	180	Agr. land tax credit	1.39
162	Centerville, Iowa			
163	Jones County Treasurer	221	Agr. land tax credit	386.39
164	Anamosa, Iowa			

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 on account of damages as above indicated, claims for which  
4 were presented to the joint claims committee of the Fifty-eighth  
5 General Assembly.

Approved April 24, 1959.

## CHAPTER 30

## CLAIMS APPROPRIATIONS

S. F. 503

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

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

1	SECTION 1. There is hereby appropriated out of the motor vehicle		
2	reimbursement fund of the state of Iowa the following:		
3	Claimant	Claim No.	Amount
4	Joseph Klodnycky, M. D. ....	5	\$ 5.25
5	Mt. Pleasant, Iowa		
6	Sisters of the Humility of Mary .....	48	43.75
7	Ottumwa, Iowa		
8	Peter Nagel .....	94	7.75
9	Davenport, Iowa		
10	Clarence E. Wagler .....	108	52.00
11	Bloomfield, Iowa		
12	Albert Clyde Swigelson .....	117	30.00
13	Keokuk, Iowa		
14	Dick Reynolds .....	127	1.00
15	Pulaski, Iowa		
16	Carl D. Boring .....	129	17.05
17	Fort Madison, Iowa		
18	Helen Marr Gould .....	131	2.50
19	Bloomfield, Iowa		
20	Lloyd Donald or Olive Whisler Augspurger .....	135	3.00
21	Bloomfield, Iowa		
22	Manny John Auwaerter .....	152	11.00
23	Fort Madison, Iowa		
24	Joe Weber .....	187	3.25
25	Grinnell, Iowa		
26	Don Marion Bibby .....	213	105.00
27	Bloomfield, Iowa		
28	Oscar T. Turner .....	224	67.00
29	Pocahontas, Iowa		
30	Lewis E. Watson .....	237	152.50
31	Moline, Illinois		
32	Roscoe L. Peet .....	242	35.00
33	Great Falls, Montana		
34	in full settlement of all claims they may have against the state of Iowa		
35	on account of overcharges and errors in registering automobiles.		

1 SEC. 2. The commissioner of public safety is hereby authorized to  
2 issue his checks to the above-named parties in the amounts stated.

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

Approved April 27, 1959.

## CHAPTER 31

## CLAIMS APPROPRIATIONS

S. F. 504

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

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

1	SECTION 1. There is hereby appropriated out of the old age as-			
2	sistance fund of the state of Iowa to the following named persons			
3	and/or firms the amounts set opposite their respective names in full			
4	settlement of all claims which they may have against the state of Iowa,			
5	to wit:			
6		Claim	Nature of Claim	
7	Claimant	No.	Burial Expense	Amount
8	Hamiltons Funeral Chapel	30	Bertha Angell	\$150.00
9	Greene, Iowa			
10	Reid Funeral Home	33	John M. Williams	175.00
11	Glenwood, Iowa			
12	Harden Funeral Home	36	Mrs. Emma Miller	150.00
13	New Sharon, Iowa			
14	Steffy Funeral Home	126	Miss Ruth Grier	100.96
15	Montezuma, Iowa			
16	Bogaard Funeral Home	16	Mat Anderson	49.72
17	Humboldt, Iowa			
18	Mrs. Floyd C. Davison	186	Maude May Davison	33.33
19	Des Moines, Iowa			
20	Fulton Funeral Home	190	Julius Sanford	175.00
21	Belmond, Iowa		Wagoner	
22	J. H. Eyler Funeral Home	191	Albert E. Lockett	56.10
23	Clarion, Iowa			
24	Carson Funeral Home	192	Anna Gabel Roberts	150.00
25	Maquoketa, Iowa			
26	Meyer Funeral Home	208	Niels C. Pedersen	175.00
27	Council Bluffs, Iowa			
28	Kempter-Gallagher Funeral	232	Agnes Felderman	175.00
29	Home; Bellevue, Iowa			
30	Kempter-Gallagher Funeral	234	Mary Olson	175.00
31	Home; Bellevue, Iowa			
32	Walter Funeral Homes	250	Lora May Lee	175.00
33	Mapleton, Iowa			
34	Caldwell-Brien Funeral	257	Peter Joseph Bracelin	225.00
35	Home; Des Moines, Iowa			
36	Caldwell-Brien Funeral	258	Rose Ellen Oakey	225.00
37	Home; Des Moines, Iowa			
38	Caldwell-Brien Funeral	259	Hannah Spinck	210.00
39	Home; Des Moines, Iowa			
40	Caldwell-Brien Funeral	260	Samuel E. Miller	225.00
41	Home; Des Moines, Iowa			
42	Caldwell-Brien Funeral	261	Daniel M. Gilbride	213.00
43	Home; Des Moines, Iowa			

	Claimant	Claim No.	Nature of Claim Burial Expense	Amount
44	Caldwell-Brien Funeral	262	George W. Appleton	\$225.00
45	Home; Des Moines, Iowa			
46	Caldwell-Brien Funeral	263	Flora Motter	175.00
47	Home; Des Moines, Iowa			
48	Caldwell-Brien Funeral	264	Mary Roney	175.00
49	Home; Des Moines, Iowa			
50	Caldwell-Brien Funeral	265	Martin J. Dooley	175.00
51	Home; Des Moines, Iowa			
52	Caldwell-Brien Funeral	266	Ella Monaghan	175.00
53	Home; Des Moines, Iowa			

Approved April 27, 1959.

## CHAPTER 32

### CLAIMS APPROPRIATIONS

#### S. F. 507

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:*

	Claimant	Claim No.	Nature of Claim	Amount
1	SECTION 1. There is hereby appropriated out of the gas tax re-			
2	fund of the state of Iowa to the following named firms the amount			
3	set opposite their names in full settlement of the claims which they			
4	have against the state of Iowa, to wit:			
5				
6	Sioux Industries, Inc.	7	Fuel Tax Refund	\$361.78
7	Sioux City, Iowa			
8	Harry De Groot	71	Fuel Tax Refund	36.94
9	Oskaloosa, Iowa			
10	C. E. Hunt	73	Fuel Tax Refund	12.18
11	Swan, Iowa			
12	Ozark Air Lines, Inc.	96	Fuel Tax Refund	232.50
13	St. Louis 21, Mo.			
14				

1 SEC. 2. The state comptroller is hereby authorized and directed  
2 to issue his warrant to the above named firms in the amount set op-  
3 posite their names, and the treasurer of the state is hereby author-  
4 ized and directed to pay the same from the gas tax refund account of  
5 the state of Iowa.

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

Approved April 27, 1959.

## CHAPTER 33

## COUNTY CLAIMS APPROPRIATIONS

S. F. 508

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

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

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

6 Claimant	Claim Number	Amount
7 Louisa County Treasurer .....	80	\$2,143.89
8 Wapello, Iowa		
9 Winnebago County Treasurer .....	183	1,426.38
10 Forest City, Iowa		

1 SEC. 2. The state conservation commission is hereby directed to  
2 pay from the annual appropriation state conservation fund to the fol-  
3 lowing named county the amount set opposite its name in full settle-  
4 ment of all claims it may have against the state of Iowa for drainage  
5 assessments on state-owned lands:

6 Claimant	Claim Number	Amount
7 Pocahontas County Treasurer .....	197	\$122.23
8 Pocahontas, Iowa		

Approved April 27, 1959.

## CHAPTER 34

## CLAIMS APPROPRIATIONS

S. F. 509

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

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

1 SECTION 1. There is hereby appropriated out of the general fund  
2 of the state of Iowa to the following named persons and/or firms the  
3 amount set opposite their respective names in full settlement of all  
4 claims which they may have against the state of Iowa, to wit:

5 Claimant	Claim No.	Nature of Claim	Amount
6 M. G. Bourne, M.D.	144	Professional	\$165.00
7 Algona, Iowa		Services	
8 St. Ann Hospital	145	Professional	343.75
9 Algona, Iowa		Services	

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

3 opposite their names, respectively, and the treasurer of the state is  
 4 hereby authorized and directed to pay the same from the general fund  
 5 of the state of Iowa.

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

Approved April 27, 1959.

---

## CHAPTER 35

### CLAIM APPROPRIATION

S. F. 524

AN ACT to make appropriation for James C. Strohmman in settlement of claim against the state of Iowa.

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

1 SECTION 1. There is hereby appropriated from the general fund  
 2 of the state of Iowa, the sum of six thousand two hundred and forty  
 3 dollars (\$6,240.00) to the State Board of Vocational Education to be  
 4 expended at the discretion of said Board for the physical and voca-  
 5 tional rehabilitation of James C. Strohmman, in full settlement of Claim  
 6 Number one hundred (100) which the said James C. Strohmman may  
 7 now, or hereafter, have against the State of Iowa on account of injury  
 8 sustained while an inmate at the Anamosa Reformatory.

1 SEC. 2. The state comptroller is hereby authorized to issue his  
 2 warrant for expenditures for said physical and vocational rehabilita-  
 3 tion of said James C. Strohmman as they are presented to him and  
 4 authorized by the State Board of Vocational Education. Any unex-  
 5 pended amount in said fund for said physical and vocational rehabili-  
 6 tation shall revert, on June 30, 1965, to the general fund of the State  
 7 of Iowa.

Approved April 27, 1959.

---

## CHAPTER 36

### CLAIMS APPROPRIATIONS

S. F. 531

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

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

1 SECTION 1. There is hereby appropriated out of the general fund  
 2 of the state of Iowa to the following named persons and/or firms the  
 3 amount set opposite their respective names in full settlement of all  
 4 claims which they may have against the state of Iowa, to wit:

	Claim No.	Nature of Claim	Amount
5			
6		Claimant	
7	50	Mdse. delivered	\$ 457.95
8		Des Moines, Iowa	
9	55	Mdse. delivered	448.90
10		Des Moines, Iowa	
11	68	Mdse. delivered	213.50
12		Des Moines, Iowa	
13	70	Mdse. delivered	69.52
14		Buffalo, New York	
15	78	Maintenance	30.00
16		Bridgeport, Conn. Services	
17	89	Mdse. delivered	15.60
18		Des Moines, Iowa	
19	90	Mdse. delivered	116.10
20		Des Moines, Iowa	
21	102	Mdse. delivered	20.86
22		Des Moines, Iowa	
23	112	Mdse. delivered	915.61
24		Des Moines, Iowa	
25	113	Mdse. delivered	10.08
26		Des Moines, Iowa	
27	133	Printing	562.00
28		Des Moines, Iowa	
29	163	Mdse. delivered	331.63
30		Des Moines, Iowa	
31	196	Mdse. delivered	180.40
32		Des Moines, Iowa	
33	202	Mdse. delivered	93.42
34		Kansas City, Mo.	
35	205	Mdse. delivered	47.50
36		Dubuque, Iowa	
37	247	Mdse. delivered	22.35
38		Des Moines, Iowa	
39	8	Drainage	140.71
40		Story County, Iowa Assessments	
41	23	Personal injuries	2,075.00
42		Woodward, Iowa	
43	160	Bldgs. & Grounds	27.50
44		Des Moines, Iowa	
45	222	Medical Expenses	38.30
46		Waterloo, Iowa	
47	231	Personal services	17.34
48		Malvern, Iowa	
49	233	Vacation pay	213.43
50		Des Moines, Iowa	
51	240	Sewer Assessment	1,880.73
52		Vinton, Iowa	
53	269	Interim Expenses	137.50
54		House of Representatives	
55	270	Interim Expenses	93.50
56		State Senate	



	Claimant	Claim No.	Nature of Claim	Amount
57	State Tax Commission	254	Military service	
58	Des Moines, Iowa		tax credits	\$ 24.89
59	1957			
60	Cerro Gordo Co. Treasurer .....			.92
61	Dubuque Co. Treasurer .....			3.03
62	Lee County Treasurer .....			20.94
63	State Tax Commission	181	Military service	
64	Des Moines, Iowa		tax credits	539.95
65	1952			
66	Appanoose County Treasurer .....			10.30
67	1953			
68	Appanoose County Treasurer .....			9.98
69	Boone County Treasurer .....			45.00
70	1954			
71	Boone County Treasurer .....			37.22
72	Cherokee County Treasurer .....			6.14
73	Keokuk County Treasurer .....			1.12
74	1955			
75	Boone County Treasurer .....			39.97
76	Cherokee County Treasurer .....			9.28
77	Dubuque County Treasurer .....			8.69
78	Hamilton County Treasurer .....			.63
79	Jackson County Treasurer .....			3.13
80	Keokuk County Treasurer .....			5.68
81	Marshall County Treasurer .....			1.36
82	Monona County Treasurer .....			8.69
83	Wapello County Treasurer .....			8.48
84	Washington County Treasurer .....			2.39
85	1956			
86	Appanoose County Treasurer .....			8.55
87	Buena Vista County Treasurer .....			10.60
88	Calhoun County Treasurer .....			18.13
89	Carroll County Treasurer .....			7.10
90	Cass County Treasurer .....			12.14
91	Cherokee County Treasurer .....			9.78
92	Decatur County Treasurer .....			12.82
93	Des Moines County Treasurer .....			8.55
94	Dubuque County Treasurer .....			24.77
95	Hamilton County Treasurer .....			4.57
96	Jackson County Treasurer .....			4.10
97	Jones County Treasurer .....			14.43
98	Keokuk County Treasurer .....			2.72
99	Lee County Treasurer .....			7.27
100	Mahaska County Treasurer .....			1.73
101	Marshall County Treasurer .....			20.68
102	Plymouth County Treasurer .....			12.82
103	Ringgold County Treasurer .....			15.28
104	Scott County Treasurer .....			4.27
105	Tama County Treasurer .....			4.27
106	Taylor County Treasurer .....			8.55
107	Wapello County Treasurer .....			1.60

	Claimant	Claim No.	Nature of Claim	Amount
	State Tax Commission Des Moines, Iowa	181	Military service tax credits	
108	Warren County Treasurer .....			\$ 1.52
109	Woodbury County Treasurer .....			14.74
110	1957			
111	Buena Vista County Treasurer .....			10.47
112	Calhoun County Treasurer .....			8.63
113	Cass County Treasurer .....			6.05
114	Hardin County Treasurer .....			6.85
115	Kossuth County Treasurer .....			8.90
116	Scott County Treasurer .....			4.59
117	Tama County Treasurer .....			16.34
118	Taylor County Treasurer .....			13.13
119	Van Buren County Treasurer .....			8.26
120	Wapello County Treasurer .....			27.68

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 respective names.

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 on account of damages as above indicated, claims for which  
4 were presented to the joint claims committee of the Fifty-eighth  
5 General Assembly.

Approved April 27, 1959.

## CHAPTER 37

### CLAIMS APPROPRIATIONS

S. F. 537

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

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

1 SECTION 1. There is hereby appropriated out of the general fund  
2 of the state of Iowa to the following named persons and/or firms the  
3 amount set opposite their respective names in full settlement of all  
4 claims which they may have against the state of Iowa, to wit:

	Claimant	Claim No.	Nature of Claim	Amount
5			Claim	
6	Lee County, Iowa	9	State aid patient care	\$2,811.43
7				
8	Jay C. Colburn	41	Refund of warrant	46.91
9	Harlan, Iowa			
10	Jack Traverse	47	Armory Board Rent	6,400.00
11	Ft. Lauderdale, Florida			
12	Consolidated School District	69	Tuition Braille Students (1956-1957)	557.81
13	Vinton, Iowa			
14				

	Claimant	Claim No.	Nature of Claim	Amount
15	Donald E. French	111	Longevity Pay	\$ 127.50
16	Cedar Falls, Iowa			
17	Mills County Court House	115	Maintaining roads	1,200.00
18	Glenwood, Iowa		to State School	
19	Consolidated School	124	Tuition Braille	1,381.05
20	District, Vinton, Iowa		Students (1957-1958)	
21	C. J. Dykstra	143	Auto Damage	45.25
22	Des Moines, Iowa			
23	Heck Grocery	157	Refund of warrant	42.50
24	Centerville, Iowa			
25	Herschel James Baker	162	Personal injuries	1,500.00
26	Cleveland, Tennessee			
27	Fred J. Keppy	168	Slaughter of sheep	1,932.03
28	Davenport, Iowa		result of Scrapie	
29	William Holthusen	172	Auto Damage	151.07
30	Rock Rapids, Iowa			
31	Kossuth County Treasurer	173	Cherokee State Hos-	749.14
32	Algona, Iowa		pital, patient care	
33	Chickasaw County	177	Chickasaw County	1,539.85
34	New Hampton, Iowa		Home, patient care	
35	School of Commerce	178	Tuition and	74.75
36	Omaha, Nebraska		Maintenance	
37			rehabilitation client	
38	County of Jackson	206	County Institutional	703.28
39	Maquoketa, Iowa		patient care	
40	Doctor J. E. Rose	211	Medical Services	172.00
41	Grundy Center, Iowa			
42	Des Moines County	215	Juvenile Home care,	3,765.65
43	Burlington, Iowa		Toledo	
44			Ralph Riesselman	
45	Frank S. Baldrege	225	Damaged Clothing	21.69
46	Des Moines, Iowa			
47	Iowa Methodist Hospital	226	Hospitalization	501.55
48	Des Moines, Iowa		expense	
49	Chicago, Burlington &	236	Contract Inspection	534.76
50	Quincy Railroad Company		costs	
51	Chicago, Illinois			
52	Daniel P. Clark	241	Personal Injury	10,000.00
53	Sergeant Bluffs, Iowa			
54	Donald Dreessen	245	Unpaid Salary	45.00
55	Des Moines, Iowa			
56	Harry R. Hagge	248	Unpaid Salary	45.00
57	Carroll, Iowa			
58	Marvin Messerschmidt	249	Unpaid Salary	45.00
59	Farley, Iowa			

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 respective name.

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

Approved April 27, 1959.

---

## CHAPTER 38

### CLAIMS APPROPRIATIONS

S. F. 538

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 from the general fund  
 2 of the state of Iowa the sum of twelve thousand six hundred and thirty  
 3 dollars (\$12,630) to be paid to the claimants, J. Reed Rhodes and Ruth  
 4 R. Rhodes, Oskaloosa, Iowa, by the State Comptroller in full settle-  
 5 ment of Claim No. H-56-58 as filed by them against the state of Iowa,  
 6 upon receipt of satisfactory proof that the claimants move the build-  
 7 ings in Oskaloosa to a point not less than ten feet from the present  
 8 right-of-way line of U. S. Highway No. 92.

1 SEC. 2. This Act being deemed of immediate importance shall take  
 2 effect and be in full force from and after its publication in the Oska-  
 3 loosa Daily Herald, a newspaper published at Oskaloosa, Iowa and the  
 4 Mount Pleasant News, a newspaper published at Mount Pleasant,  
 5 Iowa.

Approved April 27, 1959.

I hereby certify that the foregoing Act, Senate File 538, was published in the Oskaloosa Daily Herald, Oskaloosa, Iowa, May 1, 1959, and in the Mount Pleasant News, Mount Pleasant, Iowa, April 29, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

---

## CHAPTER 39

### HIGHWAY CLAIMS APPROPRIATIONS

S. F. 539

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

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

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

	Claim		
	No.	Nature of Claim	Amount
4			
5		Claimant	
6	H-1	Weed Spray Damage	\$ 43.26
7		M. J. Ryan	
8	H-3	Auto Damage	15.26
9		Underwood, Iowa	
10	H-4	Auto Damage	34.04
11		Frank O'Brien	
12	H-8	Weed Spray Damage	200.00
13		Cedar Rapids, Iowa	
14	H-9	Damage to fence	22.00
15		State Farm Mutual Insurance Co., Bloomington, Illinois	
16	H-10	Damage to fence	15.00
17		Grover J. and Waive Bittner	
18	H-12	Weed Spray Damage	20.00
19		Bellevue, Iowa	
20	H-15	Tractor tire damage	37.90
21		John F. Haupert	
22	H-16	Tractor tire damage	192.76
23		Sigourney, Iowa	
24	H-17	Property damage	75.00
25		Myrl Martin	
26	H-18	Weed Spray Damage	120.00
27		Hedrick, Iowa	
28	H-20	Tire Damage	31.11
29		R. L. Coulter	
30	H-21	Tire Damage	28.70
31		Gravity, Iowa	
32	H-24	Combine Damage	30.43
33		Omer F. Dumont	
34	H-27	Drainage from highway	525.00
35		Webster, Iowa	
36	H-28	Corn Crop Damage	
37		C. Deane Hartzell	
38	H-29	Damage to water and Sewer Connections	128.00
39		Keswick, Iowa	
40	H-30	Damage to fence	20.00
41		Mrs. Esther M. Cameron	
42	H-31	Weed Spray Damage	42.50
43		Walcott, Iowa	
44	H-33	Weed Spray Damage	25.00
45		Mrs. Marvin Helmke	
46	H-36	Tree Damage	21.25
47		Pocahontas, Iowa	
48	H-41	Weed Spray Damage	15.00
49		Bernal G. Lathrum	
50	H-44	Drainage from highway	474.05
51		Johnston, Iowa	
52	H-45	Bean Damage	
53		Donald H. Fitzsimmons	
54	H-46	Well Damage	901.15
55		Johnston, Iowa	
		Melvin J. Buss	
		Ute, Iowa	
		Ed Bartachek	
		Brooklyn, Iowa	
		Arthur Flage	
		Waukon, Iowa	
		Myrl Martin	
		Hedrick, Iowa	
		Perry Wayne Purdy	
		Lovilia, Iowa	
		Keith L. Morrow	
		Ottumwa, Iowa	
		Dwight Laughlin	
		Wapello, Iowa	
		Donald R. Payer	
		Ames, Iowa	
		Merle Baughman	
		Sigourney, Iowa	
		Charlotte Hoey	
		West Des Moines, Iowa	
		Cassie M. Hartzell	
		Keswick, Iowa	
		Eva I. Goodner	
		Shenandoah, Iowa	

	Claimant	Claim No.	Nature of Claim	Amount
56	Joseph J. Johnson	H-48	Damage to Tractor	\$ 43.50
57	Gilmore City, Iowa		Tire	
58	John E. Hedding	H-55	Car Damage	106.17
59	Emmetsburg, Iowa			
60	Arnold Gade, Secretary	H-59	Damage to telephone	296.57
61	Whittemore Rural Lines		lines and pole	
62	Whittemore, Iowa			

1 SEC. 2. The state comptroller is hereby authorized and directed to  
2 issue his warrants to the above named persons in the amounts set  
3 opposite their respective names.

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

Approved April 27, 1959.

## CHAPTER 40

### CLAIM APPROPRIATION

S. F. 540

AN ACT to make appropriation to B. J. Kenning in settlement of claim 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 B. J. Kenning, the sum of one thousand and  
3 twenty-six dollars and forty-three cents (\$1026.43) in full settlement  
4 of the Claim No. H-7 that he may have against the state of Iowa.

1 SEC. 2. Receipt of said sum by B. J. Kenning shall be in full set-  
2 tlement of the claim as filed; also in full settlement of all future claims  
3 arising out of the facts set forth in said claim, unless by decision of  
4 the Courts, including the Supreme Court of the State of Iowa, the  
5 claimant can show that the State Highway Commission, either by its  
6 omissions or commissions, has caused the damages on which such  
7 future claims are based.

1 SEC. 3. The State Comptroller is hereby authorized and directed  
2 to issue his warrant to B. J. Kenning in the amount of one thousand  
3 and twenty-six dollars and forty-three cents, (\$1026.43).

Approved April 27, 1959.

## CHAPTER 41

## ROBERT O. WINN TRUST FUND

H. F. 120

AN ACT to amend chapter thirty-three (33), Acts of the Fifty-fourth (54th) General Assembly, relating to the trust fund of Robert O. Winn.

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

1 SECTION 1. Section two (2) of chapter thirty-three (33), Acts of  
2 the Fifty-fourth (54th) General Assembly, is hereby amended by  
3 adding thereto the following:

4 "In addition, after said Robert O. Winn reaches age twenty-four  
5 (24), any or all of the balance remaining may be paid or applied by  
6 the trustee in his discretion to aid said Robert O. Winn to purchase a  
7 farm or establish a business, if in the trustee's judgment it would be  
8 financially sound and in the best interests of said Robert O. Winn to  
9 do so.

Approved March 9, 1959.

## CHAPTER 42

## ELECTION CONTESTS APPROPRIATIONS

H. F. 763

AN ACT to make an appropriation to pay witness fees, mileage and expenses of witnesses, attorney fees, mileage and expenses for counsel for the parties, and other expenses in the election contests of Clarence E. Lohff, contestant vs. Bert K. Fairchild, incumbent; George Good, contestant vs. Jack N. Milroy, incumbent; Cecil V. Lutz, contestant vs. Stanley Watts, incumbent; and T. J. Frey, contestant vs. Gilbert E. Klefstad and Jack Rooney, incumbents.

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

1 SECTION 1. There is hereby appropriated out of the general fund  
2 of the state to the following named persons the amounts set opposite  
3 their names in full payment of all claims they may have against the  
4 state on account of services rendered and expenses incurred in the  
5 following election contests: Clarence E. Lohff, contestant vs. Bert  
6 K. Fairchild, incumbent; George Good, contestant vs. Jack N. Mil-  
7 roy, incumbent; Cecil V. Lutz, contestant, vs. Stanley Watts, in-  
8 cumbent; and T. J. Frey, contestant vs. Gilbert E. Klefstad and Jack  
9 Rooney, incumbents, to wit:

10	CLARENCE E. LOHFF VS. BERT K. FAIRCHILD	
11	ATTORNEY FEES, EXPENSES AND MILEAGE	
12	Harry H. Smith, Sioux City .....	\$ 500.00
13	Arthur L. Johnson, Ida Grove and	
14	Alan Loth, Fort Dodge .....	500.00
15	WITNESS FEES AND EXPENSES	
16	Ray Bresnahan, Ida Grove, fee and expenses .....	28.00
17	Josephine Vitek, Ida Grove, fee and expenses .....	15.00
18	Mary Wilkinson, Ida Grove, fee and expenses .....	15.00
19	C. H. Lacquement, Ida Grove, fee and expenses .....	15.00

20	OTHER EXPENSES	
21	Ethel H. Smith, Ida Grove, county auditor, expenses .....	\$ 50.76
22	Savery Hotel, Des Moines, rental .....	7.50
23	GEORGE GOOD vs. JACK N. MILROY	
24	ATTORNEY FEES AND EXPENSES	
25	John J. Murray, Fort Dodge, fees .....	200.00
26	John J. Murray, Fort Dodge, expenses .....	106.00
27	A. R. Shepherd, Des Moines, fees .....	140.00
28	Don C. Swanson, Des Moines, fees .....	287.75
29	CECIL V. LUTZ vs. STANLEY WATTS	
30	ATTORNEY FEES, EXPENSES AND MILEAGE	
31	W. W. Reynoldson, Osceola, fees and mileage .....	1,043.26
32	William Jones, Maxwell, fees, mileage and expenses .....	1,124.68
33	WITNESS FEES AND EXPENSES	
34	Lucille Abbott, Osceola, fees and expenses .....	11.50
35	Dean Hill, Osceola, fees and mileage .....	14.00
36	W. R. Campbell, Murray, fees and expenses .....	11.50
37	OTHER EXPENSES	
38	Kenneth W. Likes, Osceola, Sheriff, subpoena fees .....	11.75
39	T. J. FREY vs. GILBERT E. KLEFSTAD AND JACK ROONEY	
40	ATTORNEY FEES, EXPENSES AND MILEAGE	
41	Robert C. Heitoff, Council Bluffs, fees, expenses and mileage .....	446.65
42	Ross, Johnson, Northrop, Stuart & Tinley, Council Bluffs,	
43	fees, expenses and mileage .....	321.90
44	OTHER EXPENSES	
45	Frank Leydens, Des Moines, court reporter .....	110.00
46	Total.....	\$4,960.25

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

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

1     SEC. 4. This Act being deemed of immediate importance shall  
2     take effect and be in full force from and after its publication in the  
3     Marshalltown Times-Republican, a newspaper published at Marshall-  
4     town, Iowa, and the Alta Advertiser, a newspaper published at Alta,  
5     Iowa.

Approved May 7, 1959.

I hereby certify that the foregoing Act, House File 763, was published in the Mar-  
shalltown Times-Republican, Marshalltown, Iowa, May 11, 1959, and in the Alta Adver-  
tiser, Alta, Iowa, May 14, 1959.

MELVIN D. SYNHORST, *Secretary of State.*



## CHAPTER 43

## ELECTION CONTEST APPROPRIATION

S. F. 545

AN ACT to make an appropriation to pay the witness fees and mileage of witnesses; to pay attorney fees for counsel for the parties and other expenses in the election contest of Blyth C. Conn vs. Carl Hoschek.

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

1 SECTION 1. There is hereby appropriated out of the general fund  
2 of the state of Iowa to the following named persons the amounts set  
3 opposite their names in full payments of all claims they may have  
4 against the state of Iowa on account of services rendered and ex-  
5 penses incurred in the election contest of Blyth C. Conn vs. Carl  
6 Hoschek, to wit:

7 WITNESS FEES AND MILEAGE	
8 Mrs. Hazel O'Keefe, Burlington, Iowa .....	\$ 26.80
9 Mrs. Lenore Bailey, Burlington, Iowa .....	26.80
10 Mrs. Harold Malmberg, Burlington, Iowa .....	26.80
11 Mrs. Charlotte Reed, West Burlington, Iowa .....	26.80
12 Mrs. Rose Crooks, West Burlington, Iowa .....	26.80
13 Mrs. Otto Koenig, West Burlington, Iowa .....	26.80
14 E. V. Johnson, West Burlington, Iowa .....	26.80
15 Fred Drebenstedt, West Burlington, Iowa .....	26.80
16 Miss Myrtle Stockman, West Burlington, Iowa .....	26.80
17 Mrs. Gerald Wilson, West Burlington, Iowa .....	26.80
18 Harold Richards, Burlington, Iowa .....	26.80
19 Richard Anderson, Mediapolis, Iowa .....	26.80
20 Marion Dean, Mediapolis, Iowa .....	26.80
21 Sam Thie, Mediapolis, Iowa .....	26.80
22 Mrs. Helen Wilson, Mediapolis, Iowa .....	26.80
23 Alvia Dietrich, Mediapolis, Iowa .....	26.80
24 E. A. Bergsten, Mediapolis, Iowa .....	26.80
25 Elmer Raumbuehler, Burlington, Iowa .....	26.80
26 William Bentler, Burlington, Iowa .....	26.80
27 Mrs. Frances Bentler, Burlington, Iowa .....	26.80
28 Mrs. Floyd Mertens, Burlington, Iowa .....	26.80
29 Mrs. Robert J. Ertz, Burlington, Iowa .....	26.80
30 S. L. Hagie, Burlington, Iowa .....	26.80
31 ATTORNEYS FEES AND EXPENSES	
32 Thomas J. Dailey, Burlington, Iowa .....	\$2548.00
33 Expenses .....	286.33
34 Frank Elwood, Cresco, Iowa .....	1250.00
35 Expenses .....	304.88
36 COURT REPORTER	
37 Elvin V. Jones, Des Moines, Iowa .....	174.85

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

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

1 SEC. 4. This Act being deemed of immediate importance shall  
 2 take effect and be in full force from and after its publication in the  
 3 Lone Tree Reporter, a newspaper published at Lone Tree, Iowa, and  
 4 the Humeston New Era, a newspaper published at Humeston, Iowa.

Approved May 4, 1959.

I hereby certify that the foregoing Act, Senate File 545, was published in the Lone Tree Reporter, Lone Tree, Iowa, May 14, 1959, and in the Humeston New Era, Humeston, Iowa, May 13, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 44

### RETIREMENT SYSTEM ADVISORY BOARD APPROPRIATION

H. F. 666

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

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

1 SECTION 1. There is hereby appropriated out of the general fund  
 2 of the state of Iowa to the following named persons the amounts set  
 3 opposite their respective names in full settlement of all claims which  
 4 they may have against the state of Iowa on account of services ren-  
 5 dered as members of the advisory investment board of the Iowa public  
 6 employees' retirement system, to wit:

7	Arch W. McFarlane .....	\$180.00
8	A. L. Mensing .....	160.00

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

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

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

Approved April 6, 1959.

I hereby certify that the foregoing Act, House File 666, was published in the Cedar Falls Daily Record, Cedar Falls, Iowa, April 9, 1959, and in the Tipton Advertiser, Tipton, Iowa, April 16, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 45

## ELECTION COMMITTEE APPROPRIATIONS

H. F. 659

AN ACT to make appropriations to members of the election and election privileges committee, namely: Scott Swisher, Clark McNeal, J. N. Milroy, J. Kendall Lynes, Thomas J. Dailey and Duane Dewel.

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

1	SECTION 1.	There is hereby appropriated out of the general fund
2		of the state of Iowa to the following named persons the amounts set
3		opposite their respective names in full settlement of all claims which
4		they may have against the state of Iowa on account of services ren-
5		dered as members of the election and election privileges committee,
6		to-wit:
7	Scott Swisher .....	\$600.00
8	Clark McNeal .....	680.00
9	J. N. Milroy .....	660.00
10	J. Kendall Lynes .....	560.00
11	Thomas J. Dailey .....	440.00
12	Duane Dewel .....	600.00

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

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

1 SEC. 4. This Act being deemed of immediate importance shall take  
2 effect and be in full force from and after its publication in the Monte-  
3 zuma Republican, a newspaper published in Montezuma, Iowa, and in  
4 the Red Oak Express a newspaper published in Red Oak, Iowa.

Approved March 26, 1959.

I hereby certify that the foregoing Act, House File 659, was published in the Montezuma Republican, Montezuma, Iowa, April 16, 1959, and in the Red Oak Express, Red Oak, Iowa, March 30, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 46

## LEGISLATIVE RESEARCH APPROPRIATIONS

S. F. 523

AN ACT to make appropriations to members of the Iowa legislative research committee, namely: W. C. Stuart, George O'Malley, X. T. Prentis, Robert W. Naden, Albert Lund and Bert K. Fairchild.

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

1 SECTION 1. There is hereby appropriated out of the general fund  
2 of the state of Iowa to the following named persons the amounts set

3 opposite their respective names in full settlement of all claims which  
 4 they may have against the state of Iowa on account of services rendered as a member of the Iowa Legislative Research Committee, to  
 5 wit:

6	W. C. Stuart .....	\$160.00
7	George O'Malley .....	140.00
8	X. T. Prentis .....	180.00
9	Robert W. Naden .....	140.00
10	Albert Lund .....	240.00
11	Bert K. Fairchild .....	140.00
12		

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

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

1 SEC. 4. This Act being deemed of immediate importance shall take  
 2 effect and be in full force from and after its publication in the Leon  
 3 Journal-Reporter, a newspaper published at Leon, Iowa and the Mount  
 4 Ayr Record-News, a newspaper published at Mount Ayr, Iowa.

Approved April 28, 1959.

I hereby certify that the foregoing Act, Senate File 523, was published in the Leon Journal-Reporter, Leon, Iowa, May 7, 1959, and in the Mount Ayr Record-News, Mount Ayr, Iowa, May 7, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 47

### INTERSTATE CO-OPERATION APPROPRIATIONS

S. F. 514

AN ACT to make appropriations to members of the committee on interstate cooperation, namely: Guy G. Butler, David O. Shaff, John J. O'Connor, W. H. Tate, Carroll Price, Elmer H. Vermeer, Emil L. Novak, Neil E. Johns, and Robert R. Rigler.

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

1	SECTION 1. There is hereby appropriated out of the general fund	
2	of the state of Iowa to the following named persons the amounts set	
3	opposite their respective names in full settlement of all claims which	
4	they may have against the state of Iowa on account of services rendered as a member of the committee on interstate cooperation, to wit:	
5	Guy G. Butler .....	\$268.64
6	David O. Shaff .....	555.19
7	John J. O'Connor .....	244.01
8	W. H. Tate .....	430.20
9	Carroll Price .....	546.71
10	Elmer H. Vermeer .....	168.88
11	Emil L. Novak .....	364.43
12		

13	Neil E. Johns .....	\$489.85
14	Robert R. Rigler .....	837.53

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

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

1 SEC. 4. This Act being deemed of immediate importance shall take  
2 effect and be in full force from and after its publication in the Rock-  
3 ford Register, a newspaper published at Rockford, Iowa, and the  
4 Howard County Times & Plain Dealer, a newspaper published at  
5 Cresco, Iowa.

Approved April 28, 1959.

I hereby certify that the foregoing Act, Senate File 514, was published in the Rock-  
ford Register, Rockford, Iowa, May 6, 1959, and in the Howard County Times & Plain  
Dealer, Cresco, Iowa, May 6, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 48

### CARE OF AGING STUDY COMMITTEE

#### S. F. 510

AN ACT to make appropriations to members of the Iowa study committee on the care  
of the aging.

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

1 SECTION 1. There is hereby appropriated out of the general fund  
2 of the state of Iowa to the following named persons the amounts set  
3 opposite their respective names in full settlement of all claims they  
4 may have against the state of Iowa on account of services rendered  
5 as members of the Iowa study committee on the care of the aging  
6 created by Senate Concurrent Resolution 34 of the 57th General As-  
7 sembly:

8	Mrs. Jennie D. Gottsch, Shenandoah, Iowa .....	\$ 96.00
9	William H. Dreier, Hubbard, Iowa .....	73.00
10	Dr. Steven M. Horvath, Iowa City, Iowa .....	66.66
11	Dr. W. W. Morris, Iowa City, Iowa .....	19.19
12	Robert D. Blue, Eagle Grove, Iowa .....	129.40
13	Earl Elijah, Clarence, Iowa .....	177.80
14	J. Henry Lucken, Akron, Iowa .....	212.18

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

1 SEC. 3. The acceptance of said sums by the payees shall be in full  
2 settlement of all claims against the state of Iowa growing out of  
3 membership on or service to the committee named in this Act.

1 SEC. 4. This Act being deemed of immediate importance shall  
2 take effect and be in full force from and after its publication in the  
3 DeWitt Observer, a newspaper published in DeWitt, Iowa, and in the  
4 Creston News-Advertiser, a newspaper published in Creston, Iowa.

Approved April 28, 1959.

I hereby certify that the foregoing Act, Senate File 510, was published in the DeWitt Observer, DeWitt, Iowa, May 7, 1959, and in the Creston News-Advertiser, Creston, Iowa, May 1, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 49

### BOUNDARY STUDY APPROPRIATIONS

S. F. 454

AN ACT to make appropriations to the members of Iowa-Nebraska boundary study committee, namely: Frank Hoxie, D. C. Nolan, Jim O. Henry, Fred L. Johnson, William E. Darrington and Henry Stevens.

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

1 SECTION 1. There is hereby appropriated out of the general fund  
2 of the state of Iowa to the following named persons the amounts set  
3 opposite their respective names in full settlement of all claims which  
4 they may have against the state of Iowa on account of services ren-  
5 dered as a member of the Iowa-Nebraska Boundary Study Committee,  
6 to wit:

7	Frank Hoxie .....	\$360.00
8	D. C. Nolan .....	280.00
9	Jim O. Henry .....	220.00
10	Fred L. Johnson .....	280.00
11	William E. Darrington .....	240.00
12	Henry Stevens .....	220.00

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

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

1 SEC. 4. This Act being deemed of immediate importance shall take  
2 effect and be in force from and after its publication in the Evening  
3 Sentinel, a newspaper published at Shenandoah, Iowa, and in the  
4 Hamburg Reporter, a newspaper published at Hamburg, Iowa.

Approved March 31, 1959.

I hereby certify that the foregoing Act, Senate File 454, was published in the Evening Sentinel, Shenandoah, Iowa, April 4, 1959, and in the Hamburg Reporter, Hamburg, Iowa, April 9, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 50

## INAUGURAL APPROPRIATION

H. F. 426

AN ACT to appropriate funds to defray expenses of the inaugural ceremonies.

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

1 SECTION 1. There is hereby appropriated out of funds of the state  
2 treasury not otherwise appropriated the sum of three thousand nine  
3 hundred twelve dollars and seventy-nine cents (\$3,912.79), or so  
4 much thereof as may be necessary, to pay the expenses incurred on  
5 account of the inaugural ceremonies and reception. Warrants shall  
6 be drawn upon the treasury for the sum herein appropriated in favor  
7 of the adjutant general upon the filing of vouchers therefor with the  
8 state comptroller.

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 Red Oak Express, a newspaper published at Red Oak,  
4 Iowa and in the Glenwood Opinion-Tribune, a newspaper published  
5 at Glenwood, Iowa.

Approved March 10, 1959.

I hereby certify that the foregoing Act, House File 426, was published in the Red Oak Express, Red Oak, Iowa, March 12, 1959, and in the Glenwood Opinion-Tribune, Glenwood, Iowa, March 12, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 51

## GENERAL ASSEMBLY PRINTING APPROPRIATION

H. F. 662

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

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

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

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

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

4 in the Oskaloosa Daily Herald, a newspaper published at Oskaloosa,  
5 Iowa.

Approved April 6, 1959.

I hereby certify that the foregoing Act, House File 662, was published in the Brooklyn Chronicle, Brooklyn, Iowa, April 16, 1959, and in the Oskaloosa Daily Herald, Oskaloosa, Iowa, April 9, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

---

## CHAPTER 52

### PRINTING BOARD APPROPRIATION

S. F. 515

AN ACT to appropriate from the general fund of the state of Iowa to the state printing board for printing and binding.

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

1 SECTION 1. There is hereby appropriated from the general fund  
2 of the state to the state printing board for the biennium beginning  
3 July 1, 1959, and ending June 30, 1961, the sum of one hundred ten  
4 thousand dollars (\$110,000.00) or so much thereof as may be neces-  
5 sary to be used for necessary printing and binding.

1 SEC. 2. Funds appropriated for printing and binding by this Act,  
2 in the discretion of the printing board, may be used in supplying  
3 paper stock, multigraph or mimeograph work, and original payment  
4 of printing and binding claim for any of the state departments,  
5 bureaus, associations and institutions, any sum so used shall be re-  
6 imursed to the printing board and returned to the credit of the  
7 appropriation made for printing and binding. These payments shall  
8 be made to the printing board in the same manner as other claims  
9 against such departments are paid.

Approved April 28, 1959.

---

## CHAPTER 53

### FAIR BOARD APPROPRIATION

S. F. 492

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1959, and ending June 30, 1961, 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  
2 to agricultural societies there is hereby appropriated from the general  
3 fund of the state for each year of the biennium beginning July 1, 1959,  
4 and ending June 30, 1961, the sum of two hundred ten thousand dol-  
5 lars (\$210,000.00) or so much thereof as may be necessary to be used



6 in the following manner:

7 For state aid to agricultural societies, two hundred ten thousand  
8 dollars (\$210,000.00).

9 The foregoing appropriation for state aid to agricultural societies  
10 shall be deemed conditional on full compliance with all other statutes  
11 which regulate and prescribe the conditions under which such aid is  
12 payable. In no case shall any county receive more than two thousand  
13 one hundred dollars (\$2,100.00) except that in a county where there  
14 are two definitely separate county extension offices, each such society  
15 shall receive state aid in such amount as it would be entitled to if it  
16 were the only society in the county. In counties having more than one  
17 fair entitled to state aid, the state aid available for the county shall be  
18 prorated to said fairs on the basis of cash premiums paid by said fairs.

Approved April 28, 1959.

## CHAPTER 54

### DECATUR COUNTY HOSPITAL APPROPRIATION

H. F. 240

AN ACT to distribute the unconditional general bequest of John H. Ryan to the state of Iowa back to Decatur County, the residence of the testator, and making appropriation to remit such bequest to Decatur County.

WHEREAS, it occurs that bequests are made to the state of Iowa without declaration of the purpose for which such bequests are to be used; and

WHEREAS, John H. Ryan, whose last residence was in Decatur County, state of Iowa, died testate in July, 1956, and bequeathed the residue of his estate to the state of Iowa "to do with as the proper officers thereof may deem for the best interests of the state of Iowa"; and

WHEREAS, the will of the testator has been probated and such bequest has been paid into the general fund of the state of Iowa in the sum of thirty-nine thousand nine hundred seventy-four dollars and one cent (\$39,974.01); now therefore,

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

1 SECTION 1. There is hereby appropriated from the general fund  
2 of the state of Iowa to the county of Decatur, state of Iowa, the sum  
3 of thirty-nine thousand nine hundred seventy-four dollars and one  
4 cent (\$39,974.01).

5 This amount shall be used only for capital improvements to the  
6 Decatur County Hospital in memory of John H. Ryan and Eva Edith  
7 Ryan of Leon, Iowa.

Approved April 14, 1959.

## CHAPTER 55

## OMNIBUS APPROPRIATIONS

S. F. 548

AN ACT making appropriations for payment of miscellaneous expense incurred or authorized by the Fifty-eighth General Assembly.

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

1	SECTION 1. There is hereby appropriated out of any funds in the	
2	state treasury not otherwise appropriated the following sums, or so	
3	much thereof as may be necessary, in payment of miscellaneous ex-	
4	penses incurred or authorized by the Fifty-eighth General Assembly:	
5	Des Moines Rubber Stamp Company, for four brass plates	
6	for Senators X. T. Prentiss, J. Kendall Lynes' and presid-	
7	ing officers' chairs .....	\$ 37.13
8	Des Moines Rubber Stamp Company, for date bands .....	2.50
9	Dean Studios—photographs for Lt. Governor's office .....	30.00
10	Executive Council—picture frames for Lt. Governor's office .....	11.80
11	R. A. Townsend—photographs for Official Register .....	36.00
12	William R. Kendrick, Expenses to convention at Oklahoma	
13	City as authorized by H. R. 6, 57th G. A. ....	176.82
14	Stoner Piano Company, rental of piano .....	50.00
15	Berard's Flowers, for Memorial Session .....	35.70
16	William R. Kendrick, Miscellaneous office expense .....	25.00
17	Davidson's, Carpeting in Speaker's office and Chief Clerk's	
18	office .....	1,733.13
19	Potthoff-Rosene Company, drinking fountain .....	691.65
20	Koch Brothers, brown chair cover .....	5.50
21	Executive council for legislative photographs, telephone,	
22	telegraph, supplies, postage and miscellaneous expenses	
23	incurred during the Fifty-eighth General Assembly and	
24	subsequent to its adjournment and during the session of	
25	the Fifty-ninth General Assembly, including the compensa-	
26	tion of a legislative supply clerk if necessary. The amount	
27	herein appropriated shall be used only for the payment of	
28	bills actually authorized by the General Assembly and for	
29	supplies requisitioned by the proper officers of the Gen-	
30	eral Assembly .....	8,500.00

1 SEC. 2. There is hereby appropriated out of the general fund a  
 2 sum sufficient to pay the compensation made necessary by Senate  
 3 Concurrent Resolution 29 for services required of officers and em-  
 4 ployees of the Fifty-eighth General Assembly after final adjourn-  
 5 ment, and prior to the convening of the Fifty-ninth General Assem-  
 6 bly, including any special session called during such period.

1 SEC. 3. There is hereby appropriated out of the general fund to  
 2 the executive council an amount sufficient to cover the cost of making  
 3 the necessary repairs to chairs used by members of the General As-  
 4 sembly, to seats in the galleries of both houses, to desks of the pre-  
 5 siding officers and the Secretary of the Senate and the Chief Clerk  
 6 of the House in the Senate and House chambers and to desks and  
 7 typewriter tables of both houses.

1 SEC. 4. There is hereby appropriated out of the general fund to  
 2 the executive council an amount sufficient to cover the cost of replac-  
 3 ing the carpet in the Secretary of the Senate's office (Senate Room  
 4 26).

1 SEC. 5. The state comptroller is hereby authorized to make avail-  
 2 able any unexpended balance of the appropriation of eight thousand  
 3 five hundred dollars (\$8,500.00) made to the executive council in  
 4 chapter thirty-six (36), Acts of the Fifty-seventh General Assembly,  
 5 for legislative expenses in order that such balance may be applied to  
 6 the payment of legislative expenses of the Fifty-eighth General As-  
 7 sembly.

Approved May 7, 1959.

---

## CHAPTER 56

### I.P.E.R.S. ADMINISTRATION

H. F. 758

AN ACT to appropriate from the Iowa public employees retirement system fund two hundred seven thousand seven hundred dollars (\$207,700.00) to the employment security commission for the costs of the administration of chapter ninety-seven B (97B), Code 1958.

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

1 SECTION 1. There is hereby appropriated from the Iowa public  
 2 employees retirement system fund of the state to the employment  
 3 security commission for each year of the biennium beginning July 1,  
 4 1959, and ending June 30, 1961, the sum of two hundred seven thou-  
 5 sand seven hundred dollars (\$207,700.00) or so much thereof as may  
 6 be necessary to pay the costs of the administration of chapter ninety-  
 7 seven B (97B), Code 1958.

Approved May 7, 1959.

---

## CHAPTER 57

### GENERAL CONTINGENT FUND

H. F. 753

AN ACT creating the general contingent fund of the state for the biennium beginning July 1, 1959, and ending June 30, 1961, and appropriating thereto the sum of two million dollars from the general fund of the state, specifying the purposes for which the appropriation may be used, and providing for a report of the dispositions made of the fund.

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

1 SECTION 1. The general contingent fund of the state for the  
 2 biennium beginning July 1, 1959, and ending June 30, 1961, is hereby  
 3 created and said fund shall consist of the sum of two million dollars  
 4 (\$2,000,000.00) hereby appropriated thereto from the general fund

5 of the state. Said contingent fund shall be administered by the  
6 budget and financial control committee and allocations therefrom  
7 may be made only for contingencies arising during the biennium  
8 which are legally payable from the funds of the state. Allocations  
9 may be made for compensation and expenses of members of the  
10 budget and financial control committee, authorized by section two  
11 point forty-five (2.45), Code 1958, and for the payment of obliga-  
12 tions incurred under the provisions of subsection six (6) of section  
13 two point forty-four (2.44), Code 1958, and for the support of the  
14 legislative research bureau. The budget and financial control com-  
15 mittee shall not allocate any funds for any purpose or project which  
16 was presented to the general assembly by way of a bill and which  
17 failed to become enacted into law. A report of the dispositions made  
18 of the fund during the first eighteen months of the biennium shall be  
19 made by the budget and financial control committee to the state  
20 comptroller prior to the convening of the Fifty-ninth General As-  
21 sembly and by him included in the printed budget. Any balance in  
22 said contingent fund as of June 30, 1961, shall revert to the general  
23 fund of the state.

24 Upon the request of the board of control, the budget and financial  
25 control committee is authorized to provide from the general contin-  
26 gent fund two hundred fifty thousand dollars (\$250,000.00), or so  
27 much as may be necessary for the purchase of supplies which may  
28 not be available through the commodity credit corporation of the  
29 United States department of agriculture as provided during the past  
30 biennium.

Approved May 7, 1959.

**GENERAL LAWS**



## GENERAL LAWS (TEMPORARY)

### CHAPTER 58

#### URBAN TRANSIT SYSTEMS

S. F. 37

AN ACT to amend chapter forty-three (43), Acts of the Fifty-seventh General Assembly, relating to urban transit systems.

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

- 1 SECTION 1. Chapter forty-three (43), Acts of the Fifty-seventh
- 2 General Assembly, is hereby amended by striking everything after the
- 3 word "effect" in line one (1) of section six (6) and inserting in lieu
- 4 thereof the following words: "until July 1, 1963."

This bill (Senate File 37), having remained with the Governor three days (Sunday excepted), the General Assembly being in session, has become a law this 23rd day of February, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

### CHAPTER 59

#### ORDINARY COUNTY REVENUE LEVY

H. F. 125

AN ACT relating to the maximum millage levy by counties for ordinary county revenue.

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

- 1 SECTION 1. Section four hundred forty-four point nine (444.9),
- 2 subsection two (2), Code 1958, is hereby amended by striking all of
- 3 such subsection after the period (.) in line fourteen (14) and insert-
- 4 ing in lieu thereof the following:
- 5 "Should the levy fail to provide adequate funds for ordinary county
- 6 revenue, then the board of supervisors of any county may, for the
- 7 years 1959 and 1960 only, levy an additional tax for ordinary county
- 8 revenue not to exceed two (2) mills, provided, however, that in any
- 9 county with an assessed valuation of less than twenty-six million (26,-
- 10 000,000) dollars wherein said additional tax is levied, the total levy in
- 11 dollars for all county purposes shall not exceed by more than four per
- 12 cent (4%) the greater of the two preceding total annual levies for all
- 13 county purposes, and in any county with an assessed valuation of
- 14 twenty-six million (26,000,000) dollars or more wherein said addi-
- 15 tional tax is levied the total levy in dollars for all county purposes
- 16 shall not exceed by more than two per cent (2%) the greater of the two
- 17 preceding total annual levies for all county purposes. Before such

18 additional levy is made, a showing of the necessity for such additional  
 19 levy shall be made to the state comptroller and no such additional levy  
 20 shall be made unless it shall be approved in writing by the state comp-  
 21 troller."

Approved March 16, 1959.

---

## CHAPTER 60

### GRADE CROSSING FUNDS

H. F. 156

AN ACT to amend section three hundred twelve point two (312.2), Code 1958, relating to the allocation from road use tax funds to the highway grade crossing safety fund.

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

1 SECTION 1. Section three hundred twelve point two (312.2), Code  
 2 1958, is hereby amended by inserting in line three (3) after the  
 3 comma following the word "month" the following words, "after allo-  
 4 cating and crediting, for a period of two (2) years following the ef-  
 5 fective date of this Act, the sum of ten thousand (10,000) dollars each  
 6 month to the highway grade crossing safety fund,".

Approved April 7, 1959.

---

## CHAPTER 61

### ROAD USE TAX ALLOTMENT

S. F. 265

AN ACT to amend section three hundred twelve point three (312.3), Code 1958, and to increase the allotment to cities and towns from the road use tax fund.

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

1 SECTION 1. Section three hundred twelve point three (312.3), Code  
 2 1958, is hereby amended as follows:  
 3 1. By inserting the following and designating same as subsection  
 4 one (1):  
 5 "1. During the period January 1, 1960, through June 30, 1961,  
 6 apportion among the cities and incorporated towns of the state, in the  
 7 ratio which the population of each city or town, as shown by the latest  
 8 available census, bears to the total population of all cities and towns  
 9 in the state, two (2) per cent of the total road use tax fund before  
 10 any other apportionment is made, to be credited to the street fund of  
 11 the cities and towns and shall remit to the city clerk of each city and  
 12 town the amount so apportioned to such city and town."  
 13 2. By renumbering the remaining subsections.

Approved April 28, 1959.



**GENERAL LAWS****(PERMANENT)****CHAPTER 62****BUDGET AND FINANCIAL CONTROL COMMITTEE****H. F. 414**

AN ACT relating to the compensation and terms of office of members of the budget and financial control committee.

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

1 SECTION 1. Section two point forty-five (2.45), Code 1958, is  
2 hereby amended by striking from line six (6) the word "twenty" and  
3 inserting in lieu thereof the word "thirty".

4 The provisions of this section shall become effective July 1, 1959.

1 SEC. 2. Section two point forty-two (2.42), Code 1958, is hereby  
2 amended by striking the period after the word "session" in lines four  
3 (4) and five (5) and inserting the following: ", provided, however,  
4 that, except in the case of vacancies, members shall serve until their  
5 successors are appointed."

1 SEC. 3. This Act being deemed of immediate importance shall take  
2 effect, except as herein otherwise provided, from and after its passage  
3 and publication in the Montezuma Republican, a newspaper published  
4 at Montezuma, Iowa, and in the West Des Moines Express, a news-  
5 paper published at West Des Moines, Iowa.

Approved April 10, 1959.

I hereby certify that the foregoing Act, House File 414, was published in the Montezuma Republican, Montezuma, Iowa, April 16, 1959, and in the West Des Moines Express, West Des Moines, Iowa, April 16, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

**CHAPTER 63****LEGISLATIVE RESEARCH BUREAU****S. F. 173**

AN ACT to amend chapter two (2) of the Code relating to the legislative research committee and research bureau and to provide for more legislative participation in legislative research.

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

1 SECTION 1. Section two point fifty-one (2.51), Code 1958, is here-  
2 by repealed and the following enacted in lieu thereof:

3 "The salary of the director of the legislative research bureau shall  
4 be set by the legislative research committee."

1 SEC. 2. Section two point fifty-two (2.52), Code 1958, is hereby  
2 amended by inserting in line thirteen (13) after the period (.) the  
3 following:

4 "For each such request the legislative research committee may, if  
5 deemed advisable, authorize a joint advisory committee of legislators  
6 to assist the research bureau on such research study. When it author-  
7 izes such a committee, the legislative research committee shall design-  
8 8 nate the standing committee from the senate and the standing com-  
9 mittee from the house from which the members of the joint advisory  
10 committee shall be chosen.

11 "Each joint advisory committee shall be composed of seven (7)  
12 members to be selected as follows: the chairman of the standing com-  
13 mittee designated in the senate by the legislative research committee  
14 shall be a member and shall select two (2) members from his com-  
15 mittee and the chairman of the designated standing committee in the  
16 house shall be a member and shall select two (2) members from his  
17 committee and the chairman of the legislative research committee  
18 shall designate one (1) member from the legislative research commit-  
19 tee. A chairman of a standing committee may, in lieu of serving on  
20 the joint advisory committee, appoint a third member of his commit-  
21 tee. These selections shall include a member of the minority party  
22 from each house if the standing committee had a minority party  
23 member."

1 SEC. 3. Chapter two (2), Code 1958, is hereby amended by adding  
2 thereto the following new sections:

3 "a. Such appointments shall be made by the designated chairmen  
4 within twenty (20) days from the date the resolution of the general  
5 assembly is approved or notification from the legislative research com-  
6 mittee is given. If any chairman fails to make such appointments in  
7 the allotted time, the appointments may be made by the legislative  
8 research committee from the designated standing committees. A  
9 member of the majority party of the general assembly may not be  
10 assigned to more than two (2) joint advisory committees.

11 "b. Joint advisory committees shall have the following powers and  
12 duties:

13 1. To assist the research bureau on any matter connected with the  
14 research study assigned to the committee.

15 2. To hold hearings. Any legislator may attend any hearing.

16 3. To report to the next regular session of the general assembly.

17 "c. The joint advisory committees shall first meet at the call of the  
18 legislative research committee member assigned to the advisory com-  
19 mittee. Each joint committee shall elect the necessary officers and  
20 adopt rules.

21 "d. Members of joint advisory committees shall be reimbursed only  
22 for necessary expenses incurred in the performance of their duties.  
23 All expenses of joint advisory committees shall be paid from funds  
24 provided to the legislative research committee and bureau in accord-  
25 ance with section two point fifty-four (2.54) of the Code. Payments  
26 of necessary expense for members of such a committee shall be made  
27 by warrants of the state comptroller issued upon receipt of vouchers  
28 approved by the chairman of the joint advisory committee.

29 "e. The legislative research bureau shall provide the following as-  
30 sistance to joint advisory committees:

31 1. Handle administrative affairs, including correspondence, record-  
32 keeping, and scheduling of meetings.

33 2. Do the research required for any study. Studies shall receive  
34 priority in this order: first, studies assigned to a joint advisory com-  
35 mittee by resolution of the general assembly; second, studies assigned  
36 to a joint advisory committee by the legislative research committee;  
37 third, studies requested by any other interim legislative committee;  
38 and last, studies which are made without the assistance of a commit-  
39 tee.

40 3. Arrange for the help of state employees and technical consult-  
41 ants whose assistance is needed.

42 4. Prepare research reports, and, upon the request of a joint ad-  
43 visory committee, prepare that committee's report."

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 Sey-  
3 mour Herald, a newspaper published in Seymour, Iowa, and in the  
4 Diagonal Reporter, a newspaper published in Diagonal, Iowa.

This bill (Senate File 173), having remained with the Governor three days (Sunday excepted), the General Assembly being in session, has become a law this 25th day of March, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, Senate File 173, was published in the Seymour Herald, Seymour, Iowa, April 2, 1959, and in the Diagonal Reporter, Diagonal, Iowa, April 2, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 64

### COMPUTATION OF TIME IN STATUTES

#### H. F. 591

AN ACT to amend chapter four (4), Code 1958, relating to the manner of computation of time in the construction of statutes and rules prescribed pursuant to statutes.

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

1 SECTION 1. Subsection twenty-three (23) of section four point one  
2 (4.1), Code 1958, is hereby amended by striking the period (.) in line  
3 six (6) thereof, and by adding thereto the following: ", provided that,  
4 whenever by the provisions of any statute or rule prescribed under  
5 authority of a statute, the last day for the commencement of any  
6 action or proceedings, the filing of any pleading or motion in a pend-  
7 ing action or proceedings or the perfecting or filing of any appeal from  
8 the decision or award of any court, board, commission or official falls  
9 on a Saturday, a Sunday, the first day of January, the twelfth day of  
10 February, the twenty-second day of February, the thirtieth day of  
11 May, the fourth day of July, the first Monday in September, the  
12 eleventh day of November, the twenty-fifth day of December, and the  
13 following Monday whenever any of the foregoing named legal holidays  
14 may fall on a Sunday, and any day appointed or recommended by the  
15 governor of Iowa or the president of the United States as a day of  
16 fasting or thanksgiving, the time therefor shall be extended to include

17 the next day which is not a Saturday, Sunday or such day herein-  
18 before enumerated."

Approved April 27, 1959.

---

## CHAPTER 65

### BOARD OF CONTROL EMPLOYEES

H. F. 359

AN ACT to exempt employees of the board of control or in institutions under the board of control from the jurisdiction of the division of personnel.

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

1 SECTION 1. Section eight point five (8.5), subsection six (6), para-  
2 graph c, Code 1958, is hereby amended by inserting after the comma  
3 in line four (4) the words, "employees of the board of control or em-  
4 ployees in institutions under the board of control,".

Approved April 27, 1959.

---

## CHAPTER 66

### DEPOSIT OF PUBLIC FUNDS

S. F. 311

AN ACT relating to the deposit of public funds not needed for current operating expense.

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

1 SECTION 1. Section eight point six (8.6), Code 1958, is amended  
2 by adding at the end of subsection two (2) the following: "and to  
3 advise the state treasurer monthly in writing of the amount of public  
4 funds not currently needed for operating expenses."

1 SEC. 2. Section twelve point eight (12.8), Code 1958, is amended  
2 by adding at the end thereof the following: "and shall do so upon  
3 receipt of monthly notice from the state comptroller of such amount  
4 not so needed. In the event of loss on redemption or sale of securities,  
5 where invested as prescribed by law, and any such transaction is re-  
6 ported to the executive council, neither the treasurer nor comptroller  
7 shall be personally liable but such loss shall be charged against such  
8 funds as would have received the profits or interest of the invest-  
9 ment and there is hereby appropriated from such funds an amount  
10 as may be so required."

1 SEC. 3. Section four hundred fifty-two point ten (452.10), Code  
2 1958, is amended by striking from line eighteen (18) thereof the  
3 words "at least" and inserting in lieu thereof the words "not more  
4 than".

1 SEC. 4. Section four hundred fifty-three point one (453.1), Code  
 2 1958, is amended by adding after the word, "expenses." in lines four-  
 3 teen (14) and fifteen (15) the words, "The list of public depositories  
 4 and the amounts severally deposited therein shall be a matter of  
 5 public record."

1 SEC. 5. Section ninety-seven B point seven (97B.7), Code 1958,  
 2 is amended by adding at the end of paragraph "b" of subsection two  
 3 (2) the following:

4 "In the event of loss on the redemption or sale of securities, where  
 5 invested as prescribed by law, neither the treasurer nor the commis-  
 6 sion shall be personally liable, but such loss shall be charged against  
 7 the Retirement Fund and there is hereby appropriated from such  
 8 fund an amount as may be so required."

1 SEC. 6. This Act shall be construed as severable. A decision in-  
 2 validating any portion hereof shall not affect other provisions which  
 3 can be given effect without such invalid part.

1 SEC. 7. 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 Nonpareil, a newspaper published at Council Bluffs, Iowa, and  
 4 the Journal-Reporter, a newspaper published at Leon, Iowa.

Approved May 6, 1959.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3.9, Code of Iowa, 1958, there being no newspapers by the names of Nonpareil or Journal-Reporter, the Council Bluffs Nonpareil, Council Bluffs, Iowa, and the Leon Journal-Reporter, Leon, Iowa, are designated to publish the foregoing Act, Senate File 311.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, Senate File 311, was published in the Council Bluffs Nonpareil, Council Bluffs, Iowa, May 12, 1959, and in the Leon Journal-Reporter, Leon, Iowa, May 14, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 67

### CLAIMS FILED WITH COMPTROLLER

S. F. 318

AN ACT relating to claims against the state filed with the state comptroller.

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

1 SECTION 1. Section eight point fourteen (8.14), Code 1958, is  
 2 amended by striking from line two (2) of subsection four (4) the  
 3 word, "verified" and inserting in lieu thereof the words, "certified in  
 4 such form as the state comptroller may provide".

1 SEC. 2. Section eight point fifteen (8.15), Code 1958, is amended  
 2 by striking from line three (3) the word, "sworn" and inserting in  
 3 lieu thereof the word, "certified".

Approved April 28, 1959.

## CHAPTER 68

## STATE WARRANTS

S. F. 315

AN ACT relating to warrants drawn by the state comptroller.

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

1 SECTION 1. Section eight point sixteen (8.16), Code 1958, is  
2 amended by inserting at the end of line five (5) the words, "or in lieu  
3 thereof a coding system may be used".

1 SEC. 2. This Act being of immediate importance shall be in full  
2 force and effect from and after its passage and publication in the  
3 Manchester Press, a newspaper published at Manchester, Iowa, and  
4 the Guthrie Center Times, a newspaper published at Guthrie Center,  
5 Iowa.

Approved April 28, 1959.

I hereby certify that the foregoing Act, Senate File 315, was published in the Manchester Press, Manchester, Iowa, May 7, 1959, and in the Guthrie Center Times, Guthrie Center, Iowa, May 7, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 69

## RESERVE FUND OF STATE ABOLISHED

S. F. 132

AN ACT to repeal and abolish the special reserve fund of the state.

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

1 SECTION 1. Sections eight point forty-one (8.41), eight point  
2 forty-two (8.42) and eight point forty-three (8.43), Code 1958, are  
3 hereby repealed.

1 SEC. 2. All unobligated monies in the special reserve fund of the  
2 state, abolished by this Act, are hereby transferred to the general fund  
3 of the state.

1 SEC. 3. This Act being deemed of immediate importance shall be  
2 in full force and effect from and after its passage and publication in  
3 the Creston News-Advertiser, a newspaper published at Creston,  
4 Iowa and The Daily Times, a newspaper published at Davenport,  
5 Iowa.

Approved February 16, 1959.

I hereby certify that the foregoing Act, Senate File 132, was published in the Creston News-Advertiser, Creston, Iowa, February 16, 1959, and in The Daily Times, Davenport, Iowa, February 17, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 70

## LAND PATENTS

H. F. 592

AN ACT relating to the issuance of land patents.

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

1 SECTION 1. Section ten point six (10.6), Code 1958, is hereby  
2 amended by adding the following at the end of such section:

3 "Whenever the governor is satisfied that the purchase price has been  
4 paid by the person to whom the sale has been made and that a patent  
5 has not been issued to the purchaser, a patent shall be issued, signed  
6 by the governor and secretary of state and recorded by the secretary  
7 of state. The passage of seventy-five (75) years from the date of sale  
8 without issuance of a patent shall be conclusive proof that the pur-  
9 chase price has been paid."

Approved April 23, 1959.

## CHAPTER 71

## AUDITORS' SALARIES

H. F. 199

AN ACT relating to the per diem salary of county, municipal, and school examiners.

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

1 SECTION 1. Section eleven point nine (11.9), Code 1958, is amend-  
2 ed by striking from line three (3) the word "eighteen" and inserting  
3 in lieu thereof the word "twenty-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 Everly News, a newspaper published at Everly, Iowa, and the  
4 Eldora Herald-Ledger, a newspaper published at Eldora, Iowa.

Approved March 12, 1959.

I hereby certify that the foregoing Act, House File 199, was published in the Everly News, Everly, Iowa, March 19, 1959, and in the Eldora Herald-Ledger, Eldora, Iowa, March 17, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 72

## DUPLICATING MACHINES

S. F. 411

AN ACT to amend section fifteen point forty-two (15.42), Code 1958, relating to permissive use of duplicators.

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

1 SECTION 1. Section fifteen point forty-two (15.42), Code 1958, is  
2 hereby amended by striking the word, "used" at the end of such sec-

3 tion and by adding thereto the following:  
 4 "purchased or used without the approval of the state superintendent  
 5 of printing".

Approved April 24, 1959.

---

## CHAPTER 73

### PRINTING BOARD

S. F. 283

AN ACT to amend section fifteen point five (15.5), Code 1958, to adjust the pay of appointive members of the state printing board.

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

1 SECTION 1. Section fifteen point five (15.5), Code 1958, is hereby  
 2 amended by striking from line two (2) thereof the word "ten" and  
 3 substituting in lieu thereof the word "twenty (20)".

Approved May 5, 1959.

---

## CHAPTER 74

### IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

H. F. 738

AN ACT to change the name of the Iowa state college of agriculture and mechanic arts to Iowa state university of science and technology and to amend certain sections of the Code to conform to said change.

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

1 SECTION 1. Section sixteen point twenty-four (16.24), subsection  
 2 eighteen (18), Code 1958, is amended as follows:  
 3 1. By striking from lines two (2) and three (3) the words "college  
 4 of agriculture and mechanic arts" and inserting in lieu thereof the  
 5 words "university of science and technology".

6 2. By adding in line four (4) following the word "university" the  
 7 words "of Iowa".

1 SEC. 2. Section sixteen point twenty-eight (16.28), Code 1958, is  
 2 hereby amended as follows:

3 1. Subsection thirteen (13) thereof is amended by striking from  
 4 lines one (1), two (2), and three (3) the words "college of agricul-  
 5 ture and mechanic arts" and inserting in lieu thereof the words  
 6 "university of science and technology".

1 SEC. 3. Section eighty point twelve (80.12), Code 1958, is amend-  
 2 ed by striking from lines nine (9) and ten (10) the words "college  
 3 of agriculture and mechanic arts" and inserting in lieu thereof the  
 4 words "university of science and technology".



1 SEC. 4. Section one hundred eleven point sixteen (111.16), Code  
2 1958, is amended as follows:

3 1. By striking from lines two (2) and three (3) the words "state  
4 college of agriculture and mechanic arts" and inserting in lieu thereof  
5 the words "Iowa state university of science and technology".

6 2. By striking from line nine (9) the word "college" and inserting  
7 in lieu thereof the word "university".

1 SEC. 5. Section one hundred forty-seven point thirty-one  
2 (147.31), Code 1958, is amended by adding in line ten (10) following  
3 the word "university" the words "of Iowa", and by striking from  
4 lines ten (10) and eleven (11) the words "state college of agriculture  
5 and mechanic arts" and inserting in lieu thereof the words "Iowa  
6 state university of science and technology".

1 SEC. 6. Section one hundred fifty-nine point three (159.3), Code  
2 1958, is amended as follows:

3 1. By striking from lines two (2) and three (3) the words "college  
4 of agriculture and mechanic arts" and inserting in lieu thereof the  
5 words "university of science and technology".

6 2. By striking from line seven (7) the word "college" and insert-  
7 ing the word "university".

8 3. By striking from line nine (9) the word "college" and inserting  
9 the word "university".

1 SEC. 7. Section one hundred sixty-three point nine (163.9), Code  
2 1958, is repealed and the following is enacted in lieu thereof:

3 "College at Ames to assist. The dean of the veterinary college of  
4 the Iowa state university of science and technology is authorized to  
5 use the equipment and facilities of the college in assisting the depart-  
6 ment in carrying out the provisions of this chapter."

1 SEC. 8. Section one hundred sixty-six point eighteen (166.18),  
2 Code 1958, is amended by striking from lines three (3) and four (4)  
3 the words "state college of agriculture and mechanic arts" and in-  
4 serting in lieu thereof the words "Iowa state university of science  
5 and technology".

1 SEC. 9. Section one hundred sixty-six point twenty-seven  
2 (166.27), Code 1958, is amended by striking from line two (2) the  
3 words "state college of agriculture and mechanic arts" and inserting  
4 in lieu thereof the words "Iowa state university of science and tech-  
5 nology".

1 SEC. 10. Section one hundred sixty-six point twenty-eight  
2 (166.28), Code 1958, is amended by striking from line two (2) the  
3 word "college" and inserting in lieu thereof the word "university".

1 SEC. 11. Section one hundred sixty-nine point twenty-five  
2 (169.25), Code 1958, is repealed and the following enacted in lieu  
3 thereof:

4 "Professional schools. As a basis for such action on the part of  
5 the department the registrar of the Iowa state university of science  
6 and technology and the dean of the college of veterinary medicine of  
7 said university shall supply such data relative to any veterinary  
8 school as the department may request."

1 SEC. 12. Section one hundred seventy-three point one (173.1),  
2 Code 1958, is amended by striking from line three (3) of subsection  
3 one (1) the words "state college of agriculture and mechanic arts"  
4 and inserting in lieu thereof the words "Iowa state university of  
5 science and technology".

1 SEC. 13. Section one hundred seventy-seven point two (177.2),  
2 Code 1958, is amended by striking from lines two (2) and three (3)  
3 of subsection four (4) the words "college of agriculture and mechanic  
4 arts" and inserting in lieu thereof the words "university of science  
5 and technology".

1 SEC. 14. Section one hundred seventy-seven point three (177.3),  
2 Code 1958, is amended by striking from lines two (2) and three (3)  
3 of subsection one (1) the words "college of agriculture and mechanic  
4 arts" and inserting in lieu thereof the words "university of science  
5 and technology".

1 SEC. 15. Section one hundred seventy-eight point three (178.3),  
2 Code 1958, is amended as follows:

3 1. By striking from line one (1) of subsection two (2) the word  
4 "division" and inserting in lieu thereof the word "college".

5 2. By striking from lines two (2) and three (3) of subsection two  
6 (2) the words "college of agriculture and mechanic arts" and insert-  
7 ing in lieu thereof the words "university of science and technology".

8 3. By striking from line one (1) of subsection three (3) the word  
9 "college" and inserting in lieu thereof the word "university".

1 SEC. 16. Section one hundred seventy-nine point two (179.2),  
2 Code 1958, is hereby amended as follows:

3 1. By striking from line three (3) of paragraph two (2) thereof  
4 the word "college" and inserting in lieu thereof the words "university  
5 of science and technology".

6 2. By adding in line three (3) of paragraph two (2) thereof fol-  
7 lowing the word "dairy" the words "and food".

8 3. By striking from line four (4) of paragraph two (2) thereof  
9 the word "college" and inserting in lieu thereof the words "university  
10 of science and technology".

1 SEC. 17. Section one hundred eighty-one point three (181.3),  
2 Code 1958, is hereby amended as follows:

3 1. By striking from line one (1) of subsection two (2) the word  
4 "division" and inserting in lieu thereof the word "college".

5 2. By striking from lines two (2) and three (3) of subsection two  
6 (2) the words "college of agriculture and mechanic arts" and insert-  
7 ing in lieu thereof the words "university of science and technology".

8 3. By striking from line one (1) of subsection three (3) the word  
9 "college" and inserting in lieu thereof the word "university".

1 SEC. 18. Section one hundred eighty-two point three (182.3),  
2 subsection two (2), Code 1958, is repealed and the following inserted  
3 in lieu thereof:

4 "The dean of the college of agriculture of the Iowa state university  
5 of science and technology and the head of the department of animal  
6 husbandry."

1 SEC. 19. Section one hundred eighty-three point three (183.3),  
2 Code 1958, is amended as follows:

3 1. By striking from line one (1) of subsection two (2) the word  
4 "division" and inserting in lieu thereof the word "college".

5 2. By striking from lines two (2) and three (3) of subsection two  
6 (2) the words "college of agriculture and mechanic arts", and insert-  
7 ing in lieu thereof the words "university of science and technology".

8 3. By striking from line four (4) of subsection two (2) the word  
9 "college" and inserting in lieu thereof the word "university".

1 SEC. 20. Section one hundred eighty-five point three (185.3),  
2 Code 1958, is amended as follows:

3 1. By striking from line one (1) of subsection two (2) the word  
4 "division" and inserting in lieu thereof the word "college".

5 2. By striking from lines two (2) and three (3) of subsection two  
6 (2) the words "college of agriculture and mechanic arts" and insert-  
7 ing in lieu thereof the words "university of science and technology".

8 3. By striking from line four (4) of subsection two (2) the word  
9 "college" and inserting in lieu thereof the word "university".

1 SEC. 21. Section one hundred ninety-two point twenty-four  
2 (192.24), Code 1958, is amended as follows:

3 1. By striking from lines six (6) and seven (7) the words "college  
4 of agriculture and mechanic arts" and inserting in lieu thereof the  
5 words "university of science and technology".

6 2. By adding in line eight (8) after the word "dairy" the words  
7 "and food".

1 SEC. 22. Section one hundred ninety-two point thirty (192.30),  
2 Code 1958, is amended by striking from line four (4) the words  
3 "college of agriculture and mechanic arts" and inserting in lieu  
4 thereof the words "university of science and technology".

1 SEC. 23. Section one hundred ninety-nine point ten (199.10),  
2 Code 1958, is amended as follows:

3 1. By striking from line three (3) of paragraph one (1) the word  
4 "college" and inserting in lieu thereof the words "university of  
5 science and technology".

6 2. By striking from line two (2) of subsection one (1) the word  
7 "college" and inserting in lieu thereof the word "university".

1 SEC. 24. Section two hundred sixty-two point one (262.1), Code  
2 1958, is amended as follows:

3 1. By adding in line nine (9) after the word "university" the  
4 words "of Iowa".

5 2. By striking from lines nine (9) and ten (10), the words "college  
6 of agriculture and mechanic arts", and inserting in lieu thereof the  
7 words "Iowa state university of science and technology".

1 SEC. 25. Section two hundred sixty-two point seven (262.7),  
2 Code 1958, is amended by striking from lines one (1) and two (2) of  
3 subsection two (2) the words "college of agriculture and mechanic  
4 arts" and inserting in lieu thereof the words "Iowa state university  
5 of science and technology".

1 SEC. 26. Section two hundred sixty-two point nine (262.9), Code  
2 1958, is amended as follows:

3 1. By striking from lines four (4) and five (5) of subsection seven  
4 (7) the words "state college of agriculture and mechanic arts" and  
5 inserting in lieu thereof the words "Iowa state university of science  
6 and technology".

7 2. By striking from line six (6) of subsection seven (7) the word  
8 "university" and inserting in lieu thereof the words "state university  
9 of Iowa".

1 SEC. 27. Section two hundred sixty-two point twenty-five  
2 (262.25), Code 1958, is amended as follows:

3 1. By striking from lines one (1) and two (2) of the last para-  
4 graph the words "state college of agriculture and mechanic arts" and  
5 inserting in lieu thereof the words "Iowa state university of science  
6 and technology".

1 SEC. 28. Section two hundred sixty-two point thirty (262.30),  
2 Code 1958, is amended by striking from lines ten (10) and eleven  
3 (11) the words "college of agriculture and mechanic arts" and insert-  
4 ing in lieu thereof the words "Iowa state university of science and  
5 technology".

1 SEC. 29. Section two hundred sixty-six point one (266.1), Code  
2 1958, is amended as follows:

3 1. By striking from lines four (4) and five (5) the words "a col-  
4 lege of agriculture and mechanic arts" and inserting in lieu thereof  
5 the words "an Iowa state university of science and technology".

6 2. By striking from line sixteen (16) the word "college" and  
7 inserting in lieu thereof the words "Iowa state university of science  
8 and technology".

1 SEC. 30. Section two hundred sixty-six point two (266.2), Code  
2 1958, is amended by striking from line two (2) the word "college"  
3 and inserting in lieu thereof the words "Iowa state university of  
4 science and technology".

1 SEC. 31. Section two hundred sixty-six point three (266.3), Code  
2 1958, is amended by striking from line two (2) the word "college"  
3 and inserting in lieu thereof the words "Iowa state university of  
4 science and technology".

1 SEC. 32. Section two hundred sixty-six point five (266.5), Code  
2 1958, is amended by striking from lines seven (7) and eight (8) the  
3 words "state college of agriculture and mechanic arts" and inserting  
4 in lieu thereof the words "Iowa state university of science and tech-  
5 nology".

1 SEC. 33. Section two hundred sixty-six point six (266.6), Code  
2 1958, is amended by striking from lines ten (10) and eleven (11) the  
3 words "college of agriculture and mechanic arts" and inserting in  
4 lieu thereof the words "university of science and technology".

1 SEC. 34. Section two hundred sixty-six point seven (266.7), Code  
2 1958, is amended by striking from lines two (2) and three (3) the

3 words "college of agriculture and mechanic arts" and inserting in  
4 lieu thereof the words "university of science and technology".

1 SEC. 35. Section two hundred sixty-six point eight (266.8), Code  
2 1958, is amended by striking from lines five (5) and six (6) the  
3 words "state college of agriculture and mechanic arts" and inserting  
4 in lieu thereof the words "Iowa state university of science and tech-  
5 nology".

1 SEC. 36. Section two hundred sixty-six point nine (266.9), Code  
2 1958, is amended by striking from lines ten (10) and eleven (11),  
3 the words "college of agriculture and mechanic arts" and inserting  
4 in lieu thereof the words "Iowa state university of science and tech-  
5 nology".

1 SEC. 37. Section two hundred sixty-six point twenty-four  
2 (266.24), Code 1958, is amended as follows:

3 1. By striking from line four (4) the words "state college of agri-  
4 culture and mechanic arts" and inserting in lieu thereof the words  
5 "Iowa state university of science and technology".

6 2. By striking from line ten (10) the word "division" and insert-  
7 ing in lieu thereof the word "college".

8 3. By striking from line twelve (12) the word "college" and in-  
9 serting in lieu thereof the word "university".

1 SEC. 38. Section two hundred sixty-six point twenty-six (266.26),  
2 Code 1958, is amended as follows:

3 1. By striking from line three (3) the word "college" and insert-  
4 ing in lieu thereof the words "Iowa state university of science and  
5 technology".

6 2. By striking from line twelve (12) the word "college" and in-  
7 serting in lieu thereof the word "university".

1 SEC. 39. Section two hundred sixty-six point twenty-eight  
2 (266.28), Code 1958, is amended by striking from lines seven (7)  
3 and eight (8), the words "college of agriculture and mechanic arts"  
4 and inserting in lieu thereof the words "university of science and  
5 technology".

1 SEC. 40. Section two hundred sixty-seven point three (267.3),  
2 Code 1958, is amended by striking from lines twelve (12) and thir-  
3 teen (13) the words "college of agriculture and mechanic arts" and  
4 inserting in lieu thereof the words "Iowa state university of science  
5 and technology".

1 SEC. 41. Section three hundred five point one (305.1), Code 1958,  
2 is amended as follows:

3 1. By striking from lines four (4) and five (5) the words "agri-  
4 culture college" and inserting in lieu thereof the words "Iowa state  
5 university of science and technology".

6 2. By adding in line five (5), immediately preceding the second  
7 (2nd) comma, the words "of Iowa".

1 SEC. 42. All properties, moneys, appropriations, rights, privi-  
2 leges and authorities now possessed by the Iowa State College of  
3 Agriculture and Mechanic Arts shall be vested in the Iowa State

4 University of Science and Technology under the supervision and  
5 control of the state board of regents as authorized and required under  
6 statutes existing at the time of the passage of this Act and nothing  
7 herein contained shall be construed as a change of policy as to the  
8 educational functions of the various institutions under the board of  
9 regents.

1 SEC. 43. Wherever in the statutes, or in the Acts of the 58th  
2 General Assembly, reference is made to Iowa State College of agri-  
3 culture and mechanic arts, other than in this Act, said reference  
4 shall be construed to mean Iowa State University of science and tech-  
5 nology and changed to conform to the purposes of this Act, and the  
6 Code editor is directed to make the change.

1 SEC. 44. Wherever in the statutes, or in the Acts of the 58th  
2 General Assembly, reference is made to "university" or "state uni-  
3 versity" other than in this Act when referring to the state university  
4 of Iowa, said reference shall be changed to conform to the purposes  
5 of this Act, and the Code editor is directed to make the change.

Approved May 12, 1959.

---

## CHAPTER 75

### STATE PUBLICATIONS

H. F. 509

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

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

1 SECTION 1. Section seventeen point twenty-seven (17.27), Code  
2 1958, is hereby amended as follows:

3 1. By striking the period (.) in line thirteen (13) of such section  
4 and by inserting in lieu thereof the following:

5 "if the cost per publication is fifty (50) cents or more."

6 2. By inserting in line sixteen (16) of such section after the word,  
7 "price" the words, " , if any,".

Approved May 15, 1959.

---

## CHAPTER 76

### INVENTORY OF STATE PROPERTY

S. F. 478

AN ACT relating to inventory and records of state property.

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

1 SECTION 1. Sections seventeen point thirty (17.30), seventeen  
2 point thirty-one (17.31) and seventeen point thirty-two (17.32),  
3 Code 1958, are repealed and the following enacted in lieu thereof:

4 "Each state board, commission, department and division of state  
5 government and each institution under the board of control and  
6 board of regents and each subdivision of the highway commission  
7 shall be responsible for keeping a written, detailed, up-to-date inven-  
8 tory of all real and personal property belonging to the state and under  
9 their charge, control and management. Such inventories shall be in  
10 such form as may be prescribed by the executive council.

11 "Inventories maintained in the files of each such agency of state  
12 government shall be open to public inspection and available for the  
13 information of the executive council."

Approved May 6, 1959.

## CHAPTER 77

### STATE SUPPLIES AND EQUIPMENT

H. F. 695

AN ACT to amend chapter nineteen (19), Code 1958, relating to competitive bidding on supplies and equipment purchased by the executive council.

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

1 SECTION 1. Section nineteen point twenty (19.20), Code 1958, is  
2 hereby amended by adding the following paragraphs thereto:

3 "On any item or items which shall exceed the purchase price of  
4 two hundred (200) dollars the council shall, in the purchase of sup-  
5 plies and equipment, afford all reasonable opportunity for competi-  
6 tion, and shall give preference to local dealers and Iowa producers  
7 when such can be done without loss to the state."

8 "Jobbers or others desirous of selling supplies shall, by filing with  
9 the secretary of the executive council showing their address and busi-  
10 ness, be afforded an opportunity to compete for the furnishing of  
11 supplies and equipment, under such rules as the council may pre-  
12 scribe."

Approved May 15, 1959.

## CHAPTER 78

### ENTRANCES TO PUBLIC BUILDINGS

S. F. 281

AN ACT requiring special entrances to public buildings of the state for handicapped persons.

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

1 SECTION 1. Whenever any public building is constructed by the  
2 state, provision for ready access and entrance shall be provided at or  
3 near sidewalk level for handicapped persons.

Approved April 22, 1959.

## CHAPTER 79

## STATE MOTOR VEHICLES

H. F. 543

AN ACT relating to purchase of motor vehicles by the state.

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

1 SECTION 1. Section twenty-one point two (21.2), Code 1958, sub-  
2 section four (4) is amended by adding to line eight (8) after the word  
3 "except" the following:  
4 "the motor vehicle provided by the state for the use of the gover-  
5 nor,"

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 Anthon  
3 Herald, a newspaper published at Anthon, Iowa, and the Belmond  
4 Independent, published at Belmond, Iowa.

Approved April 15, 1959.

I hereby certify that the foregoing Act, House File 543, was published in the Anthon Herald, Anthon, Iowa, May 22, 1959, and in the Belmond Independent, Belmond, Iowa, May 23, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 80

## LAW ENFORCEMENT VEHICLES

H. F. 487

AN ACT relating to the limitation on amount to be expended for passenger motor vehicles for the highway patrol, the narcotics division, and the bureau of criminal investigation.

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

1 SECTION 1. Subsection four (4) of section twenty-one point two  
2 (21.2), Code 1958, is hereby amended by striking all after the word  
3 "dollars" in line eleven (11) of such subsection and by inserting in  
4 lieu thereof the following:  
5 "; provided that if the passenger motor vehicle is to be used by the  
6 highway patrol or the narcotics division or the bureau of criminal  
7 investigation for actual law enforcement, the maximum amount shall  
8 be twenty-two hundred fifty (2,250) dollars."

Approved May 15, 1959.



## CHAPTER 81

## PUBLIC CONTRACTS AND BONDS

S. F. 450

AN ACT to amend chapter twenty-three (23), Code 1958, relating to public contracts and bonds.

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

1 SECTION 1. Chapter twenty-three (23), Code 1958, is hereby  
2 amended by adding the following section:

3 "It shall be lawful for any municipality to issue revenue bonds, the  
4 principal and interest of which are to be paid solely from revenue  
5 derived from the operations of the project for which such bonds are  
6 issued, notwithstanding that there are other revenue bonds remaining  
7 unpaid which have not matured, provided payment of principal and  
8 interest of such other revenue bonds is not impaired thereby."

Approved April 22, 1959.

## CHAPTER 82

## CIVIL DEFENSE

S. F. 166

AN ACT to create a civil defense administration for the state of Iowa to serve in the event of major man-made disasters or natural disasters; to provide for a director thereof; to define the powers and duties of the director, the civil defense administration and the governor; and to authorize the receipt and expenditure of funds incident to the administration thereof.

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

1 SECTION 1. The Iowa Civil Defense Administration, hereinafter  
2 referred to as the "administration," shall be responsible for the ad-  
3 ministration of civil defense matters in the state of Iowa. The admin-  
4 istration shall direct its services in the event of major man-made  
5 disasters or in the event of natural disasters including, but not lim-  
6 ited to, hurricanes, tornadoes, windstorms or floods.

1 SEC. 2. The administration shall be composed of nine (9) resi-  
2 dents of the state of Iowa appointed by the governor for four (4)  
3 year terms. Membership in the administration shall be representa-  
4 tive of counties, municipalities, target, and rural areas.

5 The administration shall be non-partisan and the members shall be  
6 appointed without reference to their political affiliation. The governor  
7 shall appoint one (1) of the members as chairman and one as vice-  
8 chairman. As the terms of the members so appointed shall expire,  
9 their successors shall be appointed, each for a term of four (4) years;  
10 provided, however, that upon the death, disability or resignation of  
11 any member, the governor shall appoint a person to serve for the  
12 unexpired term.

13 The members of the administration shall serve without compensa-  
14 tion, except that they shall be reimbursed for their actual and neces-

15 sary expenses incurred in performing their duties as members of the  
16 administration.

1 SEC. 3. This Act shall be construed liberally so as to effect the  
2 maximum cooperation of the administration and coordination of its  
3 affairs with agencies and persons acting under the provisions of the  
4 federal civil defense act of 1950, known as Public Law 920, Eighty-  
5 first Congress, Second Session, approved January 12, 1951, and Public  
6 Law 875, Eighty-first Congress, Second Session, approved September  
7 30, 1950, and Public Law 655, Eighty-fourth Congress, signed by the  
8 president July 3, 1956, and Public Law 85-606, Eighty-fifth Congress,  
9 approved August 8, 1958, and any amendments of said four (4) laws.  
10 In addition to the powers set out herein the governor, upon recom-  
11 mendation of the administration, may enter into such agreements as  
12 are required to effect such cooperation and coordination.

1 SEC. 4. The administration shall be under the management of a  
2 civil defense director. The director shall be appointed by and be re-  
3 sponsible to the administration, who shall fix his compensation out of  
4 funds hereafter appropriated to or otherwise available to the admin-  
5 istration for such purpose. The director shall be vested with the  
6 authority to administer civil defense affairs in this state, including  
7 man-made or natural disasters, as provided for herein, and shall be  
8 responsible for preparing and executing the civil defense program of  
9 this state, subject to the direction and control of the administration.

1 SEC. 5. The director, with the approval of the administration,  
2 may employ a deputy director and may employ such technical, clerical,  
3 stenographic and other personnel, and make such expenditures within  
4 the appropriation therefor, or from other funds made available to the  
5 administration for purposes of civil defense, as may be necessary to  
6 carry out the purposes of this Act.

1 SEC. 6. The executive council shall furnish to the administration  
2 suitable offices in the state capitol or other state buildings, or else-  
3 where in the city of Des Moines.

1 SEC. 7. County boards of supervisors, city or town councils and  
2 school boards are hereby authorized to cooperate with the administra-  
3 tion to carry out the provisions of this Act, and may appropriate and  
4 expend public funds therefor.

1 SEC. 8. In carrying out the provisions of this Act, the governor,  
2 the director of the administration, and the executive officers or gov-  
3 erning bodies of political subdivisions of the state are authorized to  
4 utilize, to the maximum extent practicable, the services, equipment,  
5 supplies and facilities of existing departments, officers, and agencies  
6 of the state and of political subdivisions thereof with the exception of  
7 the Iowa national guard.

1 SEC. 9. The comptroller is authorized and directed to draw war-  
2 rants on the treasurer of state for the several sums and for the pur-  
3 poses specified in this Act, upon duly itemized and verified vouchers  
4 that have been approved by the director of the administration.

1 SEC. 10. All purchases under the provisions of this Act shall be  
2 exempt from the taxes imposed by sections four hundred twenty-two

3 point forty-three (422.43) and four hundred twenty-three point two  
4 (423.2) of the Code.

1 SEC. 11. Chapter sixty-one (61), Acts of the Fiftieth General As-  
2 sembly, and section nine (9) of chapter sixty-three (63), Acts of the  
3 Fifty-first General Assembly, are hereby repealed.

1 SEC. 12. No organization for civil defense established under the  
2 authority of the administration shall participate in any form of polit-  
3 ical activity, nor shall it be employed directly or indirectly for political  
4 purposes.

1 SEC. 13. No person shall be employed or associated in any ca-  
2 pacity in any civil defense organization established under this admin-  
3 istration, who advocates or has advocated a change by force or violence  
4 in the constitutional form of the government of the United States or  
5 of this state, or who advocates the overthrow of any government in  
6 the United States by force or violence, or who has been convicted of,  
7 or is under indictment or information charging any subversive act  
8 against the United States. Each person who is appointed to serve in  
9 an organization for civil defense shall, before entering upon his duties,  
10 take an oath in writing, before a person authorized to administer oaths  
11 in this state, which oath shall be substantially as follows:

12 "I ....., do solemnly swear (or affirm) that I will  
13 support and defend the constitution of the United States and the con-  
14 stitution of the state of Iowa, against all enemies, foreign or domestic;  
15 that I will bear true faith and allegiance to the same; that I take this  
16 obligation freely, without any mental reservation or purpose of eva-  
17 sion; and that I will well and faithfully discharge the duties upon  
18 which I am about to enter.

19 "And I do further swear (or affirm) that I do not advocate nor am  
20 I a member of any political party or organization that advocates the  
21 overthrow of the government of the United States or of this state by  
22 force or violence; and that during such time as I am a member of the  
23 (name of the civil defense organization), I will not advocate nor be-  
24 come a member of any political party or organization that advocates  
25 the overthrow of the government of the United States or of this state  
26 by force or violence."

1 SEC. 14. The employees of the administration, upon passing ex-  
2 amination, will become members of the Iowa merit system.

1 SEC. 15. This Act may be cited as the "Iowa Civil Defense Act of  
2 1959".

1 SEC. 16. This Act, being deemed of immediate importance shall  
2 take effect and be in full force from and after its publication in the  
3 Shenandoah Sentinel, a newspaper published in Shenandoah, Iowa,  
4 and in the West Des Moines Express, a newspaper published in West  
5 Des Moines, Iowa.

Approved April 10, 1959.

I hereby certify that the foregoing Act, Senate File 166, was published in the Shenandoah Sentinel, Shenandoah, Iowa, April 15, 1959, and in the West Des Moines Express, West Des Moines, Iowa, April 16, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 83

## INTERSTATE CO-OPERATION COMMISSION

S. F. 362

AN ACT to establish a commission on interstate cooperation.

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

1 SECTION 1. The Iowa commission on interstate cooperation is here-  
2 by established. It shall consist of thirteen (13) members to be ap-  
3 pointed as follows:

4 1. Five (5) members of the senate to be appointed by the president  
5 thereof;

6 2. Five (5) members of the house of representatives to be appointed  
7 by the speaker of the house;

8 3. Three (3) administrative officers to be appointed by the gover-  
9 nor.

10 Appointments shall be made during April of the regular biennial  
11 session of the general assembly. Members shall take office on May 1  
12 following their appointment and serve until their successors are ap-  
13 pointed and take office.

14 The governor, the president of the senate and the speaker of the  
15 house of representatives shall be ex-officio honorary non-voting mem-  
16 bers of the commission.

17 The director of the legislative research bureau shall serve as secre-  
18 tary of the commission.

1 SEC. 2. It shall be the function of this commission:

2 1. To carry forward the participation of this state as a member of  
3 the council of state governments.

4 2. To encourage and assist the legislative, executive, administrative  
5 and judicial officials and employees of this state to develop and main-  
6 tain friendly contact by correspondence, by conference, and otherwise,  
7 with officials and employees of the other states, of the federal govern-  
8 ment, and of local units of government.

9 3. To encourage cooperation between this state and other units of  
10 government in the adoption of compacts and uniform laws and in  
11 working relationships with officials of other states.

1 SEC. 3. The commission shall establish such committees as it  
2 deems advisable, in order that they may confer and formulate pro-  
3 posals concerning effective means to secure intergovernmental har-  
4 mony, and may perform other functions for the commission in obedi-  
5 ence to its decision. Subject to the approval of the commission, the  
6 member or members of each such committee shall be appointed by the  
7 chairman of the commission. State officials or employees who are not  
8 members of the commission on interstate cooperation may be ap-  
9 pointed as members of any such committee. The commission may  
10 provide such other rules as it considers appropriate concerning the  
11 membership and the functioning of any such committee.

1 SEC. 4. The commission shall report to the governor and to the  
2 legislature within fifteen (15) days after the convening of each gen-  
3 eral assembly, and at such other time as it deems appropriate. Its

4 members and the members of all committees which it establishes shall  
 5 serve without compensation for such service, but they shall be paid  
 6 their necessary expenses in carrying out their obligations under this  
 7 Act.

1 SEC. 5. 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 Traer Star-Clipper, a newspaper published in Traer, Iowa, and  
 4 in the Fairfield Ledger, a newspaper published in Fairfield, Iowa.

Approved April 15, 1959.

I hereby certify that the foregoing Act, Senate File 362, was published in the Traer Star-Clipper, Traer, Iowa, April 24, 1959, and in the Fairfield Ledger, Fairfield, Iowa, April 18, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 84

### NATIONAL GUARD

#### H. F. 308

AN ACT relating to the organization of the Iowa National Guard and to amend chapter twenty-nine (29), Code 1958, relating thereto.

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

1 SECTION 1. Section twenty-nine point one (29.1), subsection  
 2 eleven (11), Code 1958, is hereby amended by striking all after the  
 3 words, "general officers," in line two (2) and inserting in lieu thereof  
 4 the following: "officers holding command positions calling for the  
 5 rank of colonel according to current service tables of organization,  
 6 and commanders of separate battalions and separate squadrons of the  
 7 national guard, army and air, and the senior commander of the Iowa  
 8 air national guard."

Approved April 24, 1959.

## CHAPTER 85

### NATIONAL GUARD

#### H. F. 225

AN ACT relating to the organization of the Iowa National Guard and to amend chapter twenty-nine (29), Code 1958, relating thereto.

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

1 SECTION 1. Section twenty-nine point eight (29.8), Code 1958, is  
 2 hereby amended by inserting in line three (3) after the word, "state"  
 3 the words, ", including retired national guardsmen, both army and  
 4 air, who are willing to return to service,".

1 SEC. 2. Section twenty-nine point nine (29.9), Code 1958, is  
 2 hereby amended by inserting in line six (6) after the word, "guard,"

3 the words "or persons who have retired from the national guard, both  
4 army and air, and are willing to return to service,".

1 SEC. 3. Section twenty-nine point eighteen (29.18), Code 1958, is  
2 hereby amended by striking from line\* six (6), ten (10), twenty (20)  
3 and twenty-eight (28) the word "disbursing" and inserting in lieu  
4 thereof the word "fiscal".

1 SEC. 4. Section twenty-nine point nineteen (29.19), Code 1958, is  
2 hereby amended by striking from line eight (8) the word, "disburs-  
3 ing" and inserting in lieu thereof the word "fiscal".

1 SEC. 5. Section twenty-nine point twenty (29.20), Code 1958, is  
2 hereby amended by inserting in line twenty-four (24) of such section  
3 after the word, "commissioned," the words, "Provided, however, that  
4 no person shall be appointed a commissioned or warrant officer who  
5 has not reached his twenty-first birthday at or prior to the time of  
6 such appointment.

1 SEC. 6. Section twenty-nine point thirty-two (29.32), Code 1958,  
2 is hereby repealed.

Approved April 23, 1959.

\*According to enrolled Act.

## CHAPTER 86

### NATIONAL GUARD QUARTERMASTER

H. F. 392

AN ACT relating to the position of quartermaster and property officer in the national guard of the state of Iowa and to amend section twenty-nine point nineteen (29.19), Code 1958, relating thereto.

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

1 SECTION 1. Section twenty-nine point nineteen (29.19), Code  
2 1958, is amended by striking from line two (2) the words, "federally  
3 recognized".

1 SEC. 2. Section twenty-nine point nineteen (29.19), Code 1958, is  
2 further amended by inserting in line three (3) after the word "guard"  
3 the words, "or one retired therefrom with not less than ten (10) years  
4 service in the Iowa national guard or the Iowa air national guard and  
5 who shall have attained the grade of a field officer,".

Approved April 23, 1959.

## CHAPTER 87

## VETERANS' BONUS APPROPRIATION

S. F. 294

AN ACT providing for an appropriation to the service compensation fund existing under section thirty-five A point three (35A.3), Code 1958, for the purpose of paying unpaid claims to veterans of World War II and the expenses of administration by the auditor.

*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, from funds not otherwise appropriated, the sum of fifty-  
3 five thousand dollars (\$55,000.00) or so much thereof as may be neces-  
4 sary to the service compensation fund provided for by section thirty-  
5 five A point three (35A.3), Code 1958. The sum herein appropriated  
6 shall be used for the purpose of paying claims, filed on or before June  
7 30, 1957, which have been, or may hereafter be, allowed by the auditor  
8 of state and to pay the expenses of the administration in carrying out  
9 the duties as prescribed by the provisions of chapter thirty-five A  
10 (35A), Code 1958.

11 Notwithstanding the provisions of any other statute or statutes the  
12 balance remaining in the service compensation fund, after the pay-  
13 ment of all expenditures herein authorized, shall revert to the general  
14 fund of the state.

Approved March 16, 1959.

## CHAPTER 88

## EXECUTIVE AND JUDICIAL CONTINUITY IN WAR

S. F. 404

AN ACT to provide, in the event of attack upon the United States, for the continuity of the executive and judicial functions of the government of the state and the governments of the political subdivisions of the state by providing for additional officers who can act as governor; by providing for emergency interim succession to other executive offices of the state and its political subdivisions; by providing for special emergency judges; and by authorizing political subdivisions to enact resolutions and ordinances relating to the subject.

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

1 SECTION 1. Existing civil law for the administration of govern-  
2 ment under normal conditions must, at times, reasonably yield to the  
3 paramount right of the state, through the reservoir of its reserved  
4 police power, to protect, by appropriate legislation, its sovereignty,  
5 its government, its people and their general welfare, against exigen-  
6 cies arising out of a great emergency; therefore, the general assembly  
7 hereby provides during such emergencies tantamount to martial law  
8 conditions for provisional government upon a proclamation of such an  
9 emergency by the governor or one acting in his stead.

1 SEC. 2. Short title. This Act shall be known and may be cited as  
2 the "Emergency Interim Executive and Judicial Succession Act."

1     **SEC. 3. Declaration of policy.** Because of the existing possibility  
2 of attack upon the United States of unprecedented size and destruct-  
3 tiveness, and in order, in the event of such an attack, to assure con-  
4 tinuity of government through legally constituted leadership, author-  
5 ity and responsibility in offices of the government of the state and its  
6 political subdivisions; to provide for the effective operation of govern-  
7 ments during an emergency; and to facilitate the early resumption of  
8 functions temporarily suspended, it is found and declared to be neces-  
9 sary to provide for additional officers who can exercise the powers and  
10 discharge the duties of governor; to provide for emergency interim  
11 succession to governmental offices of this state, and its political sub-  
12 divisions, in the event the incumbents thereof (and their deputies,  
13 assistants or other subordinate officers authorized, pursuant to law,  
14 to exercise all of the powers and discharge the duties of such offices  
15 hereinafter referred to as deputy) are unavailable to perform the  
16 duties and functions of such offices; and to provide for special emer-  
17 gency judges who can exercise the powers and discharge the duties of  
18 judicial offices in the event regular judges are unavailable.

1     **SEC. 4. Definitions.** Unless otherwise clearly required by the con-  
2 text, as used in this Act:

3     1. *Unavailable* means either that a vacancy in office exists and there  
4 is no deputy authorized to exercise all of the powers and discharge the  
5 duties of the office, or that the lawful incumbent of the office (includ-  
6 ing any deputy exercising the powers and discharging the duties of an  
7 office because of a vacancy) and his duly authorized deputy are absent  
8 or unable to exercise the powers and discharge the duties of the office.

9     2. *Emergency interim successor* means a person designated pur-  
10 suant to this Act, in the event the officer is unavailable, to exercise the  
11 powers and discharge the duties of an office until a successor is ap-  
12 pointed or elected and qualifies as may be provided by the constitution,  
13 statutes, charters and ordinances or until the lawful incumbent is able  
14 to resume the exercise of the powers and discharge the duties of the  
15 office.

16     3. *Office* includes all state and local offices, the powers and duties of  
17 which are defined by the constitution, statutes, charters, and ordi-  
18 nances, except the office of governor, and except those in the legis-  
19 lature and the judiciary.

20     4. *Attack* means any attack or series of attacks by an enemy of the  
21 United States causing, or which may cause, substantial damage or  
22 injury to civilian property or persons in the United States in any  
23 manner by sabotage or by the use of bombs, missiles, shellfire, or  
24 atomic, radiological, chemical, bacteriological, or biological means or  
25 other weapons or processes.

26     5. *Political subdivision* includes counties, cities, towns, townships,  
27 districts, authorities, and other public corporations and entities  
28 whether organized and existing under charter or general law.

1     **SEC. 5. Additional successors to office of governor.** In the event  
2 that the governor, for any of the reasons specified in the constitution,  
3 is not able to exercise the powers and discharge the duties of his office,  
4 or is unavailable, and in the event the lieutenant governor, president  
5 pro tempore of the senate, and the speaker of the house of representa-  
6 tives be for any of the reasons specified in the constitution not able



7 to exercise the powers and discharge the duties of the office of gov-  
 8 ernor, or be unavailable, the attorney general, secretary of state, state  
 9 treasurer, and state auditor, shall, in the order named, if the preceding  
 10 named officers be unavailable, exercise the powers and discharge the  
 11 duties of the office of governor until a new governor is elected and  
 12 qualifies, or until a preceding named officer becomes available; pro-  
 13 vided however, that no emergency interim successor to the aforemen-  
 14 tioned offices may serve as governor.

1 **SEC. 6. Emergency interim successors for state officers.** All state  
 2 officers, subject to such regulations as the governor (or other official  
 3 authorized under the constitution or this Act to exercise the powers and  
 4 discharge the duties of the office of governor) may issue, shall, upon  
 5 approval of this Act, in addition to any deputy authorized pursuant  
 6 to law to exercise all of the powers and discharge the duties of the  
 7 office, designate by title emergency interim successors and specify  
 8 their order of succession. The officer shall review and revise, as neces-  
 9 sary, designations made pursuant to this Act to insure their current  
 10 status. The officer will designate a sufficient number of such emer-  
 11 gency interim successors so that there will be not less than three, nor  
 12 more than seven, such deputies or emergency interim successors or  
 13 any combination thereof, at any time. In the event that any state  
 14 officer is unavailable following an attack, and in the event his deputy,  
 15 if any, is also unavailable, the said powers of his office shall be exer-  
 16 cised and the said duties of his office shall be discharged by his desig-  
 17 nated emergency interim successors in the order specified. Such  
 18 emergency interim successors shall exercise said powers and dis-  
 19 charge said duties only until such time as the governor under the con-  
 20 stitution or authority other than this Act (or other official authorized  
 21 under the constitution or this Act to exercise the powers and discharge  
 22 the duties of the office of governor) may, where a vacancy exists,  
 23 appoint a successor to fill the vacancy or until a successor is otherwise  
 24 appointed, or elected and qualifies as provided by law; or an officer (or  
 25 his deputy or a preceding named emergency interim successor) be-  
 26 comes available to exercise, or resume the exercise of, the powers and  
 27 discharge the duties of his office.

1 **SEC. 7. Enabling authority for emergency interim successors for**  
 2 **local offices.** With respect to local offices for which the legislative  
 3 bodies of cities, towns, townships, and counties may enact resolutions  
 4 or ordinances relative to the manner in which vacancies will be filled  
 5 or temporary appointments to office made, such legislative bodies are  
 6 hereby authorized to enact resolutions or ordinances providing for  
 7 emergency interim successors to offices of the aforementioned govern-  
 8 mental units. Such resolutions and ordinances shall not be incon-  
 9 sistent with the provisions of the Act.

1 **SEC. 8. Emergency interim successors for local officers.** The pro-  
 2 visions of this section shall be applicable to officers of political sub-  
 3 divisions (including, but not limited to, cities, towns, townships, and  
 4 counties, as well as school districts) not included in section seven (7).  
 5 Such officers, subject to such regulations as the executive head of the  
 6 political subdivision may issue, shall designate by title (if feasible)  
 7 or by named person, emergency interim successors and specify their

8 order of succession. The officer shall review and revise, as necessary,  
9 designations made pursuant to this Act to insure their current status.  
10 The officer will designate a sufficient number of persons so that there  
11 will be not less than three, nor more than seven, deputies or emer-  
12 gency interim successors or any combination thereof at any time. In  
13 the event that any officer of any political subdivision (or his deputy  
14 provided for pursuant to law) is unavailable, the powers of the office  
15 shall be exercised and duties shall be discharged by his designated  
16 emergency interim successors in the order specified. The emergency  
17 interim successor shall exercise the powers and discharge the duties  
18 of the office to which designated until such time as a vacancy which  
19 may exist shall be filled in accordance with the constitution or stat-  
20 utes or until the officer (or his deputy or a preceding emergency in-  
21 terim successor) again becomes available to exercise the powers and  
22 discharge the duties of his office.

1 **SEC. 9. Special emergency judges.** In the event that any judge of  
2 any court is unavailable to exercise the powers and discharge the  
3 duties of his office, and in the event no other judge authorized to act  
4 in the event of absence, disability or vacancy or no special judge  
5 appointed in accordance with the provisions of the constitution or  
6 statutes is available to exercise the powers and discharge the duties  
7 of such office, the duties of the office shall be discharged and the  
8 powers exercised by the special emergency judges hereinafter pro-  
9 vided for:

10 1. The governor shall designate for each member of the supreme  
11 court special emergency judges in the number of not less than three  
12 nor more than seven for each member of said court and shall specify  
13 their order of succession.

14 2. The chief justice of the supreme court in consultation with the  
15 other members of said court shall designate for each court of record  
16 except the supreme court, special emergency judges in the number of  
17 not less than three nor more than seven for each judge of said courts  
18 and shall specify their order of succession.

19 Such special emergency judges shall, in the order specified, exer-  
20 cise the powers and discharge the duties of such office in case of the  
21 unavailability of the regular judge or judges or persons immediately  
22 preceding them in the designation. The designating authority shall  
23 review and revise, as necessary, designations made pursuant to this  
24 Act to insure their current status.

25 Said emergency special judges shall discharge the duties and exer-  
26 cise the powers of such office until such time as a vacancy which may  
27 exist shall be filled in accordance with the constitution and statutes or  
28 until the regular judge or one preceding the designee in the order of  
29 succession becomes available to exercise the powers and discharge the  
30 duties of the office.

1 **SEC. 10. Formalities of taking office.** At the time of their designa-  
2 tion, emergency interim successors and special emergency judges shall  
3 take such oath as may be required for them to exercise the powers and  
4 discharge the duties of the office to which they may succeed. Notwith-  
5 standing any other provision of law, no person, as a prerequisite to the  
6 exercise of the powers or discharge of the duties of an office to which  
7 he succeeds, shall be required to comply with any other provision of  
8 law relative to taking office.

1 **SEC. 11. Period in which authority may be exercised.** Officials  
 2 authorized to act as governor pursuant to this Act, emergency interim  
 3 successors and special emergency judges are empowered to exercise  
 4 the powers and discharge the duties of an office as herein authorized  
 5 only after an attack upon the United States, as defined herein, has  
 6 occurred. The legislature, by concurrent resolution, may at any time  
 7 terminate the authority of said emergency interim successors and  
 8 special emergency judges to exercise the powers and discharge the  
 9 duties of office as herein provided.

1 **SEC. 12. Removal of designees.** Until such time as the persons  
 2 designated as emergency interim successors or special emergency  
 3 judges are authorized to exercise the powers and discharge the duties  
 4 of an office in accordance with this Act, including section eleven (11)  
 5 hereof, said persons shall serve in their designated capacities at the  
 6 pleasure of the designating authority and may be removed or replaced  
 7 by said designating authority at any time, with or without cause.

1 **SEC. 13. Disputes.** Any dispute concerning a question of fact aris-  
 2 ing under this Act with respect to an office in the executive branch of  
 3 the state government (except a dispute of fact relative to the office of  
 4 governor) shall be adjudicated by the governor (or other official au-  
 5 thorized under the constitution of this Act to exercise the powers and  
 6 discharge the duties of the office of governor) and his decision shall  
 7 be final.

Approved April 28, 1959.

## CHAPTER 89

### LEGISLATIVE CONTINUITY IN WAR

S. F. 403

AN ACT to provide for continuity of the state legislature in the event of an attack by an enemy of the United States.

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

1 **SECTION 1.** Existing civil law for constitutional government under  
 2 normal conditions must, at times, reasonably yield to the paramount  
 3 right of the state, through the reservoir of its reserved police power,  
 4 to protect, by appropriate legislation, its sovereignty, its government,  
 5 its people and their general welfare, against exigencies arising out of  
 6 a great emergency; therefore, the general assembly hereby provides  
 7 during such emergencies tantamount to martial law conditions for  
 8 provisional government upon a proclamation of such an emergency by  
 9 the governor or one acting in his stead.

1 **SEC. 2. Short title.** This Act shall be known as the "Emergency  
 2 Interim Legislative Succession Act."

1 **SEC. 3. Declaration of policy.** The legislature declares: (1) that  
 2 recent technological developments make possible an enemy attack of  
 3 unprecedented destructiveness, which may result in the death or in-  
 4 ability to act of a large proportion of the membership of the Legis-  
 5 lature; (2) that to conform in time of attack to existing legal require-  
 6 ments pertaining to the legislature would be impracticable, would

7 admit of undue delay, and would jeopardize continuity of operation of  
8 a legally constituted legislature; and (3) that it is therefore necessary  
9 to adopt special provisions as hereinafter set out for the effective  
10 operation of the legislature.

1 **SEC. 4. Definitions as used in this Act:**

2 1. *Attack* means any action or series of actions taken by an enemy  
3 of the United States resulting in substantial damage or injury to per-  
4 sons or property in this state whether through sabotage, bombs, mis-  
5 siles, shellfire, or atomic, radiological, chemical, bacteriological, or  
6 biological means or other weapons or methods.

7 2. *Unavailable* means absent from the place of session (other than  
8 on official business of the legislature), or unable, for physical, mental  
9 or legal reasons, to exercise the powers and discharge the duties of a  
10 legislator, whether or not such absence or inability would give rise to  
11 a vacancy under existing constitutional or statutory provisions.

1 **SEC. 5. Designation of emergency interim successors to legislators.**

2 Each legislator shall designate not fewer than three or more than  
3 seven emergency interim successors to his powers and duties and spe-  
4 cify their order of succession. Each legislator shall review and, as  
5 necessary, promptly revise the designations of emergency interim suc-  
6 cessors to his powers and duties to insure that at all times there are  
7 at least three such qualified emergency interim successors.

1 **SEC. 6. Status, qualifications and term of emergency interim suc-**

2 **cessors.** An emergency interim successor is one who is designated for  
3 possible temporary succession to the powers and duties, but not the  
4 office, of a legislator. No person shall be designated or serve as an  
5 emergency interim successor unless he may under the constitution and  
6 statutes hold the office of the legislator to whose powers and duties he  
7 is designated to succeed, but no constitutional or statutory provision  
8 prohibiting a legislator from holding another office or prohibiting the  
9 holder of another office from being a legislator shall be applicable to  
10 an emergency interim successor. An emergency interim successor  
11 shall serve at the pleasure of the legislator designating him or of any  
12 subsequent incumbent of the legislative office.

1 **SEC. 7. Recording and publication.** Each designation of an emer-

2 gency interim successor shall become effective when the legislator  
3 making the designation files with the secretary of state the successor's  
4 name, address and rank in order of succession. The removal of an  
5 emergency interim successor or change in order of succession shall  
6 become effective when the legislator so acting files this information  
7 with the secretary of state. All such data shall be open to public in-  
8 spection. The secretary of state shall inform the governor, the state  
9 office of civil defense, the presiding officer of the house concerned and  
10 all emergency interim successors, of all such designations, removals  
11 and changes in order of succession. The presiding officer of each  
12 house shall enter all information regarding emergency interim suc-  
13 cessors for the house in its public journal at the beginning of each  
14 legislative session and shall enter all changes in membership or order  
15 of succession as soon as possible after their occurrence.

1     **SEC. 8. Oath of emergency interim successors.** Promptly after  
2 designation each emergency interim successor shall take the oath re-  
3 quired for the legislator to whose powers and duties he is designated  
4 to succeed. No other oath shall be required.

1     **SEC. 9. Duty of emergency interim successors.** Each emergency  
2 interim successor shall keep himself generally informed as to the  
3 duties, procedures, practices and current business of the legislature,  
4 and each legislator shall assist his emergency interim successors to  
5 keep themselves so informed.

1     **SEC. 10. Place of legislative session.** Whenever in the event of an  
2 attack, or upon finding that an attack may be imminent, the governor  
3 deems the place of session then prescribed to be unsafe, he may change  
4 it to any place within or without the state which he deems safer and  
5 convenient.

1     **SEC. 11. Convening of legislature in event of attack.** In the event  
2 of an attack, the governor shall call the legislature into session as soon  
3 as practicable, and in any case within ninety days following the in-  
4 ception of the attack. If the governor fails to issue such call, the legis-  
5 lature shall, on the ninetieth day from the date of inception of the  
6 attack, automatically convene at the place where the governor then has  
7 his office. Each legislator and each emergency interim successor, un-  
8 less he is certain that the legislator to whose powers and duties he is  
9 designated to succeed or any emergency interim successor higher in  
10 order of succession will not be unavailable, shall proceed to the place  
11 of session as expeditiously as practicable. At such session or at any  
12 session in operation at the inception of the attack, and at any subse-  
13 quent sessions, limitations on the length of session and on the subjects  
14 which may be acted upon shall be suspended.

1     **SEC. 12. Assumption of powers and duties of legislator by emer-**  
2 **gency interim successor.** If in the event of an attack a legislator is  
3 unavailable, his emergency interim successor highest in order of suc-  
4 cession who is not unavailable shall, except for the power and duty to  
5 appoint emergency interim successors, exercise the powers and assume  
6 the duties of such legislator. An emergency interim successor shall  
7 exercise these powers and assume these duties until the incumbent  
8 legislator, an emergency interim successor higher in order of succes-  
9 sion, or a legislator appointed or elected and legally qualified can act.  
10 Each house of the legislature shall, in accordance with its own rules,  
11 determine who is entitled under the provisions of this Act to exercise  
12 the powers and assume the duties of its members. All constitutional  
13 and statutory provisions pertaining to ouster of a legislator shall be  
14 applicable to an emergency interim successor who is exercising the  
15 powers and assuming the duties of a legislator.

1     **SEC. 13. Privileges, immunities and compensation of emergency**  
2 **interim successors.** When an emergency interim successor exercises  
3 the powers and assumes the duties of a legislator, he shall be accorded  
4 the privileges and immunities, compensation, allowances and other  
5 perquisites of office to which a legislator is entitled. In the event of  
6 an attack, each emergency interim successor, whether or not called  
7 upon to exercise the powers and assume the duties of a legislator, shall

8 be accorded the privileges and immunities of a legislator while travel-  
 9 ing to and from a place of session and shall be compensated for his  
 10 travel in the same manner and amount as a legislator. This section  
 11 shall not in any way affect the privileges, immunities, compensation,  
 12 allowances or other perquisites of office of an incumbent legislator.

1 **SEC. 14. Quorum and vote requirements.** In the event of an attack,  
 2 (1) quorum requirements for the legislature shall be suspended, and  
 3 (2) where the affirmative vote of a specified proportion of members  
 4 for approval of a bill, resolution or other action would otherwise be  
 5 required, the same proportion of those voting thereon shall be suffi-  
 6 cient.

1 **SEC. 15. Termination of operation of provisions of this Act.** The  
 2 authority of emergency interim successors to succeed to the powers  
 3 and duties of legislators, and the operation of the provisions of this  
 4 Act relating to quorum and the number of affirmative votes required  
 5 for legislative action shall expire two years following the inception of  
 6 an attack, but nothing herein shall prevent the resumption before such  
 7 time of the filling of legislative vacancies and the calling of elections  
 8 for the legislature in accordance with applicable constitutional and  
 9 statutory provisions. The governor, acting by proclamation, or the  
 10 legislature, acting by concurrent resolution, may from time to time  
 11 extend or restore such authority or the operation of any of such pro-  
 12 visions upon a finding that events render the extension or restoration  
 13 necessary, but no extension or restoration shall be for a period of  
 14 more than one year.

Approved April 28, 1959.

## CHAPTER 90

### EMERGENCY LOCATION OF STATE GOVERNMENT

S. F. 406

AN ACT to authorize the establishment of an emergency temporary location, or loca-  
 tions, for the seat of government for the state and to authorize the exercise of  
 governmental powers and functions thereat.

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

1 **SECTION 1.** Whenever, due to an emergency resulting from the  
 2 effects of enemy attack, or the anticipated effects of a threatened  
 3 enemy attack, it becomes imprudent, inexpedient or impossible to  
 4 conduct the affairs of state government at the constitutional location  
 5 of the seat thereof in the city of Des Moines, Polk county, Iowa, the  
 6 governor shall, as often as the exigencies of the situation require, by  
 7 proclamation, declare an emergency temporary location, or locations,  
 8 for the seat of government at such place, or places, within or without  
 9 this state as he may deem advisable under the circumstances, and  
 10 shall take such action and issue such orders as may be necessary for  
 11 an orderly transition of the affairs of state government to such emer-  
 12 gency temporary location, or locations. Such emergency temporary  
 13 location, or locations, shall remain as the seat of government until the

14 legislature shall by law establish a new location, or locations, or until  
 15 the emergency is declared to be ended by the governor and the seat of  
 16 government is returned to its normal location.

1 SEC. 2. During such time as the seat of government remains at  
 2 such emergency temporary location, or locations, all official acts now  
 3 or hereafter required by law to be performed at the seat of govern-  
 4 ment by any officer, agency, department or authority of this state,  
 5 including the convening and meeting of the legislature in regular,  
 6 extraordinary, or emergency session, shall be as valid and binding  
 7 when performed at such emergency temporary location, or locations,  
 8 as if performed at the normal location of the seat of government.

1 SEC. 3. The provisions of this Act shall control and be supreme in  
 2 the event it shall be employed notwithstanding the provisions of any  
 3 other law to the contrary or in conflict herewith.

Approved April 28, 1959.

## CHAPTER 91

### EMERGENCY LOCATION OF LOCAL GOVERNMENTS

S. F. 405

AN ACT to authorize political subdivisions of this state to establish an emergency temporary location, or locations, for their seats of government and to exercise governmental powers and functions thereat.

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

1 SECTION 1. Whenever, due to an emergency resulting from the  
 2 effects of enemy attack, or the anticipated effects of a threatened  
 3 enemy attack, it becomes imprudent, inexpedient or impossible to  
 4 conduct the affairs of local government at the regular or usual place  
 5 or places thereof, the governing body of each political subdivision of  
 6 this state may meet at any place within or without the territorial  
 7 limits of such political subdivision on the call of the presiding officer  
 8 or any two members of such governing body, and shall proceed to  
 9 establish and designate by ordinance, resolution or other manner,  
 10 alternate or substitute sites or places as the emergency temporary  
 11 location, or locations, of government where all, or any part, of the  
 12 public business may be transacted and conducted during the emergency  
 13 situation. Such sites or places may be within or without the terri-  
 14 torial limits of such political subdivision and may be within or with-  
 15 out this state.

1 SEC. 2. During the period when the public business is being con-  
 2 ducted at the emergency temporary location, or locations, the govern-  
 3 ing body and other officers of a political subdivision of this state shall  
 4 have and possess and shall exercise, at such location, or locations, all  
 5 of the executive, legislative, and judicial powers and functions con-  
 6 ferred upon such body and officers by or under the laws of this state.  
 7 Such powers and functions may be exercised in the light of the exi-  
 8 gencies of the emergency situation without regard to or compliance  
 9 with time-consuming procedures and formalities prescribed by law

10 and pertaining thereto, and all acts of such body and officers shall be  
 11 as valid and binding as if performed within the territorial limits of  
 12 their political subdivision.

1 SEC. 3. The provisions of this Act shall control and be supreme in  
 2 the event it shall be employed notwithstanding any statutory, charter  
 3 or ordinance provision to the contrary or in conflict herewith.

Approved April 28, 1959.

---

## CHAPTER 92

### TERMS OF COUNTY OFFICERS

H. F. 702

AN ACT relating to the terms of county officers.

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

1 SECTION 1. Section thirty-nine point seventeen (39.17), Code  
 2 1958, is hereby repealed and the following enacted in lieu thereof:

3 "There shall be elected in each county at the general election to be  
 4 held in the year 1960 and every four (4) years thereafter, a clerk of  
 5 the district court, an auditor and a sheriff who shall hold office for a  
 6 term of four (4) years.

7 "There shall be elected in each county at the general election to be  
 8 held in the year 1960 a treasurer, and a recorder of deeds who shall  
 9 hold office for a term of two (2) years and at the general election to  
 10 be held in 1962 and each four (4) years thereafter, such officers shall  
 11 be elected and hold office for a term of four (4) years.

12 "There shall be elected in each county, at each general election, a  
 13 county attorney, who shall hold office for a term of two (2) years."

Approved April 27, 1959.

---

## CHAPTER 93

### OFFICIAL BALLOT

S. F. 268

AN ACT relating to publication of the official ballot.

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

1 SECTION 1. Section forty-nine point fifty-four (49.54), Code 1958,  
 2 is hereby repealed and the following is enacted in lieu thereof:

3 "For publication of the official ballot, the cost shall not exceed  
 4 seventy (70) dollars for each of the two (2) papers in which it shall  
 5 be published."

Approved May 5, 1959.



## CHAPTER 94

## VOTING MACHINES

S. F. 425

AN ACT to amend chapter fifty-two (52), Code 1958, relating to voting machines.

*(See addenda on page 564.)*

## CHAPTER 95

## VOTING MACHINES

H. F. 678

AN ACT relating to voting machine procedure and to amend various sections of the Code relating thereto.

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

1 SECTION 1. Section fifty-two point nine (52.9), Code 1958, is  
 2 hereby amended by adding thereto the following:

3 "It shall be the duty of the county auditor or the city clerk or their  
 4 duly authorized agents not less than twelve (12) hours before the  
 5 opening of the polls on the morning of the election to examine and  
 6 test said machines. The chairman of each political party shall be  
 7 notified in writing of the time said machines shall be examined and  
 8 tested so that they may be present, or have a representative present.  
 9 Those present for the examination and testing shall sign a certificate  
 10 which shall read substantially as follows:

11 "The Undersigned Hereby Certify that, having duly qualified, we  
 12 were present and witnessed the testing and preparation of the follow-  
 13 ing voting machines; that we believe the same to be in proper condi-  
 14 tion for use in the election of ..... 19.....,  
 15 that each registering counter of the machine is set at 000; that the

16 public counter is set at 000; that the seal numbers and the protective  
17 counter numbers are as indicated below.

18 Signed.....  
19 Republican  
20 .....  
21 Democrat  
22 .....  
23 .....  
24 Voting machine custodian  
25 Dated..... 19.....

26	Machine Number	Seal Number	Protective Counter Number
27	.....	.....	.....
28	.....	.....	.....
29	.....	.....	.....
30	.....	.....	.....

31 "On those voting machines presently equipped with an after-  
32 election latch and on all machines placed in use after January 1, 1961,  
33 in this state, the after-election latch shall be fully used by the election  
34 officials."

1 SEC. 2. Section fifty-two point twenty-two (52.22), Code 1958, is  
2 hereby amended by striking from line five (5) thereof the words "for  
3 the period of thirty days" and inserting in lieu thereof the words  
4 "until thirty (30) days after the proclamation of the results of said  
5 election."

1 SEC. 3. Section forty-nine point twelve (49.12), Code 1958, is  
2 hereby amended by adding at the end of said section the following:  
3 "In any precinct using voting machines in which more than three  
4 (3) such machines are used, the board of supervisors is authorized  
5 to name one additional judge for said precinct for each such addi-  
6 tional machine, maintaining the bipartisan political balance herein-  
7 before referred to."

1 SEC. 4. Section fifty-two point twenty-one (52.21), Code 1958, is  
2 hereby amended by adding after the end of line seven (7) thereof  
3 the following: "Said judges shall use a voting machine return and  
4 tally sheet in substantially the following form:

VOTING MACHINE RETURN AND TALLY SHEET

..... Election ..... 196...., County of .....

	President and Vice President	United States Senator	United States Representative	Governor	Lt. Governor	Etc.
<b>Republican Party</b>	1A (name of candidate)	2A	3A	4A	5A	6A
Machine No.						
Machine No.						
Machine No.						
Machine No.						
Machine No.						
Return Sheet Tot.						
<b>Democratic Party</b>	1B (name of candidate)	2B	3B	4B	5B	6B
Machine No.						
Machine No.						
Machine No.						
Machine No.						
Machine No.						
Return Sheet Tot.						
<b>Independents</b>	1C (name of candidate)	2C	3C	4C	5C	6B*
Machine No.						
Machine No.						
Machine No.						
Machine No.						
Machine No.						
ETC.						
<b>Public Measures</b>	1F For	2F Against	3F	4F	5F	6F
Machine No.						
Machine No.						
Machine No.						
Machine No.						
Machine No.						
Return Sheet Tot.						

\*According to enrolled Act.

5 "The reverse side of said return shall carry a certificate in sub-  
6 stantially the following form:

7 CERTIFICATE OF ELECTION OFFICIALS AND CANVASS

8 STATE OF IOWA )  
9 ) ss.  
10 COUNTY OF \_\_\_\_\_)

11 We, the undersigned Judges and Clerks of Election for \_\_\_\_\_,  
12 Precinct No. \_\_\_\_\_ of the county of \_\_\_\_\_ and state of Iowa,  
13 do hereby certify that \_\_\_\_\_ voting machine \_\_\_\_\_ (was or were)  
14 used in the above mentioned precinct at the \_\_\_\_\_ Election held  
15 on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

16 "1. That before opening of the polls we compared the ballot labels  
17 on (the or each) machine with the sample ballots furnished, and  
18 found the names, numbers and letters thereon agreed.

19 "2. That we compared the number on the seal which sealed the  
20 curtain lever and the number on the protective counter and we found  
21 the same as follows:

22	MACHINE	CURTAIN LEVER SEAL	PROTECTIVE COUNTER
23	No.....	No.....	No.....
24	No.....	No.....	No.....
25	No.....	No.....	No.....
26	No.....	No.....	No.....
27	No.....	No.....	No.....

28 "3. That the public counter was set at 000 and that we opened the  
29 rear of (the or each) machine and examined every registering coun-  
30 ter and that each registered 000.

31 "4. That the following statement shows the number of the seal  
32 with which the curtain lever was sealed, the number on the public  
33 counter and the number on the protective counter after the poll was  
34 closed and the vote thereon canvassed and the machine locked:

35	MACHINE	CURTAIN LEVER SEAL	PROTECTIVE COUNTER	PUBLIC COUNTER
36	No.....	No.....	No.....	No.....
37	No.....	No.....	No.....	No.....
38	No.....	No.....	No.....	No.....
39	No.....	No.....	No.....	No.....
40	No.....	No.....	No.....	No.....
41	No.....	No.....	No.....	No.....

42 "5. That we are Judges and Clerks of the \_\_\_\_\_ Election in and  
43 for \_\_\_\_\_, Precinct No. \_\_\_\_\_ in the County of \_\_\_\_\_ and  
44 State of Iowa, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, and that  
45 we have canvassed all the votes registered on the voting machines for  
46 each candidate, and all irregular ballots written on the paper roll of  
47 each machine used in said precinct, and do hereby severally certify  
48 that the canvass thereof was duly and legally made, and the result of  
49 said canvass is correctly set forth in the within return-sheet state-  
50 ment, and that the said statement is true in all respects.

51 Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

52 \_\_\_\_\_

53 \_\_\_\_\_

54 \_\_\_\_\_

55 \_\_\_\_\_

56 \_\_\_\_\_

57 \_\_\_\_\_

58 JUDGES AND CLERKS OF ELECTION"

1 SEC. 5. Section fifty-two point twenty-three (52.23), Code 1958,  
 2 is hereby amended by striking all of said section following the word  
 3 "sign" in line four (4) thereof and inserting in lieu thereof the fol-  
 4 lowing: "the canvass forms referred to in section fifty-two point  
 5 twenty-one (52.21) of the Code, which canvass shall serve as a writ-  
 6 ten statement of election. Said canvass statement shall be in lieu of  
 7 the return required in section fifty point sixteen (50.16), Code 1958,  
 8 where permanent registration is in effect, except that the registration  
 9 books shall be preserved and returned with said certificate of election  
 10 officials and canvass."

1 SEC. 6. Chapter fifty-two (52), Code 1958, is hereby amended by  
 2 adding the following: "Constitutional amendments and public mea-  
 3 sures including bond issues may be voted on the voting machines in  
 4 the following manner:

5 "The entire amendment or public measure shall be printed and dis-  
 6 played prominently in at least two (2) places within the voting pre-  
 7 cinct and on the left hand side inside the curtain of each voting  
 8 machine, said printing to be in conformity with the provisions of  
 9 Chapter forty-nine (49), Code 1958. The amendment or public mea-  
 10 sure shall be summarized by the auditor or city clerk and in the  
 11 largest type possible printed on the inserts used in said voting ma-  
 12 chines. In the case of an amendment or measure to be voted upon in  
 13 more than one county, the summary shall be worded by the secretary  
 14 of state and said summary shall be used in each county.

15 "Any portion of sections forty-nine point forty-three (49.43),  
 16 forty-nine point forty-four (49.44), forty-nine point forty-five  
 17 (49.45), forty-nine point forty-six (49.46), forty-nine point forty-  
 18 seven (49.47), or forty-nine point forty-eight (49.48), Code 1958,  
 19 in conflict herewith is hereby declared inapplicable to those counties  
 20 which have adopted voting machines and follow the procedure of this  
 21 section."

Approved May 15, 1959.

## CHAPTER 96

### COMMUNITY SCHOOL DISTRICTS

#### H. F. 206

AN ACT relating to the powers of school districts and to amend certain sections of the Code relating thereto for the purpose of extending such powers to community districts.

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

1 SECTION 1. Section fifty-three point one (53.1), Code 1958, is  
 2 hereby amended by inserting in line five (5) after the word "any"  
 3 the following: "community or".

1 SEC. 2. Section fifty-three point three (53.3), Code 1958, is here-  
 2 by amended by inserting in line two (2) after the word "in" the fol-  
 3 lowing: "community or".

1 SEC. 3. Amend section two hundred fifty-seven point five (257.5),  
2 Code 1958, as follows:

3 1. By inserting in subsection one (1), line seven (7) after the word  
4 "each" the word "community,".

5 2. By inserting in subsection one (1), paragraph b, subparagraph  
6 one (1) line four (4) after the word "no" the following: "commu-  
7 nity,".

8 3. By inserting in subsection three (3), line seven (7) after the  
9 word "of" the following: "community,".

1 SEC. 4. Amend section two hundred seventy-four point seven  
2 (274.7), Code 1958, as follows:

3 1. By inserting in line three (3) after the word "all" the words  
4 "community or".

5 2. By inserting in line five (5) after the word "in" the words "com-  
6 munity or".

1 SEC. 5. Section two hundred seventy-seven point one (277.1),  
2 Code 1958, is hereby amended by inserting in line six (6) after the  
3 word "all" the following: "community or".

1 SEC. 6. Amend section two hundred seventy-seven point four  
2 (277.4), Code 1958, as follows:

3 1. By inserting in line three (3) after the word "each" the follow-  
4 ing words, "community or".

5 2. By inserting in line nine (9) after the word "city" the words,  
6 ", community or".

1 SEC. 7. Section two hundred seventy-seven point five (277.5),  
2 Code 1958, is hereby amended by inserting in line three (3) after the  
3 word "independent" the following: ", or community".

1 SEC. 8. Amend section two hundred seventy-seven point twenty-  
2 three (277.23), Code 1958, as follows:

3 1. By inserting in line four (4) after the word "other" the words,  
4 "community or".

1 SEC. 9. Amend section two hundred seventy-seven point twenty-  
2 four (277.24), Code 1958, as follows:

3 1. By inserting in line two (2) after the word "all" the words,  
4 "community or".

5 2. By inserting in line ten (10) after the word, "those" the words,  
6 "community or".

1 SEC. 10. Section two hundred seventy-seven point thirty-four  
2 (277.34), Code 1958, is hereby amended by inserting in line six (6)  
3 after the first word "In" the words, "community or".

1 SEC. 11. Amend section two hundred seventy-eight point two  
2 (278.2), Code 1958, as follows:

3 1. By inserting in line five (5) after the word "town" the words  
4 "community or".

5 2. By inserting in line seven (7) after the word "city" the words  
6 "community or".

1 SEC. 12. Section two hundred seventy-nine point fourteen  
2 (279.14), Code 1958, is hereby amended by inserting in line two (2)  
3 after the word "any" the following: "community or".

1 SEC. 13. Section two hundred seventy-nine point thirty (279.30),  
2 Code 1958, is hereby amended by inserting in line five (5) after the  
3 word "each" the following: "community or".

1 SEC. 14. Section two hundred seventy-nine point thirty-two  
2 (279.32), Code 1958, is hereby amended by inserting in line two (2)  
3 after the word "each" the following: "community or".

1 SEC. 15. Section two hundred seventy-nine point thirty-four  
2 (279.34), Code 1958, is hereby amended by inserting in line three (3)  
3 after the word "independent" the words, "or community".

1 SEC. 16. Section two hundred seventy-nine point thirty-seven  
2 (279.37), Code 1958, is hereby amended by inserting in line four (4)  
3 after the word "independent" the words following: "or community".

1 SEC. 17. Section two hundred eighty point sixteen (280.16), Code  
2 1958, is hereby amended by striking in line two (2) the word, "inde-  
3 pendent".

1 SEC. 18. Section two hundred eighty-two point two (282.2), Code  
2 1958, is hereby amended by striking from line three (3) the word  
3 "independent".

1 SEC. 19. Section two hundred eighty-five point ten (285.10), Code  
2 1958, subsection eight (8), paragraph "a", is hereby amended by in-  
3 serting in line one (1) after the word "consolidated" the following:  
4 ", community".

1 SEC. 20. Section two hundred eighty-nine point one (289.1), Code  
2 1958, is hereby amended by striking from line two (2) the word,  
3 "independent".

1 SEC. 21. Section two hundred ninety-one point seven (291.7),  
2 Code 1958, is hereby amended by striking from lines one (1) and two  
3 (2) the following: "independent town or city".

1 SEC. 22. Section two hundred ninety-two point two (292.2), Code  
2 1958, is hereby amended by inserting in line nineteen (19) after the  
3 word "district" and before the word "or" the following: ", commu-  
4 nity district,".

1 SEC. 23. Section two hundred ninety-four point eight (294.8),  
2 Code 1958, is hereby amended by striking from line one (1) the word,  
3 "independent".

1 SEC. 24. Section two hundred ninety-four point ten (294.10),  
2 Code 1958, is hereby amended by striking from line two (2) thereof  
3 the word "independent".

1 SEC. 25. Section two hundred ninety-four point eleven (294.11),  
2 Code 1958, is hereby amended by striking from lines one (1) and two  
3 (2) the word "independent".

1 SEC. 26. Section two hundred ninety-seven point five (297.5),  
 2 Code 1958, is hereby amended by striking from lines one (1) and two  
 3 (2) the word "independent".

1 SEC. 27. Section two hundred ninety-seven point twenty-one  
 2 (297.21), Code 1958, is hereby amended as follows:  
 3 1. By striking from line three (3) the word "consolidated" and in-  
 4 serting in lieu thereof the word "community".  
 5 2. By striking from line five (5) the word "consolidated" and in-  
 6 serting in lieu thereof the word, "community".

1 SEC. 28. Section two hundred ninety-seven point twenty-two  
 2 (297.22), Code 1958, is hereby amended by inserting in line two (2)  
 3 after the word "independent" the words, "or community".

1 SEC. 29. Section three hundred twenty point one (320.1), Code  
 2 1958, is hereby amended by inserting in line one (1) after the word  
 3 "independent" the words "or community".

1 SEC. 30. Section four hundred nine point forty-six (409.46), Code  
 2 1958, is hereby amended by inserting in line two (2) after the word  
 3 "independent" the words, "or community".

1 SEC. 31. Section four hundred nine point forty-seven (409.47),  
 2 Code 1958, is hereby amended by inserting in line nine (9) after the  
 3 word "independent" the words "or community".

1 SEC. 32. This Act being deemed of immediate importance shall be  
 2 in full force and effect from and after its publication in the Marshall-  
 3 town Times-Republican, a newspaper published at Marshalltown,  
 4 Iowa, and Gowrie News, a newspaper published at Gowrie, Iowa.

Approved February 25, 1959.

I hereby certify that the foregoing Act, House File 206, was published in the Marshall-  
 town Times-Republican, Marshalltown, Iowa, February 28, 1959, and in the Gowrie  
 News, Gowrie, Iowa, March 5, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 97

### ABSENT VOTER'S AFFIDAVIT

S. F. 6

AN ACT to eliminate the stating of color and sex on the absent voter's affidavit.

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

1 SECTION 1. Section fifty-three point thirteen (53.13), Code 1958,  
 2 is hereby amended by striking from line fifteen (15) the words,  
 3 "Color.....Sex.....".

Approved March 24, 1959.



## CHAPTER 98

## BONDS OF COUNTY EMPLOYEES

S. F. 201

AN ACT relating to payment of bond premiums on bonds required of clerks and cashiers who are not deputy county officers.

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

1 SECTION 1. Section sixty-four point fifteen (64.15), Code 1958, is  
2 hereby amended by inserting after the word "officers" in line thirteen  
3 (13) the following: ", clerks and cashiers employed by county offi-  
4 cers".

Approved April 22, 1959.

## CHAPTER 99

## EXAMINING COMMISSIONERS

S. F. 547

AN ACT relating to commissioners appointed under chapter sixty-seven (67), Code 1958, providing for payment of the expenses of such commissioners and amending section sixty-seven point twelve (67.12), Code 1958.

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

1 SECTION 1. Section sixty-seven point twelve (67.12), Code 1958,  
2 be and is hereby amended by inserting after the word "day" in the  
3 fourth line thereof the words, "and their actual and necessary ex-  
4 penses".

1 SEC. 2. This bill shall be retroactive to the first day of January,  
2 1959, and shall be operative from that date.

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 Manchester Press, a newspaper published in Manchester, Iowa,  
4 and the Daily Times, a newspaper published in Davenport, Iowa.

Approved May 7, 1959.

I hereby certify that the foregoing Act, Senate File 547, was published in the Manchester Press, Manchester, Iowa, May 14, 1959, and in the Daily Times, Davenport, Iowa, May 13, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 100

## STATE EMPLOYEES VACATIONS

H. F. 393

AN ACT relating to state employees vacations.

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

1 SECTION 1. Section seventy-nine point one (79.1), Code 1958, is  
 2 amended by adding the following after the word "pay" in line seven-  
 3 teen (17):

4 "Said vacations after the first complete year of employment shall be  
 5 granted, regardless of anniversary date, at the discretion and conven-  
 6 ience of the head of the department, agency or commission."

Approved April 27, 1959.

## CHAPTER 101

## HIGHWAY PATROL

S. F. 466

AN ACT to amend section eighty point four (80.4), Code 1958, to increase the authorized strength of the highway patrol to three hundred (300) members.

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

1 SECTION 1. Section eighty point four (80.4), Code 1958, is hereby  
 2 amended by striking from lines seven (7) and eight (8) thereof the  
 3 words, "two hundred seventy-five" and by inserting in lieu thereof the  
 4 words, "three hundred (300)".

5 Section eighty point four (80.4) is further amended by adding the  
 6 following paragraph:

7 "Additional members of the highway patrol employed on or after  
 8 May 4, 1959 shall be employed as patrolmen on duty on the highways  
 9 of this state, and not as office personnel except for replacement."

1 SEC. 2. This Act, being deemed of immediate importance, shall  
 2 take effect and be in force on June 1, 1959, after its publication in the  
 3 Greene Recorder, a newspaper published in Greene, Iowa, and in the  
 4 Clarinda Herald, a newspaper published in Clarinda, Iowa.

Approved May 7, 1959.

I hereby certify that the foregoing Act, Senate File 466, was published in the Greene Recorder, Greene, Iowa, May 13, 1959, and in the Clarinda Herald, Clarinda, Iowa, May 14, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 102

## PUBLIC SAFETY DEPARTMENT EMPLOYEES

H. F. 80

AN ACT relating to dismissal of employees 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 1958, is  
2 hereby amended by striking the period after the word "final" in line  
3 thirty-five (35) and inserting a comma in lieu thereof and adding the  
4 following: "subject to the right of appeal by the employee to the  
5 district court of Polk County, or to the district court of the county in  
6 Iowa in which the employee resides, within thirty (30) days after he  
7 shall have received notice of the decision of the executive council."

Approved March 9, 1959.

## CHAPTER 103

## WORKMEN'S COMPENSATION

H. F. 690

AN ACT to amend chapter eighty-five (85), Code 1958, relating to workmen's compensation, so as to increase the maximum weekly compensation for death, for permanent total disabilities and permanent partial disabilities, to increase the compensation for temporary disability and during the healing period, and to provide for children's dependency benefits, to provide for payment of wages for time lost by employees for physical examinations and transportation therefor, to provide for optional coverage to employers engaged in agriculture, to provide subrogation rights to the state of Iowa, to liberalize payment for prosthetic devices, and to redefine certain terms.

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

1 SECTION 1. Section eighty-five point one (85.1), Code 1958, is  
2 amended by inserting in line six (6) of subsection three (3) after  
3 the word "that" the following: "employers engaged solely in agri-  
4 culture, and".

1 SEC. 2. Section eighty-five point twenty-two (85.22), Code 1958,  
2 is amended by adding at the end of said section the following para-  
3 graph:

4 "When the state of Iowa has paid any compensation or benefits  
5 under the provisions of this chapter, the word 'employer' as used in  
6 this section shall mean and include the state of Iowa."

1 SEC. 3. Section eighty-five point twenty-seven (85.27), Code 1958,  
2 is amended by inserting in line sixteen (16) after the word "nurses"  
3 the following: ", one set of permanent prosthetic devices".

4 Section eighty-five point twenty-seven (85.27), Code 1958, is fur-  
5 ther amended as follows:

6 1. By striking from lines eleven (11) and twelve (12) the words  
7 "five hundred dollars" and inserting in lieu thereof the following:  
8 "one thousand dollars (\$1,000.00)".

9 2. By striking from line fourteen (14) the words "one thousand  
10 dollars" and inserting in lieu thereof the following: "two thousand  
11 dollars (\$2,000.00)".

12 3. By striking from lines twenty-three (23) and twenty-four (24)  
13 the words "one thousand dollars" and inserting in lieu thereof the  
14 following: "two thousand dollars (\$2,000.00)".

1 SEC. 4. Section eighty-five point thirty-one (85.31), Code 1958,  
2 is amended as follows:

3 1. Strike subsection one (1) and insert in lieu thereof the follow-  
4 ing:

5 "When death results from the injury, the employer shall pay the  
6 dependents who were wholly dependent on the earnings of the em-  
7 ployee for support at the time of his injury, during their lifetime,  
8 compensation upon the basis of sixty-six and two-thirds per cent  
9 (66 $\frac{2}{3}$ %) per week of the employee's average weekly earnings, pay-  
10 able in three hundred (300) equal weekly installments commencing  
11 from the date of his injury, but not to exceed a total of twelve thou-  
12 sand dollars (\$12,000.00); provided further, that such weekly com-  
13 pensation shall not be less than eighteen dollars (\$18.00) per week,  
14 except if at the time of his injury his earnings are less than eighteen  
15 dollars (\$18.00) per week, then the weekly compensation shall be a  
16 sum equal to the full amount of his weekly earnings. Such compen-  
17 sation shall be in addition to the benefits provided by sections eighty-  
18 five point twenty-seven (85.27) and eighty-five point twenty-eight  
19 (85.28) of the Code."

20 2. Change the period in line eight (8) of subsection four (4) to  
21 a comma and add immediately thereafter the following: "as pro-  
22 vided in subsection one (1) but not to exceed a total of twelve thou-  
23 sand dollars (\$12,000.00)."

1 SEC. 5. Section eighty-five point thirty-three (85.33), Code 1958,  
2 is amended by striking the second paragraph thereof.

1 SEC. 6. Sections eighty-five point thirty-four (85.34) and eighty-  
2 five point thirty-five (85.35), Code 1958, are repealed and the fol-  
3 lowing is enacted in lieu thereof:

4 "Permanent disabilities. Compensation for permanent disabili-  
5 ties and during a healing period for scheduled permanent partial dis-  
6 abilities shall be payable to an employee as provided in this section.  
7 In the event weekly compensation had been paid to any person under  
8 any provision of this chapter or chapter eighty-five A (85A), of the  
9 Code, other than is required by paragraphs "a" and "b" hereof, for  
10 the same injury producing a permanent partial disability, any such  
11 amounts so paid shall be deducted from the total amount of com-  
12 pensation payable for such permanent partial disability.

13 "a. Healing period. If an employee has suffered a personal in-  
14 jury causing permanent partial disability for which compensation is  
15 payable as provided in paragraph "b" of this section, the employer  
16 shall pay to the employee compensation for a healing period, as pro-  
17 vided in section seven (7) of this Act, beginning on the date of the  
18 injury, which shall be not more than thirty per cent (30%) of the  
19 period during which weekly compensation is required to be paid for  
20 the permanent partial disability under the provisions of this section,  
21 or for a period of not more than twenty-five (25) weeks, whichever

22 is the lesser, but in no event shall such payments for a healing  
23 period be made for a period longer than the actual time the em-  
24 ployee is incapacitated from work because of such injury.

25 "b. Permanent partial disabilities. Compensation for permanent  
26 partial disability shall begin at the termination of the healing period  
27 provided in paragraph "a" hereof. Such compensation shall be in  
28 addition to the benefits provided by sections eighty-five point twenty-  
29 seven (85.27) and eighty-five point twenty-eight (85.28) of the Code.  
30 Such compensation shall be based upon the extent of such disability  
31 and upon the basis of sixty-six and two thirds per cent ( $66\frac{2}{3}\%$ )  
32 per week of the employee's average weekly earnings, but not less  
33 than eighteen dollars (\$18.00) per week, except if at the time of  
34 his injury his earnings are less than eighteen dollars (\$18.00) per  
35 week, then the weekly compensation shall be a sum equal to the full  
36 amount of his weekly earnings; and for all cases of permanent par-  
37 tial disability such compensation shall be paid as follows:

38 "(1) For the loss of a thumb, weekly compensation during sixty  
39 (60) weeks but not to exceed a total of two thousand two hundred  
40 twenty-five dollars (\$2,225.00).

41 "(2) For the loss of a first finger, commonly called the index fin-  
42 ger, weekly compensation during thirty-five (35) weeks but not to  
43 exceed a total of one thousand three hundred dollars (\$1,300.00).

44 "(3) For the loss of a second finger, weekly compensation during  
45 thirty (30) weeks but not to exceed a total of one thousand one hun-  
46 dred ten dollars (\$1,110.00).

47 "(4) For the loss of a third finger, weekly compensation during  
48 twenty-five (25) weeks but not to exceed a total of nine hundred  
49 twenty dollars (\$920.00).

50 "(5) For the loss of a fourth finger, commonly called the little  
51 finger, weekly compensation during twenty (20) weeks but not to  
52 exceed a total of seven hundred forty dollars (\$740.00).

53 "(6) The loss of the first or distal phalange of the thumb or  
54 of any finger shall equal the loss of one-half of such thumb or  
55 finger and the weekly compensation shall be paid during one-half of  
56 the time but not to exceed one-half of the total amount for the loss  
57 of such thumb or finger.

58 "(7) The loss of more than one phalange shall equal the loss of  
59 the entire finger or thumb.

60 "(8) For the loss of a great toe, weekly compensation during forty  
61 (40) weeks but not to exceed a total of one thousand four hundred  
62 eighty dollars (\$1,480.00).

63 "(9) For the loss of one of the toes other than the great toe  
64 weekly compensation during fifteen (15) weeks but not to exceed a  
65 total of five hundred sixty dollars (\$560.00).

66 "(10) The loss of the first phalange of any toe shall equal the loss  
67 of one-half of such toe and the weekly compensation shall be paid  
68 during one-half of the time but not to exceed one-half of the total  
69 amount provided for the loss of such toe.

70 "(11) The loss of more than one phalange shall equal the loss of  
71 the entire toe.

72 "(12) For the loss of a hand, weekly compensation during one  
73 hundred seventy-five (175) weeks but not to exceed a total of six  
74 thousand five hundred dollars (\$6,500.00).

- 75       “(13) The loss of two-thirds of that part of an arm between the  
76 shoulder joint and the elbow joint shall equal the loss of an arm and  
77 the compensation therefor shall be weekly compensation during two  
78 hundred thirty (230) weeks but not to exceed a total of eight thou-  
79 sand five hundred dollars (\$8,500.00).
- 80       “(14) For the loss of a foot, weekly compensation during one  
81 hundred fifty (150) weeks but not to exceed a total of five thousand  
82 five hundred twenty dollars (\$5,520.00).
- 83       “(15) The loss of two-thirds of that part of a leg between the  
84 hip joint and the knee joint shall equal the loss of a leg, and the  
85 compensation therefor shall be weekly compensation during two  
86 hundred (200) weeks but not to exceed a total of seven thousand  
87 three hundred sixty dollars (\$7,360.00).
- 88       “(16) For the loss of an eye, weekly compensation during one  
89 hundred twenty-five (125) weeks but not to exceed a total of four  
90 thousand six hundred dollars (\$4,600.00).
- 91       “(17) For the loss of an eye, the other eye having been lost prior  
92 to the injury, weekly compensation during two hundred (200) weeks  
93 but not to exceed a total of seven thousand three hundred sixty dol-  
94 lars (\$7,360.00).
- 95       “(18) For the loss of hearing in one ear, weekly compensation  
96 during fifty (50) weeks but not to exceed a total of one thousand  
97 eight hundred fifty dollars (\$1,850.00), and for the loss of hearing  
98 in both ears, weekly compensation during one hundred seventy-five  
99 (175) weeks but not to exceed a total of six thousand five hundred  
100 dollars (\$6,500.00).
- 101       “(19) The loss of both arms, or both hands, or both feet, or both  
102 legs, or both eyes, or any two thereof, caused by a single accident,  
103 shall equal a permanent total disability, and shall be compensated  
104 as such but not to exceed a total of eighteen thousand five hundred  
105 dollars (\$18,500.00).
- 106       “(20) For permanent disfigurement of the face or head which  
107 shall impair the future usefulness and earnings of the employee in  
108 his occupation at the time of receiving the injury, weekly compen-  
109 sation, for such period as may be determined by the industrial com-  
110 missioner according to the severity of the disfigurement, but not to  
111 exceed one hundred fifty (150) weeks and in no event to exceed a  
112 total of five thousand one hundred dollars (\$5,100.00).
- 113       “(21) In all cases of permanent partial disability other than those  
114 hereinabove described or referred to in subparagraphs (1) through  
115 (20) hereof, the compensation shall be paid during the number of  
116 weeks in relation to five hundred (500) weeks as the disability bears  
117 to the body of the injured employee as a whole, but not to exceed  
118 a total amount equal to the same percentage proportion of eighteen  
119 thousand five hundred dollars (\$18,500.00).
- 120       “If it is determined that an injury has produced a disability less  
121 than that specifically described in said schedule, compensation shall  
122 be paid during the lesser number of weeks of disability determined,  
123 as will not exceed a total amount equal to the same percentage pro-  
124 portion of said scheduled maximum compensation.
- 125       “In no case shall the weekly compensation payments exceed the

126 amount determined by dividing the total number of weeks into the  
127 maximum total compensation stated herein.

128 "c. Permanent total disability. Compensation for an injury caus-  
129 ing permanent total disability shall be upon the basis of sixty-six  
130 and two thirds per cent ( $66\frac{2}{3}\%$ ) per week of the employee's average  
131 weekly earnings, but not less than eighteen dollars (\$18.00) per  
132 week, except if at the time of his injury his earnings are less than  
133 eighteen dollars (\$18.00) per week, then the weekly compensation  
134 shall be a sum equal to the full amount of his weekly earnings; said  
135 weekly compensation shall be payable during the period of his dis-  
136 ability for a period of time not to exceed five hundred (500) weeks,  
137 but in no event shall the total of said weekly compensation payments  
138 exceed eighteen thousand five hundred dollars (\$18,500.00).

139 "In no case shall the weekly compensation payments exceed the  
140 amount determined by dividing the total number of weeks into the  
141 maximum total compensation stated herein. Such compensation  
142 shall be in addition to the benefits provided in sections eighty-five  
143 point twenty-seven (85.27) and eighty-five point twenty-eight  
144 (85.28) of the Code. No compensation shall be payable under this  
145 paragraph for any injury for which compensation is payable under  
146 paragraph "b" of this section. In the event compensation has been  
147 paid to any person under any provision of this chapter or chapter  
148 eighty-five A (85A) of the Code, for the same injury producing a  
149 total permanent disability, any such amounts so paid shall be de-  
150 ducted from the total amount of compensation payable for such  
151 permanent total disability."

1 SEC. 7. Section eighty-five point thirty-seven (85.37), Code 1958,  
2 is repealed and the following is enacted in lieu thereof:

3 "In all cases where an employee receives a personal injury causing  
4 temporary disability, or causing a permanent partial disability for  
5 which compensation is payable during a healing period, compensa-  
6 tion for such temporary disability or for such healing period shall  
7 be upon the following basis:

8 Forty-four dollars (\$44.00) per week for an employee who has  
9 four (4) or more children;

10 Forty-one dollars (\$41.00) per week for an employee who has  
11 three (3) children;

12 Thirty-eight dollars (\$38.00) per week for an employee who has  
13 two (2) children;

14 Thirty-five dollars (\$35.00) per week for an employee who has one  
15 (1) child;

16 Thirty-two dollars (\$32.00) per week for an employee who has no  
17 children;

18 provided, however, that the total weekly compensation for any em-  
19 ployee shall not exceed sixty-six and two-thirds per cent ( $66\frac{2}{3}\%$ )  
20 per week of the employee's average weekly earnings; provided fur-  
21 ther, that such compensation shall not be less than eighteen dollars  
22 (\$18.00) per week, except if at the time of his injury his earnings  
23 are less than eighteen dollars (\$18.00) per week, then he shall  
24 receive in weekly payments a sum equal to the full amount of his  
25 weekly earnings.

26 "Such compensation shall be in addition to the benefits provided

27 by sections eighty-five point twenty-seven (85.27) and eighty-five  
28 point twenty-eight (85.28) of the Code.

29 "The words 'child' or 'children' as used herein shall mean and be  
30 defined as in subsection two (2) of section eighty-five point forty-  
31 two (85.42) of the Code as amended by section nine (9) of this Act."

1 SEC. 8. Section eighty-five point thirty-nine (85.39), Code 1958,  
2 is amended by inserting after the period in line eleven (11) the fol-  
3 lowing:

4 "Whenever an employee is required to leave his work for which he  
5 is being paid wages to attend upon such requested examination, he  
6 shall be compensated at his regular rate for the time he shall have  
7 lost by reason thereof, and he shall be furnished transportation to  
8 and from the place of examination, or the employer may elect to  
9 pay him the reasonable cost of such transportation."

1 SEC. 9. Section eighty-five point forty-two (85.42), Code 1958, is  
2 amended as follows:

3 1. Strike all of the last sentence from subsection two (2) and  
4 insert in lieu thereof the following:

5 "An adopted child or children shall be regarded the same as issue  
6 of the body. A child or children, as used herein, shall also include  
7 any child or children conceived but not born at the time of the em-  
8 ployee's injury, and any compensation payable on account of any  
9 such child or children shall be paid from the date of their birth. A  
10 stepchild or stepchildren shall be regarded the same as issue of the  
11 body only when the stepparent has actually provided the principal  
12 support for such child or children."

13 2. Change the period in line four (4) of subsection three (3) to  
14 a comma and insert immediately thereafter the following: "only  
15 when the stepparent has actually provided the principal support for  
16 a stepchild."

1 SEC. 10. Section eighty-five point sixty-one (85.61), Code 1958,  
2 is hereby amended as follows:

3 Insert after the word "officers" in line seven (7) of paragraph c  
4 in subsection three (3) a period and strike therefrom the following  
5 words: "except when acting as peace officers performing law en-  
6 forcement duties referred to in section 85.62."

Approved May 6, 1959.

## CHAPTER 104

### WORKMEN'S COMPENSATION

S. F. 428

AN ACT to amend subsection one (1) of section eighty-five point twenty-two (85.22), Code 1958, relating to workman's compensation.

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

1 SECTION 1. Amend subsection one (1) of section eighty-five point  
2 twenty-two (85.22), Code 1958, by inserting after the second "comma



3 (,) in line seven (7) thereof the following: "except for such attor-  
 4 ney fees as may be allowed, by the district court, to the injured  
 5 employee's or his personal representative's attorney,".

Approved April 28, 1959.

## CHAPTER 105

### OCCUPATIONAL DISEASES

H. F. 721

AN ACT to amend chapter eighty-five A (85A), Code 1958, by adding a new occupational disease of radiation injuries.

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

1 SECTION 1. Section eighty-five A point nine (85A.9), Code 1958,  
 2 is amended by adding at the end thereof the following subsection:  
 3 "17. Disability due to overex- 17. Any process involving the  
 4 posure to radiation from use of or direct contact with  
 5 radioactive materials (in- radium, radioisotopes, Roent-  
 6 cludes radium) and ma- gen rays (X-rays), or other  
 7 chine-produced ionizing ionizing radiation."  
 8 radiations (includes X-  
 9 ray machines).

1 SEC. 2. Section eighty-five A point twelve (85A.12), Code 1958,  
 2 is amended by adding thereto the following paragraph:  
 3 "In any case where disablement or death was caused by latent or  
 4 delayed pathological conditions, blood, and/or other tissue changes or  
 5 malignancies due to occupational exposure to X-rays, radium, radio-  
 6 active substances or machines, or ionizing radiation, the employer  
 7 shall not be liable for any compensation unless such disablement or  
 8 death results within two (2) years from the last day of injurious  
 9 occupational exposure to conditions causing the disease, and claim is  
 10 filed within ninety (90) days after such disablement or death or after  
 11 the employee had knowledge or in the exercise of reasonable diligence  
 12 should have known of his disablement caused by over-exposure to  
 13 ionizing radiation or radioactive substances, and its relation to em-  
 14 ployment."

Approved April 29, 1959.

## CHAPTER 106

### BOILER INSPECTION

S. F. 316

AN ACT to amend chapter eighty-nine (89), Code 1958, relating to boiler inspection.

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

1 SECTION 1. Section eighty-nine point one (89.1), Code 1958, is  
 2 hereby amended by striking all of such section after the word,

3 "inspector." in line twenty-four (24) and inserting in lieu thereof  
 4 the following: "The person so appointed shall be a practical boiler-  
 5 maker or a licensed engineer and shall be qualified by not less than  
 6 five (5) years experience in the construction, installation, repair and  
 7 inspection of boilers, steam generators and superheaters, with knowl-  
 8 edge of their operation and use for the generating of steam for  
 9 power, heating or other purposes, and shall neither directly or in-  
 10 directly be interested in the manufacture, ownership or agency of the  
 11 same."

1 SEC. 2. Section eighty-nine point three (89.3), Code 1958, is  
 2 hereby amended by adding at the end of said section the following  
 3 new paragraph:

4 "All high pressure boilers that are converted to low pressure boil-  
 5 ers shall have a fifteen (15) pound safety valve installed and be ap-  
 6 proved by a commissioned inspector from the Bureau of Labor not  
 7 later than thirty (30) days after the expiration date of the certifi-  
 8 cate for said boiler."

1 SEC. 3. Section eighty-nine point six (89.6), Code 1958, is hereby  
 2 amended by striking all of lines one (1) to sixteen (16) inclusive and  
 3 inserting in lieu thereof the following:

4 "1. The inspection required by this chapter shall not be made by  
 5 the state boiler inspector where any owner or user of any equip-  
 6 ment specified by this chapter obtains an inspection by a representa-  
 7 tive of reputable insurance company and obtains a policy of insur-  
 8 ance from said company upon said equipment.

9 "The insurance company shall file a certificate of inspection on  
 10 forms approved by the commissioner of labor stating that such  
 11 equipment is insured and that inspection shall be made in accord-  
 12 ance with section eighty-nine point two (89.2). Upon such showing  
 13 and the payment of a fee of one (1) dollar the commissioner of labor  
 14 shall issue a certificate of inspection by the bureau of labor which  
 15 shall be valid only for the period specified in section eighty-nine point  
 16 two (89.2)."

1 SEC. 4. Section eighty-nine point seven (89.7), Code 1958, is  
 2 hereby amended as follows:

- 3 1. Strike from line three (3) of subsection one (1) the word,  
 4 "three" and insert in lieu thereof the word, "five (5)".
- 5 2. Strike from line three (3) of subsection one (1) the word,  
 6 "two" and insert in lieu thereof the word, "three (3)".
- 7 3. Strike from line three (3) of subsection two (2) the word,  
 8 "four" and insert in lieu thereof the word, "six (6)".
- 9 4. Strike from line four (4) of subsection two (2) the word,  
 10 "three" and insert in lieu thereof the word, "four (4)".
- 11 5. Strike from line three (3) of subsection three (3) the word,  
 12 "five", and insert in lieu thereof the word, "seven (7)".
- 13 6. Strike from line four (4) of subsection three (3) the word,  
 14 "four" and insert in lieu thereof the word, "five (5)".
- 15 7. Strike from line three (3) of subsection four (4) the word,  
 16 "seven" and insert in lieu thereof the word, "nine (9)".
- 17 8. Strike from line four (4) of subsection four (4) the word,  
 18 "five" and insert in lieu thereof the word, "six (6)".

19 9. Strike from lines one (1) to four (4) inclusive of subsection  
 20 five (5) the following: "and all other reservoirs, fired or unfired,  
 21 having pressures in excess of one hundred fifty pounds per square  
 22 inch, four (4) dollars." and inserting in lieu thereof the following:  
 23 ", sterilizers and all other reservoirs fired or unfired having a working  
 24 pressure in excess of fifteen (15) pounds per square inch, shall be  
 25 charged for the first piece of equipment as follows: fifteen (15)  
 26 pounds to seventy (70) pounds per square inch inclusive, five (5)  
 27 dollars; seventy-one (71) pounds to one hundred fifty (150) pounds  
 28 per square inch inclusive, six (6) dollars; one hundred fifty-one  
 29 (151) pounds to four hundred fifty (450) pounds per square inch  
 30 inclusive, seven (7) dollars. Additional equipment shall be charged  
 31 for at the same rate as boilers."

1 SEC. 5. Chapter eighty-nine (89), Code 1958, is hereby amended  
 2 by adding thereto the following sections:

3 1. "A pressure vessel in which steam is generated by the applica-  
 4 tion of heat resulting from the combustion of solid, liquid or gaseous  
 5 fuel shall be classed as a fired steam boiler."

6 2. "Any steam boiler or steam vessel in which steam may be gen-  
 7 erated or transferred, but one in which the heat resulting from com-  
 8 bustion of solid, liquid or gaseous fuel is not applied directly to the  
 9 boiler or vessel shall be classified as an unfired steam vessel."

Approved May 5, 1959.

## CHAPTER 107

### FIRE DEPARTMENT EMPLOYEES

#### H. F. 139

AN ACT to provide for the arbitration of differences between cities and associations of fire department employees.

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

1 SECTION 1. When any dispute arises between a city having a pop-  
 2 ulation of ten thousand (10,000) or more, or a city under civil service  
 3 of whatever population, and any city-recognized association of em-  
 4 ployees of the paid fire department of such city, and the parties are  
 5 unable to adjust the dispute, either or both parties may make written  
 6 application to a judge of the district court of the county in which the  
 7 dispute arises for the appointment of a board of arbitration and con-  
 8 ciliation, to which board such dispute may be referred under the pro-  
 9 visions of this chapter.

1 SEC. 2. The judge shall, within ten (10) days after application is  
 2 made to him as provided, notify the parties to the dispute of the ap-  
 3 plication for the appointment of a board of arbitration and concilia-  
 4 tion, and shall request each party to recommend within ten (10) days  
 5 from the date of receipt of notice, the name of a person who has no  
 6 direct interest in the dispute and is willing and ready to act as a  
 7 member of the board.

1     **SEC. 3.** Should either of the parties fail or neglect to make any  
2 recommendation within the ten (10) day period, or if the person  
3 recommended fails or refuses to act, the judge shall, as soon there-  
4 after as possible, appoint a person who meets the qualifications pro-  
5 vided in section two (2) of this Act. Such person shall be deemed to  
6 be appointed on the recommendation of the party in default.

1     **SEC. 4.** The parties to the dispute and the members of the board  
2 so appointed shall, within five (5) days of the appointment, recom-  
3 mend to the judge the name of an additional person who is willing  
4 and ready to act as the third (3rd) member of the board. The person  
5 recommended shall meet the qualifications provided in section two (2)  
6 of this Act. If the recommendation is not made within the period, or  
7 if the person recommended refuses or fails to act, the judge shall as  
8 soon thereafter as possible appoint a qualified person to act as the  
9 third (3rd) member of the board.

1     **SEC. 5.** Each member of the board shall, before entering upon the  
2 duties of his office, be sworn to a faithful and impartial discharge  
3 thereof. The board shall organize at once by the choice of one (1) of  
4 their number as chairman, and one (1) of their number as secretary,  
5 and shall have the power to employ all clerks and stenographers neces-  
6 sary to properly carry out the duties of their appointment.

1     **SEC. 6.** Each party to the dispute shall assume its own costs of  
2 the arbitration proceedings and shall share equally the costs of the  
3 third (3rd) member as well as the general expenses of the board of  
4 arbitration and conciliation.

1     **SEC. 7.** For the purpose of this inquiry the board shall have all  
2 the powers vested in the district court in civil cases which the board  
3 deems necessary to a full investigation of the dispute, including but  
4 not limited to the power to summon and enforce the attendance of  
5 witnesses, to administer oaths and to require witnesses to give evi-  
6 dence and produce books and papers. Any member of the board may  
7 administer oaths.

1     **SEC. 8.** A subpoena or any notice may be delivered or sent to any  
2 sheriff, or any police officer who shall forthwith serve it and make due  
3 return thereof according to direction. Every person who is sum-  
4 moned by an arbitration board and who duly attends as a witness,  
5 except witnesses summoned at the request of a party, shall be en-  
6 titled to an allowance for expenses determined in accordance with the  
7 scale in effect at the time with respect to witnesses in the district  
8 court in civil cases, and the allowance paid shall be a part of the gen-  
9 eral expenses of the arbitration board. The board shall have the same  
10 power and authority to maintain and enforce order at the hearings  
11 and obedience to its writs of subpoena as is by law conferred upon the  
12 district court for like purposes.

1     **SEC. 9.** The board shall as soon as practical visit the place where  
2 the dispute exists and make careful inquiry into its cause. The board  
3 shall hear all interested persons who come before it and advise the  
4 respective parties concerning courses of action to adjust the dispute,  
5 and shall put in writing its findings and recommendations. A copy of

6 such report shall be filed by the board secretary in the office of the  
7 clerk of the city or town in which the dispute arose and shall be open  
8 for public inspection. All hearings shall be open to the public and  
9 press.

1 SEC. 10. The board of arbitration and conciliation shall within  
2 twenty (20) days from the date of their appointment, unless such  
3 time shall be extended by the judge, complete the investigation of any  
4 dispute submitted to them.

1 SEC. 11. Within five (5) days after the completion of the investi-  
2 gation, unless the time is extended by the judge for good cause shown,  
3 the board or a majority thereof shall render a decision, stating such  
4 details as will clearly show the nature of the controversy and the point  
5 disposed of by them, and make a written report to the judge of their  
6 findings of fact and of their recommendation to each party to the con-  
7 troversy.

1 SEC. 12. Every decision and report shall be filed in the office of  
2 the clerk of the district court of the county in which the dispute arose,  
3 and a copy served upon each party to the controversy, and a copy fur-  
4 nished to the labor commissioner for publication in the report of the  
5 commissioner, who shall cause such decision and report to be published  
6 in at least one (1) newspaper in the city or town in which the dispute  
7 arose. All evidence taken and exhibits and documents offered shall be  
8 carefully preserved and at the close of the investigation shall be filed  
9 in the office of the clerk of the district court.

1 SEC. 13. A decision or report shall be advisory only and shall not  
2 be binding on either party.

Approved March 18, 1959.

## CHAPTER 108

### EMPLOYMENT SECURITY BUILDING

H. F. 519

AN ACT to amend chapter ninety-six (96), Code 1958, to enable the employment security commission to acquire lands and buildings for employment security administrative purposes with funds allocated to the state of Iowa by the United States.

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

1 SECTION 1. Chapter ninety-six (96), Code 1958, is amended by  
2 adding thereto the following:

3 1. The employment security commission may, subject to the ap-  
4 proval of the executive council of the state, acquire for and in the  
5 name of the state of Iowa by purchase, or by rental purchase agree-  
6 ment, such lands and buildings upon such terms and conditions as  
7 may entitle this state to grants or credits of funds under the Social  
8 Security Act or the Wagner-Peyser Act to be applied against the cost  
9 of such property, for the purpose of providing office space for the  
10 employment security commission at such places as the commission  
11 finds necessary and suitable.

12 2. The employment security commission is authorized to accept,  
 13 receive, and receipt for all moneys received from the United States  
 14 for the payments authorized by this section for lands and buildings  
 15 and to comply with any rules and regulations made under the Social  
 16 Security Act or the Wagner-Peyser Act.

17 3. An agreement made for the purchase or other acquisition of the  
 18 premises mentioned in subsection one (1) of this section with funds  
 19 granted or credited to this state for such purpose under the Social  
 20 Security Act or the Wagner-Peyser Act shall be subject to the ap-  
 21 proval of the attorney general of the state of Iowa as to form and as  
 22 to title thereto.

23 4. All moneys received from the United States for the payments  
 24 authorized by this section for lands and buildings shall be deposited  
 25 in the employment security administration fund in the state treasury  
 26 and are appropriated therefrom for the purposes of this chapter.

Approved May 15, 1959.

## CHAPTER 109

### EMPLOYMENT SECURITY

S. F. 474

AN ACT to amend section ninety-six point seven (96.7), Code 1958, to provide that charge-back statements must be furnished employers within forty (40) days, rather than within twenty (20) days after the close of a calendar quarter.

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

1 SECTION 1. Section ninety-six point seven (96.7), subsection  
 2 three (3), paragraph "a," subparagraph six (6), Code 1958, is  
 3 amended by striking the word "twenty" in line three (3) and insert-  
 4 ing in lieu thereof the word "forty (40)".

Approved May 5, 1959.

## CHAPTER 110

### EMPLOYMENT SECURITY CONTRIBUTIONS

S. F. 483

AN ACT to amend section ninety-six point seven (96.7), Code 1958, in order to increase the period within which employers may make voluntary employment security contributions.

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

1 SECTION 1. Section ninety-six point seven (96.7), Code 1958, is  
 2 hereby amended by striking from subsection three (3), paragraph  
 3 "a," subparagraph seven (7), lines seven (7) and eight (8), the  
 4 words "thirty days" and inserting in lieu thereof the words "the next  
 5 December thirty-first (31st)."

Approved May 6, 1959.

## CHAPTER 111

## EMPLOYMENT SECURITY FUND

H. F. 518

AN ACT to amend chapter ninety-six (96), Code 1958, to enable the Iowa employment security commission to use, for administrative purposes, including the acquisition of real estate, moneys credited to the account of the state of Iowa in the unemployment trust fund pursuant to section nine hundred three (903) of the social security Act.

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

1 SECTION 1. Section ninety-six point nine (96.9), subsection one  
2 (1), paragraph *d*, Code 1958, is hereby amended by substituting a  
3 period for the comma after the word "fund" in line three (3) and  
4 deleting the word "and".

1 SEC. 2. Section ninety-six point nine (96.9), subsection one (1),  
2 paragraph *e*, Code 1958, is hereby amended by striking the entire  
3 paragraph and substituting the following therefor: "All earnings  
4 of such property or securities, and".

1 SEC. 3. Section ninety-six point nine (96.9), subsection one (1),  
2 Code 1958, is hereby amended by adding the following new para-  
3 graph:

4 "*f*. All money credited to this state's account in the unemployment  
5 trust fund pursuant to section nine hundred three (903) of the Social  
6 Security Act. All moneys in the unemployment compensation fund  
7 shall be mingled and undivided."

1 SEC. 4. Section ninety-six point nine (96.9), subsection two (2),  
2 paragraph *c*, Code 1958, is hereby amended by striking the period  
3 after the word "fund" in line twenty-two (22) of said paragraph  
4 and inserting in lieu thereof the following: "for the payment of  
5 benefits."

1 SEC. 5. Section ninety-six point nine (96.9), subsection three (3),  
2 Code 1958, is hereby amended by striking the period after the word  
3 "commission" in line five (5) and inserting in lieu thereof the follow-  
4 ing: ", except that money credited to this state's account pursuant  
5 to section nine hundred three (903) of the Social Security Act may,  
6 subject to the conditions prescribed in subsection four (4) of this  
7 section, be used for the payment of expenses incurred for the admin-  
8 istration of this chapter."

1 SEC. 6. Section ninety-six point nine (96.9), subsection four (4),  
2 Code 1958, is hereby amended as follows:

3 1. By renumbering said subsection four (4) as subsection six (6).

4 2. By adding a new subsection four (4) to read as follows:

5 "4. Money credited under section nine hundred three (903) of the  
6 Social Security Act.

7 *a*. Money credited to the account of this state in the unemploy-  
8 ment trust fund by the secretary of the treasury of the United States  
9 pursuant to section nine hundred three (903) of the Social Security  
10 Act may not be requisitioned from this state's account or used except  
11 for the payment of benefits and for the payment of expenses incurred

12 for the administration of this chapter. Such money may be requisitioned pursuant to subsection three (3) of this section for the payment of benefits. Such money may also be requisitioned and used for the payment of expenses incurred for the administration of this chapter but only pursuant to a specific appropriation by the legislature and only if the expenses are incurred and the money is requisitioned after the enactment of an appropriation law which (1) specifies the purposes for which such money is appropriated and the amounts appropriated therefor, (2) limits the period within which such money may be obligated to a period ending not more than two years after the date of the enactment of the appropriation law, and (3) limits the amount which may be obligated during a twelve-month period beginning on July 1 and ending on the next June 30 to an amount which does not exceed the amount by which (i) the aggregate of the amounts credited to the account of this state pursuant to section nine hundred three (903) of the Social Security Act during the same twelve-month period and the four preceding twelve-month periods, exceeds (ii) the aggregate of the amounts obligated for administration and paid out for benefits and charged against the amounts credited to the account of this state during such five twelve-month periods.

33 b. Amounts credited to this state's account in the unemployment trust fund under section nine hundred three (903) of the Social Security Act which are obligated for administration or paid out for benefits shall be charged against equivalent amounts which were first credited and which are not already so charged; except that no amount obligated for administration during a twelve-month period specified herein may be charged against any amount credited during such a twelve-month period earlier than the fourth preceding such period.

41 c. Money requisitioned as provided herein for the payment of expenses of administration shall be deposited in the employment security administration fund, but, until expended, shall remain a part of the unemployment compensation fund. The treasurer of state shall maintain a separate record of the deposit, obligation, expenditure and return of funds so deposited. Any money so deposited which either will not be obligated within the period specified by the appropriation law or remains unobligated at the end of the period, and any money which has been obligated within the period but will not be expended, shall be returned promptly to the account of this state in the unemployment trust fund."

1 SEC. 7. Section ninety-six point nine (96.9), subsection five (5),  
2 Code 1958, is hereby amended as follows:

3 1. By renumbering said subsection five (5) as subsection seven  
4 (7).

5 2. By adding a new subsection five (5) to read as follows:

6 "Any amount credited to this state's account in the unemployment  
7 trust fund under section nine hundred three (903) of the Social Security Act which has been appropriated for expenses of administration pursuant to section ninety-six point nine (96.9) subsection four (4) of this chapter, whether or not withdrawn from such account, shall not be deemed assets of the unemployment compensation fund for the purpose of computing contribution rates under section ninety-six point seven (96.7), subsection three (3), of this chapter."



1 SEC. 8. Section ninety-six point nine (96.9), subsection six (6),  
 2 Code 1958, is hereby amended by renumbering said subsection six  
 3 (6) as subsection eight (8).

1 SEC. 9. Section ninety-six point thirteen (96.13), subsection one  
 2 (1), Code 1958, is hereby amended as follows:

3 1. Insert in line seven (7) after the word "fund" the following:  
 4 " , except money received pursuant to subsection four (4) of section  
 5 ninety-six point nine (96.9) of this chapter,".

6 2. Strike from lines twelve (12) and thirteen (13) the words  
 7 "social security board" and insert in lieu thereof the words "secre-  
 8 tary of labor."

9 3. Strike from lines seventeen (17) and eighteen (18) the words  
 10 "social security board" and insert in lieu thereof the words "depart-  
 11 ment of labor."

12 4. Add the following sentence at the end of said subsection one  
 13 (1):

14 "Notwithstanding any provision of this section, all money requi-  
 15 sitioned and deposited in this fund pursuant to paragraph c of sub-  
 16 section four (4) of section ninety-six point nine (96.9) of this chap-  
 17 ter shall remain part of the unemployment compensation fund and  
 18 shall be used only in accordance with the conditions specified in said  
 19 subsection four (4) of section nine (9)."

Approved May 15, 1959.

## CHAPTER 112

### EMPLOYMENT SECURITY

#### S. F. 420

AN ACT to amend chapter ninety-six (96), Code 1958, relating to employment security and the determination and payment of unemployment compensation benefits, so as to provide for increased weekly benefits up to a maximum of forty-four dollars (\$44.00) per week taking into consideration family status and number of dependents, and up to twenty-six (26) weeks duration; also relating to eligibility, qualification and disqualification for benefits, and to the relaxation and liberalization of certain disqualification provisions.

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

1 SECTION 1. Section ninety-six point three (96.3), Code 1958, is  
 2 amended as follows:

3 1. Strike from line six (6) of subsection three (3), the word  
 4 "three" and insert in lieu thereof the word "six".

5 2. Strike subsection four (4) and substitute in lieu thereof the  
 6 following:

7 "4. Determination of benefits. The weekly benefit amount pay-  
 8 able to any individual shall be the amount appearing in the fol-  
 9 lowing schedule in column A opposite the wage bracket in column B  
 10 stating the total wages for insured work paid to such individual dur-  
 11 ing the calendar quarter of his base period in which such total wages  
 12 were the highest:

	A	B
13	Weekly Benefit Amount	High Quarter Wages
14	\$44.00	\$1072.51 and over
15	43.00	1037.51 \$1072.50
16	42.00	1002.51 1037.50
17	41.00	967.51 1002.50
18	40.00	932.51 967.50
19	39.00	897.51 932.50
20	38.00	862.51 897.50
21	37.00	827.51 862.50
22	36.00	792.51 827.50
23	35.00	757.51 792.50
24	34.00	722.51 757.50
25	33.00	687.51 722.50
26	32.00	652.51 687.50
27	31.00	617.51 652.50
28	30.00	590.01 617.50
29	29.00	570.01 590.00
30	28.00	550.01 570.00
31	27.00	530.01 550.00
32	26.00	510.01 530.00
33	25.00	490.01 510.00
34	24.00	470.01 490.00
35	23.00	450.01 470.00
36	22.00	430.01 450.00
37	21.00	410.01 430.00
38	20.00	390.01 410.00
39	19.00	370.01 390.00
40	18.00	350.01 370.00
41	17.00	330.01 350.00
42	16.00	310.01 330.00
43	15.00	290.01 310.00
44	14.00	270.01 290.00
45	13.00	250.01 270.00
46	12.00	230.01 250.00
47	11.00	210.01 230.00
48	10.00	100.00 210.00

50 Provided, however, that the weekly benefit amount payable to any  
51 individual for any one (1) week shall not exceed:

52 Forty-four dollars (\$44.00) if the individual has no spouse or a  
53 nonworking spouse and four (4) or more children;

54 Forty dollars (\$40.00) if the individual has no spouse or a non-  
55 working spouse and three (3) children;

56 Thirty-seven dollars (\$37.00) if the individual has no spouse or a  
57 nonworking spouse and two (2) children;

58 Thirty-four dollars (\$34.00) if the individual has no spouse or a  
59 nonworking spouse and one (1) child;

60 Thirty-two dollars (\$32.00) if the individual has a nonworking  
61 spouse and no children;

62 Thirty-nine dollars (\$39.00) if the individual has a working spouse  
63 and four (4) or more children;

64 Thirty-six dollars (\$36.00) if the individual has a working spouse  
65 and three (3) children;

66 Thirty-four dollars (\$34.00) if the individual has a working spouse  
67 and two (2) children;

68 Thirty-two dollars (\$32.00) if the individual has a working spouse  
69 and one (1) child;

70 Thirty dollars (\$30.00) if the individual is not married or is mar-  
71 ried and has a working spouse and no children.

72 For the purposes of this subsection the term 'child' means a nat-  
73 ural child, stepchild or adopted child under eighteen (18) years of  
74 age, and over said age if physically or mentally incapacitated, of the  
75 individual who is providing, and for at least ninety (90) consecutive  
76 days (or for the duration of the parental relationship if it has ex-  
77 isted for less than ninety (90) days) immediately preceding the  
78 beginning date of such individual's benefit year has provided more  
79 than one-half ( $\frac{1}{2}$ ) of the cost of supporting such child; provided,  
80 that no person who has been determined to be a child of one (1)  
81 individual at the beginning date of such individual's benefit year  
82 shall be deemed to be a child of any other individual whose benefit  
83 year starts within one (1) year thereafter.

84 For the purposes of this subsection, the term 'nonworking spouse'  
85 means the lawful husband or wife of an individual claiming benefits  
86 under this chapter, for whom more than one-half ( $\frac{1}{2}$ ) the cost of  
87 support has been supplied by such individual for at least ninety (90)  
88 consecutive days (or for the duration of the marital relationship if  
89 it has existed for less than ninety (90) days) immediately preceding  
90 the beginning of such individual's current benefit year, and who has  
91 no earnings in excess of thirty dollars (\$30.00) per week, but only  
92 if such husband or wife is currently ineligible to receive benefits  
93 under this chapter by reason of such spouse's failure to meet the  
94 requirement set forth in subsection five (5) of section ninety-six  
95 point four (96.4) as amended.

96 For the purposes of this subsection the term 'working spouse'  
97 means the lawful husband or wife of an individual claiming benefits  
98 under this chapter who earns in excess of thirty dollars (\$30.00) per  
99 week, or who meets the requirements of subsection five (5) of section  
100 ninety-six point four (96.4) as amended.

101 An individual who is legally obligated to provide for the support  
102 of a child or of a nonworking spouse for said period of ninety (90)  
103 consecutive days, but was prevented from doing so by illness or in-  
104 jury when such reason is certified to the employer and the commis-  
105 sion by a licensed and practicing physician, shall be deemed to have  
106 provided more than one-half ( $\frac{1}{2}$ ) of the cost of supporting such  
107 child or nonworking spouse for such period.

108 The family class to which an individual is assigned shall be deter-  
109 mined as of the day with respect to which he first files a valid claim  
110 for benefits in any benefit year, and shall be fixed for the duration of  
111 such benefit year. The individual's statements with respect to his  
112 family status, made in connection with the filing of such claim for  
113 benefits, shall be accepted as establishing a prima facie showing  
114 thereof, subject, however, to the penalties for fraud or false repre-  
115 sentation provided in this chapter."

116 3. Strike subsection five (5) and substitute in lieu thereof the fol-  
117 lowing:

118 "5. Duration of benefits. The maximum total amount of benefits

119 payable to any eligible individual during any benefit year shall not  
 120 exceed the total of the wage credits accrued to his account during  
 121 his base period, or twenty-six (26) times his weekly benefit amount,  
 122 whichever is the lesser. The commission shall maintain a separate  
 123 account for each individual who earns wages in insured work. The  
 124 commission shall compute wage credits for each individual by cred-  
 125 iting his account with one-third ( $\frac{1}{3}$ ) of the wages for insured work  
 126 paid him during each calendar quarter of his base period, or his  
 127 weekly benefit amount multiplied by seven point two (7.2) per quar-  
 128 ter, whichever is the lesser. Benefits paid to an eligible individual  
 129 shall be charged against the base period wage credits in his account  
 130 which have not been previously charged hereunder, in the same  
 131 chronological order as the wages on which such wage credits are  
 132 based were paid."

1 SEC. 2. Section ninety-six point four (96.4), Code 1958, is  
 2 amended as follows:

3 1. Strike subsection three (3) and substitute in lieu thereof the  
 4 following:

5 "3. He is able to work, is available for work, and is earnestly and  
 6 actively seeking work."

7 2. Strike subsection five (5) and substitute in lieu thereof the  
 8 following:

9 "5. He has been paid wages for insured work of not less than two  
 10 hundred dollars (\$200.00) in that calendar quarter in his base period  
 11 in which his wages were the highest, and also he has been paid wages  
 12 for insured work of not less than one hundred dollars (\$100.00) in  
 13 a calendar quarter in his base period other than the calendar quarter  
 14 in which his wages were the highest; and provided further if he has  
 15 drawn benefits in any benefit year, he must during or subsequent to  
 16 that year, be paid wages in insured work totaling one hundred dollars  
 17 (\$100.00) as a condition to receive benefits in the next benefit year."

1 SEC. 3. Section ninety-six point five (96.5), Code 1958, is amended  
 2 as follows:

3 1. Strike from line five (5) of paragraph "a" of subsection one  
 4 (1), the word "twelve" and insert in lieu thereof the word "six".

5 2. Change the period (.) at the end of paragraph "b" of subsec-  
 6 tion one (1) to a comma (,) and add thereafter the following:  
 7 "provided, however, if such temporary employment proves to be  
 8 unsuitable, (if so found by the commission), he shall forfeit only  
 9 the credits he may have earned in said unsuitable employment."

10 3. Add at the end of subsection one (1) the following paragraphs:

11 "d. He left his employment because of illness or injury upon the  
 12 advice of a licensed and practicing physician, and upon knowledge  
 13 of the necessity for such absence immediately notified his employer,  
 14 or his employer consented to such absence, and after recovering  
 15 from such illness or injury when recovery is certified by a licensed  
 16 and practicing physician, he returned to his employer and offered his  
 17 service and his regular work or comparable suitable work was not  
 18 available, if so found by the commission, provided he is otherwise  
 19 eligible.

20 e. He left his employment upon the advice of a licensed and prac-  
 21 ticing physician, for the sole purpose of taking a member of his fam-

22 ily to a place having a different climate, during which time he shall  
23 be deemed unavailable for work, and notwithstanding during such  
24 absence he secures temporary employment, and returned to his regu-  
25 lar employer and offered his services and his regular work or com-  
26 parable work was not available, provided he is otherwise eligible.

27 f. He is the principal support of his family, or is a widow, wid-  
28 ower, legally separated from his spouse, or a single person, and he  
29 left his employing unit for not to exceed ten (10) working days, or  
30 such additional time as may be allowed by his employer, for com-  
31 pelling personal reasons (if so found by the commission), and prior  
32 to such leaving had informed his employer of such compelling per-  
33 sonal reasons, and immediately after such compelling personal rea-  
34 sons ceased to exist he returned to his employer and offered his serv-  
35 ices and his regular or comparable work was not available, provided  
36 he is otherwise eligible; except that during the time he is away from  
37 his work because of the continuance of such compelling personal  
38 reasons, he shall not be eligible for benefits.

39 g. He has been laid off from his most recent employing unit and  
40 he is the principal support of his family, or is a widow, widower,  
41 legally separated from his spouse, or a single person, and previous  
42 to this layoff he left work voluntarily, such voluntary leaving shall  
43 not be disqualifying if it occurred any time before ninety (90) days  
44 previous to the date he files a claim for benefits. The premature  
45 filing of a claim for benefits shall not be disqualifying after said  
46 ninety (90) day period.

47 h. 'Principal support' shall mean exclusive of the earnings of any  
48 child of the wage earner."

49 4. Strike subsection two (2) and substitute in lieu thereof the  
50 following:

51 "2. Discharge for misconduct. If the commission shall find that  
52 he has been discharged for misconduct in connection with his em-  
53 ployment, he shall forfeit four (4) to nine (9) weeks' benefits."

54 5. Strike subsection five (5) and substitute in lieu thereof the  
55 following:

56 "5. Other compensation. For any week with respect to which he  
57 is receiving, has received, or is entitled to receive payment in the  
58 form of:

59 a. Wages in lieu of notice;

60 b. Compensation for temporary disability under the workmen's  
61 compensation law of any state or under a similar law of the United  
62 States;

63 c. Old-age benefits under title II of the Social Security Act (42  
64 USC, chapter seven (7)), as amended, or similar retirement pay-  
65 ments under any Act of Congress; provided that the commission  
66 shall withhold payments under this chapter if it has reason to be-  
67 lieve a claimant is entitled to benefits under title II of the Social  
68 Security Act of the United States or any similar payments under  
69 any other Act of Congress, until such time as the claimant files with  
70 the commission satisfactory evidence that he is not entitled to such  
71 benefits.

72 d. Benefits paid as retirement pay or as private pension.

73 Provided, that if such remuneration is less than the benefits  
74 which would otherwise be due under this chapter, he shall be en-

75 titled to receive for such week, if otherwise eligible, benefits reduced  
76 by the amount of such remuneration. Provided, further, if benefits  
77 were paid for any week under this chapter for a period when bene-  
78 fits, remuneration or compensation under paragraphs 'a', 'b', 'c', or  
79 'd', of this subsection were paid on a retroactive basis for the same  
80 period, or any part thereof, the commission shall recover any such  
81 excess amount of benefits paid by the commission for such period,  
82 and no employer's account shall be charged with benefits so paid,  
83 provided further, however, that retirement pay or compensation for  
84 service-connected disabilities or pensions based on military service,  
85 by the beneficiary, with the armed forces of the United States, irre-  
86 spective of the amount of the benefit, shall in no way disqualify any  
87 individual, otherwise qualified, from any of the benefits contemplated  
88 herein."

89 6. Add the following subsection:

90 "7. Vacation pay.

91 a. When an employer makes a payment or becomes obligated to  
92 make a payment to an individual for vacation pay, or for vacation  
93 pay allowance, or as pay in lieu of vacation, such payment or amount  
94 shall be deemed 'wages' as defined in subsection thirteen (13) of  
95 section ninety-six point nineteen (96.19), and shall be applied as  
96 provided in paragraph 'c' hereof.

97 b. Whenever, in connection with any separation or layoff of an  
98 individual, his employer makes a payment or payments to him, or  
99 becomes obligated to make such payment to him as, or in the nature  
100 of, vacation pay, or vacation pay allowance, or as pay in lieu of vaca-  
101 tion, and within seven (7) calendar days after notification of the  
102 filing of his claim, designates by notice in writing to the commission  
103 the period to which such payment shall be allocated; provided, that  
104 if such designated period is extended by the employer, he may again  
105 similarly designate an extended period, by giving notice thereof in  
106 writing to the commission not later than the beginning of the ex-  
107 tension of such period, with the same effect as if such period of  
108 extension were included in the original designation. The amount  
109 of any such payment or obligation to make payment, shall be deemed  
110 'wages' as defined in subsection thirteen (13) section ninety-six  
111 point nineteen (96.19), and shall be applied as provided in paragraph  
112 'c' of this subsection seven (7).

113 c. Of the wages described in paragraph 'a' (whether or not the  
114 employer has designated the period therein described), or of the  
115 wages described in paragraph 'b', if the period therein described has  
116 been designated by the employer as therein provided, a sum equal  
117 to the wages of such individual for a normal work day shall be  
118 attributed to, or deemed to be payable to him with respect to, the  
119 first and each subsequent work day in such period until such amount  
120 so paid or owing is exhausted. Any individual receiving or entitled  
121 to receive wages as provided herein shall be ineligible for benefits  
122 for any week in which the sums, so designated or attributed to such  
123 normal work days, equal or exceed his weekly benefit amount. If  
124 the amount so designated or attributed as wages is less than the  
125 weekly benefit amount of such individual, his benefits shall be re-  
126 duced by such amount."

Approved June 2, 1959.

## CHAPTER 113

## PEACE OFFICERS' RETIREMENT SYSTEM

H. F. 369

AN ACT relating to the public peace officers' retirement, accident and disability system.

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

1 SECTION 1. Section ninety-seven A point six (97A.6), Code 1958,  
2 subsection two (2), paragraph *b*, is hereby amended by striking lines  
3 six (6) through thirteen (13) of said paragraph *b*.

1 SEC. 2. Section ninety-seven A point six (97A.6), Code 1958, sub-  
2 section seven (7), paragraph *b*, is amended as follows: Strike the  
3 period (.) at the end thereof and insert a comma (,) and add the  
4 following:

5 "and also with the period of disability retirement, provided that  
6 during such period of disability he has not engaged in a gainful occu-  
7 pation from which his net earnings exceeded the difference between  
8 his disability retirement allowance and the amount he would have  
9 received for said period if his compensation at the time of disability  
10 had continued."

1 SEC. 3. Section ninety-seven A point six (97A.6), Code 1958, sub-  
2 section eight (8) is amended by adding a new paragraph (*f*) as fol-  
3 lows:

4 "In addition to the benefits herein enumerated, there shall also be  
5 paid for each child of a member under the age of eighteen years the  
6 sum of twenty dollars (\$20.00) per month."

1 SEC. 4. Section ninety-seven A point six (97A.6), Code 1958, sub-  
2 section nine (9) is amended by adding a new paragraph (*d*) as fol-  
3 lows:

4 "In addition to the benefits for the widow herein enumerated, there  
5 shall also be paid for each dependent child of a member under the age  
6 of eighteen years the sum of twenty dollars (\$20.00) per month."

Approved April 7, 1959.

## CHAPTER 114

## PEACE OFFICERS' RETIREMENT SYSTEM

S. F. 39

AN ACT relating to public safety peace officers' retirement, accident and disability system.

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

1 SECTION 1. Section ninety-seven A point nine (97A.9), Code 1958,  
2 is hereby repealed and the following enacted in lieu thereof: "Any  
3 member who is absent from duty as a peace officer while serving in  
4 the armed services of the United States or its allies and is discharged  
5 or separated therefrom under honorable conditions shall have any

6 such period or periods of absence while serving in such armed services  
 7 on other than a voluntary basis and one (1) such period of absence,  
 8 not in excess of four (4) years, while serving in such armed forces on  
 9 a voluntary basis included as part of his period of service in the de-  
 10 partment. Such member shall not be required to continue the contri-  
 11 butions required of him under section ninety-seven A point eight  
 12 (97A.8), during such period of military service, provided that he  
 13 shall, within six (6) months after he has been discharged or sepa-  
 14 rated under honorable conditions from such military service return  
 15 and resume his duties in the department, and provided further, that  
 16 such member shall be declared physically capable of resuming such  
 17 duties upon examination by the medical board."

1 SEC. 2. Section ninety-seven A point ten (97A.10), Code 1958, is  
 2 hereby amended by striking from lines nine (9), ten (10), eleven (11)  
 3 and twelve (12) the words, "under section 97A.9 for a period during  
 4 which such member is serving in the armed forces and not later than  
 5 six months after his honorable discharge.", and inserting in lieu there-  
 6 of the words, " , but which under the provisions of section ninety-seven  
 7 A point nine (97A.9) are waived during periods of military service as  
 8 defined by section ninety-seven A point nine (97A.9) and six (6)  
 9 months thereafter following discharge or separation under honorable  
 10 conditions."

Approved February 18, 1959.

## CHAPTER 115

### EMPLOYEES' RETIREMENT SYSTEM

#### H. F. 23

AN ACT to amend section ninety-seven B point forty-eight (97B.48), Code 1958, relat-  
 ing to the re-employment of Iowa public employees after retirement.

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

1 SECTION 1. Section ninety-seven B point forty-eight (97B.48),  
 2 Code 1958, is amended by inserting after the period (.) in line seven  
 3 (7) the following: "However, such re-employment shall not be re-  
 4 garded as full-time employment until such member has earned in  
 5 excess of twelve hundred dollars (\$1200.00) from such re-employ-  
 6 ment during any calendar year."

Approved March 10, 1959.

## CHAPTER 116

### EMPLOYEES' RETIREMENT SYSTEM

#### S. F. 378

AN ACT relating to membership in the Iowa public employees' retirement system.

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

1 SECTION 1. Chapter ninety-seven B (97B), Code 1958, is hereby  
 2 amended by adding thereto the following new sections:



3 "1. From and after the effective date of this Act, any person who  
 4 is a member of the federal civil service retirement program shall not  
 5 be eligible for membership in the Iowa public employees' retirement  
 6 system, and the provisions of chapter ninety-seven B (97B) of the  
 7 Code, shall not apply to such employee. Any employee whose member-  
 8 ship in the federal civil service retirement program is subsequently  
 9 terminated shall immediately notify his employer and the Iowa em-  
 10 ployment security commission of such fact, and the employee shall  
 11 become subject to the provisions of this chapter on the date the noti-  
 12 fication is received by the commission.

13 "Any employee as defined in chapter ninety-seven B (97B) of the  
 14 Code who is a member of the federal civil service retirement program  
 15 on the effective date of this Act shall notify his employer and the  
 16 Iowa employment security commission of such fact. The employee's  
 17 membership in the Iowa public employees' retirement system shall  
 18 automatically terminate on the effective date of this Act.

19 "2. Upon termination of membership in the Iowa public employ-  
 20 ees' retirement system under the provisions of this Act, the employee  
 21 shall be paid from the Iowa public employees' retirement fund within  
 22 six (6) months of the termination a lump sum cash amount equal to  
 23 the sum of:

24 a. Such member's accumulated contributions as defined in subsec-  
 25 tion nine (9) of section ninety-seven B point forty-one (97B.41) of  
 26 the Code, computed as of the effective date of the Act, plus

27 b. The total amount contributed to the Iowa old age and survivors'  
 28 insurance fund prior to July 1, 1953, by such member which was  
 29 transferred to the retirement fund as of July 1, 1953, and would have  
 30 been refundable to him had he not elected to receive prior service  
 31 credit in accordance with section ninety-seven B point forty-three  
 32 (97B.43) of the Code, with interest on such amount at two (2) per-  
 33 cent per annum compounded annually from July 1, 1953, to the effec-  
 34 tive date of the Act."

Approved May 7, 1959.

## CHAPTER 117

### EMPLOYMENT SECURITY

H. F. 681

AN ACT to amend chapter ninety-seven C (97C), Code 1958, relating to tax on employ-  
 ees and employers under the social security act.

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

1 SECTION 1. Section ninety-seven C point five (97C.5), Code 1958,  
 2 is amended by striking all after the word "to" in line eight (8) and  
 3 up to and including the period following the word "wages" in line  
 4 twenty-five (25) and inserting in lieu thereof the following: "such  
 5 per centum of the wages received by the employee as imposed by  
 6 Social Security Act, Title II, as such Act has been and may from  
 7 time to time be amended.

1 SEC. 2. Section ninety-seven C point ten (97C.10), Code 1958, is  
 2 amended by striking all after the words "equal to" in line four (4)  
 3 and up to and including the period following the word "wages" in  
 4 line twenty-four (24) and inserting in lieu thereof the following:  
 5 "such per centum of the wages paid by the employer to each em-  
 6 ployee as imposed by the Social Security Act, Title II, as such Act  
 7 has been and may from time to time be amended."

1 SEC. 3. This Act, being deemed of immediate importance, shall  
 2 take effect and be in full force from and after its passage and publi-  
 3 cation in the Indianola Record-Herald & Tribune, a newspaper pub-  
 4 lished at Indianola, Iowa, and in the Cherokee Daily Times, a news-  
 5 paper published at Cherokee, Iowa.

Approved May 15, 1959.

I hereby certify that the foregoing Act, House File 681, was published in the Indian-  
 ola Record-Herald & Tribune, Indianola, Iowa, May 21, 1959, and in the Cherokee Daily  
 Times, Cherokee, Iowa, May 21, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 118

### INCOME TAX DEDUCTION

S. F. 189

AN ACT to repeal section ninety-seven C point seven (97C.7), Code 1958, relating to  
 income tax deduction.

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

1 SECTION 1. Section ninety-seven C point seven (97C.7), Code  
 2 1958, is hereby repealed.

Approved May 5, 1959.

## CHAPTER 119

### CIGARETTE TAX

H. F. 266

AN ACT relating to the sale of cigarettes and tobacco.

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

1 SECTION 1. Section ninety-eight point two (98.2), Code 1958, is  
 2 hereby amended as follows:

3 1. By striking from line three (3) of such section the word  
 4 "twenty-one" and by inserting in lieu thereof the word, "eighteen  
 5 (18)".

6 2. By striking from line nine (9) of such section the word, "six-  
 7 teen" and by inserting in lieu thereof the word, "eighteen (18)".

1 SEC. 2. Section ninety-eight point four (98.4), Code 1958, is  
2 hereby amended by striking from line one (1) the word, "twenty-  
3 one" and by inserting in lieu thereof the word, "eighteen (18)".

1 SEC. 3. Section ninety-eight point five (98.5), Code 1958, is  
2 hereby amended as follows:

3 1. By striking from lines one (1) and two (2) of such section the  
4 word "twenty-one" and by inserting in lieu thereof the word, "eight-  
5 een (18)".

6 2. By striking from lines four (4) through ten (10) inclusive the  
7 words, "and if eighteen years of age or over, shall be punished by a  
8 fine not exceeding five dollars or by imprisonment in the county jail  
9 not exceeding five days, or by both such fine and imprisonment.

10 "If such minor shall be under the age of eighteen years he or she"  
11 and by inserting in lieu thereof the words, ". Said minor".

1 SEC. 4. Section ninety-eight point six (98.6), Code 1958, is here-  
2 by amended as follows:

3 1. By striking from lines seven (7) and eight (8) of subsection  
4 one (1) the words, "one and one-half" and by inserting in lieu thereof  
5 the word, "two (2)".

6 2. By striking from line ten (10) of subsection one (1) the words,  
7 "two and one-half" and by inserting in lieu thereof the word, "three  
8 (3)".

1 SEC. 5. Section ninety-eight point twenty-two (98.22), Code 1958,  
2 is hereby amended as follows:

3 1. By striking from line four (4) of subsection one (1) of such  
4 section the word, "any" and by inserting in lieu thereof the words,  
5 "the provisions of section ninety-eight point two (98.2) of the Code,  
6 the commission shall revoke the permit issued such person upon such  
7 notice and hearing as is hereinafter provided. If such person violates  
8 any other".

9 2. By inserting in line four (4) of subsection one (1) after the  
10 word "has" the word willfully".

11 3. By striking from line two (2) of subsection two (2) of such  
12 section the words, "this chapter" and by inserting in lieu thereof the  
13 words, "section ninety-eight point two (98.2) of the Code".

14 4. By striking from line four (4) of subsection two (2) of such  
15 section the word, "may" and by inserting in lieu thereof the word,  
16 "shall".

17 5. By inserting in line four (4) of subsection two (2) of such sec-  
18 tion after the word, "permits" the words, "and if any such retailer  
19 violates any other provisions of this chapter, the board of supervisors  
20 or the city or town council which issued the permit may revoke his  
21 permit or permits".

Approved May 7, 1959.

## CHAPTER 120

## SETTING FIRES BY NEGLIGENT ACTS

S. F. 22

AN ACT relating to the penalty for negligently setting fire to public buildings.

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

1 SECTION 1. Any person who shall, in a negligent manner, set fire  
2 to any part of a public building, as defined in section one hundred  
3 point thirty-five (100.35), Code 1958, or any contents thereof, as a  
4 result of which human life or property in such building is endangered,  
5 shall, upon conviction, be punished as provided in section one hundred  
6 point thirty-five (100.35), Code 1958.

1 SEC. 2. In each public building, as defined in section one hundred  
2 point thirty-five (100.35), Code 1958, a plainly printed notice shall be  
3 kept posted in a conspicuous place advising the public of the provi-  
4 sions of this Act.

Approved April 14, 1959.

## CHAPTER 121\*

## CONSERVATION COMMISSION JURISDICTION ON STATE WATERS

S. F. 168

AN ACT to amend section one hundred six point seventeen (106.17), Code 1958, to expand the jurisdiction of the conservation commission over all types of events conducted upon state waters.

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

1 SECTION 1. Section one hundred six point seventeen (106.17),  
2 Code 1958, is hereby amended by inserting in line one (1) and in line  
3 four (4) following the word "race" the words ", marine parades, tour-  
4 naments, exhibitions".

1 SEC. 2. Section one hundred six point seventeen (106.17), Code  
2 1958, is further amended by inserting in line seven (7), following the  
3 word "speeds" the word ", mufflers".

1 SEC. 3. Section one hundred six point seventeen (106.17), Code  
2 1958, is further amended by striking the words "race or regatta" from  
3 line nine (9) and substituting in lieu thereof the following, "events  
4 as provided in this section."

1 SEC. 4. Amend section one hundred six point seventeen (106.17),  
2 Code 1958, by adding the following: "The provisions of this section  
3 shall not apply to the Mississippi and the Missouri rivers."

Approved February 6, 1959.

\*Repealed by S. F. 198, chapter 122.

## CHAPTER 122

## WATER SKIS AND SURFBOARDS

S. F. 198

AN ACT to amend chapter one hundred six (106), Code 1958, to regulate the use of water skis, surfboards and similar devices on the waters of the state.

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

1 SECTION 1. Section one hundred six point thirteen (106.13), Code  
2 1958, is hereby amended by inserting in line two (2) following the  
3 word "boat" the words "or manipulate any water skis, surfboard, or  
4 similar device".

1 SEC. 2. Section one hundred six point twenty-eight (106.28), Code  
2 1958, is hereby amended by inserting in line three (3) following the  
3 word "motorboat" the words "or manipulates any water skis, surf-  
4 board, or similar device".

1 SEC. 3. Chapter one hundred six (106), Code 1958, is hereby  
2 amended by adding the following new sections as follows:

3 1. "No person, except persons participating in such events as pro-  
4 vided in section one hundred six point seventeen (106.17), Code 1958,  
5 shall operate a motorboat on any of the waters of this state for tow-  
6 ing a person or persons on water skis, or a surfboard, or similar device  
7 unless there is in such motorboat a responsible person, in addition to  
8 the operator of the boat, to tend the tow line or lines and observe the  
9 progress of the person or persons being towed."

10 2. "No person, except persons participating in such events as pro-  
11 vided in section one hundred six point seventeen (106.17), Code 1958,  
12 shall operate a motorboat on any waters of the state towing a per-  
13 son or persons on water skis, surfboard, or similar device, nor shall  
14 any person engage in water skiing, surfboarding or similar activity  
15 at any time between the hours of one (1) hour after sunset and one  
16 (1) hour before sunrise."

1 SEC. 4. Senate File one hundred sixty-eight (168), Acts of the  
2 Fifty-eighth General Assembly is hereby repealed.

1 SEC. 5. Section one hundred six point seventeen (106.17), Code  
2 1958, is hereby repealed and the following enacted in lieu thereof:

3 "No boat race, marine parade, tournament, exhibition, or regatta  
4 shall be conducted upon state waters unless permission is granted by  
5 the commission.

6 "Boats not participating in such race, marine parade, tournament,  
7 exhibition, or regatta shall remain at least fifty (50) feet from the  
8 racing course or designated boundaries of such events as provided in  
9 this section during the performance thereof.

10 "Laws pertaining to speeds, passing distances, mufflers and the  
11 provisions of section one hundred six point thirteen (106.13), Code  
12 1958, shall not apply to boats, boat operators, or persons manipulat-  
13 ing any water skis, surfboard, or similar device engaged in such  
14 events as provided in this section.

15 "The provisions of this section shall not apply to the Mississippi  
16 and the Missouri rivers."

Approved April 1, 1959.

---

## CHAPTER 123

### CONSERVATION OFFICERS AND EMPLOYEES

H. F. 173

AN ACT to amend chapter one hundred seven (107), Code 1958, relating to fidelity bonds for conservation commission officers and employees.

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

1 SECTION 1. Section one hundred seven point seven (107.7), Code  
2 1958, is hereby amended by striking from lines one (1), two (2),  
3 three (3) the words "The commission may require bonds of appoint-  
4 ees and employees other than those herein specifically named." and  
5 inserting in lieu thereof the following: "The conservation commis-  
6 sion may obtain an adequate public employees honesty blanket posi-  
7 tion bond covering all or part of the officers or employees accountable  
8 for property or funds of the state of Iowa in which case the officers  
9 or employees so covered shall not be required to furnish individual  
10 bonds."

1 SEC. 2. Section one hundred seven point eight (107.8), Code 1958,  
2 is hereby amended by striking from line one (1) the word "all", and  
3 in line two (2) the letter "s" from the word "bonds".

Approved February 23, 1959.

---

## CHAPTER 124

### CONSERVATION OFFICERS

S. F. 287

AN ACT to amend section one hundred seven point thirteen (107.13), Code 1958, relating to salaries of conservation officers.

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

1 SECTION 1. Section one hundred seven point thirteen (107.13),  
2 Code 1958, is amended by striking all of the section after the word  
3 "be" in line fifteen (15) and inserting in lieu thereof the following,  
4 "thirty-seven hundred eighty dollars (\$3,780.00) per year for the  
5 first year of service. A salary increase of fifteen dollars per month  
6 shall be granted to each officer at the end of the first year and every  
7 six months thereafter until an annual salary rate of forty-six hun-  
8 dred eighty dollars (\$4,680.00) is reached. Thereafter conservation  
9 officers shall be paid additional compensation in accordance with the  
10 following formula: When conservation officers have served for a

11 period of five years their compensation then being paid shall be in-  
 12 creased by the sum of fifteen dollars per month beginning with the  
 13 month succeeding the foregoing described five-year period; when  
 14 conservation officers have served for a period of ten years their com-  
 15 pensation then being paid shall be increased by the sum of fifteen  
 16 dollars per month beginning with the month succeeding the foregoing  
 17 described ten-year period, such sums being in addition to the in-  
 18 creases provided herein to be paid after five years of service; when  
 19 conservation officers have served for a period of fifteen years their  
 20 compensation then being paid shall be increased by the sum of fifteen  
 21 dollars per month beginning with the month succeeding the foregoing  
 22 described fifteen-year period, such sums being in addition to the in-  
 23 creases previously provided for herein; when conservation officers  
 24 have served for a period of twenty years their compensation then  
 25 being paid shall be increased by the sum of fifteen dollars per month  
 26 beginning with the month succeeding the foregoing described twenty-  
 27 year period, such sums being in addition to the increases previously  
 28 provided for herein. In order to receive the additional compensation  
 29 herein provided, all years of continuous employment with the state  
 30 shall be included in computing length of service."

Approved May 5, 1959.

## CHAPTER 125

### FISHING RESTRICTIONS IN CERTAIN LAKES

H. F. 98

AN ACT to amend chapter one hundred nine (109), Code 1958, relating to special and local fishing restrictions on certain artificial lakes.

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

1 SECTION 1. Chapter one hundred nine (109), Code 1958, is here-  
 2 by amended by repealing all of sections one hundred nine point sixty-  
 3 eight (109.68), and one hundred nine point sixty-nine (109.69).

Approved April 23, 1959.

## CHAPTER 126

### SPEARING FISH

H. F. 167

AN ACT to lengthen the spearing season on certain species of fish and to extend the area open to spearing.

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

1 SECTION 1. Section one hundred nine point seventy-six (109.76),  
 2 Code 1958, is hereby amended by inserting a period after the word  
 3 "fishing" in line twelve (12) and by striking all of said section after  
 4 said word "fishing" and inserting in lieu thereof the following: "The

5 spearing of carp, buffalo, quillback, gar and dogfish by persons law-  
 6 fully permitted to fish shall be lawful between the hours of sunrise  
 7 and sunset each day and at such times and at such places as the com-  
 8 mission may determine necessary to carry out the purposes of sub-  
 9 section one (1) of section one hundred nine point thirty-eight (109.38)  
 10 of the Code, except that it shall be unlawful to spear from within an  
 11 enclosure of the type that materially hides the fisherman from view."

Approved February 19, 1959.

## CHAPTER 127

### COMMERCIAL FISHING

#### S. F. 234

AN ACT to amend chapters one hundred nine (109) and one hundred ten (110), Code 1958, relating to regulations of commercial fishing to clarify the uses of certain types of commercial fishing gear and the licenses required.

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

1 SECTION 1. Section one hundred nine point one hundred six  
 2 (109.106), Code 1958, is hereby amended by inserting following the  
 3 first word "any" in line three (3) the following: "trotrline, wooden  
 4 basket trap,".

1 SEC. 2. Section one hundred nine point one hundred seven  
 2 (109.107), Code 1958, is hereby amended by deleting all of line two  
 3 (2) following the comma (,) after the word "seines", all of line three  
 4 (3) and up to and including the word "nets" in line four (4) and  
 5 inserting in lieu thereof the words "dip nets, trammel nets, gill nets,  
 6 basket traps, hoop nets, wing nets, pound, fyke and trap nets and  
 7 trotlines" and by deleting the word "or" following the word "nets"  
 8 in line six (6) and substituting therefor a comma (,) and by insert-  
 9 ing following the word "seines" in line six (6) a comma (,) and the  
 10 words "traps or trotlines"; and by deleting the word "or" following  
 11 the word "nets" in line ten (10) and inserting a comma (,) therefor  
 12 and by adding, following the word "seines" in line ten (10) the fol-  
 13 lowing: ", traps or trotlines".

1 SEC. 3. Section one hundred nine point one hundred seven  
 2 (109.107), Code 1958, is further amended by striking all of lines  
 3 twenty-one (21) through and including line thirty-five (35) and in-  
 4 serting in lieu thereof the following: "All licensed nets, seines,  
 5 wooden basket traps or trotlines shall have attached a metal tag  
 6 identifying the equipment and license for its use. Tags must at all  
 7 times be attached to commercial fishing gear and conservation officers  
 8 shall have authority to confiscate any such commercial fishing gear  
 9 when found in use without such tags attached. Identification tags  
 10 shall be furnished by the Commission and a charge of ten (10) cents  
 11 shall be made for each tag and such tags shall be renewed annually."

1 SEC. 4. Section one hundred nine point one hundred eight  
 2 (109.108), Code 1958, is hereby amended by striking all of line two  
 3 (2) after the word "use", all of lines three (3), four (4), five (5)



4 and all of line six (6) preceding the word "any"; also by inserting  
5 after the word "measure" in line ten (10) the following: ", or to use  
6 in the Mississippi or Missouri rivers, basket traps made of wood, with  
7 the end opposite the throat having a hole of less than one and one-half  
8 inches in diameter."

1 SEC. 5. Section one hundred nine point one hundred nine  
2 (109.109), Code 1958, is hereby amended by deleting the entire sec-  
3 tion and inserting in lieu thereof the following: "It shall be lawful  
4 to fish with and use wing nets, trap nets, hoop nets, dip nets, wooden  
5 basket traps, gill nets, seines and trammel nets in the Mississippi  
6 River and Missouri River at any time. Provided a trotline license is  
7 procured, the holder of said license may use a trotline, with no more  
8 than one hundred hooks, in the waters of the Mississippi and Missouri  
9 Rivers. A tag as provided in section one hundred nine point one hun-  
10 dred seven (109.107), Code 1958, shall be attached thereto."

1 SEC. 6. Section one hundred nine point one hundred ten (109.110),  
2 Code 1958, is hereby repealed.

1 SEC. 7. Section one hundred nine point one hundred eleven  
2 (109.111), Code 1958, is hereby amended by striking the word "and"  
3 after the word "licensed" in line three (3) and the words "tagged  
4 nets or seines" in line four (4) and inserting in lieu thereof the words,  
5 "commercial fishing gear" and by striking the words "northern pike"  
6 from line six (6) and "rock sturgeon" from line seven (7).

1 SEC. 8. Section one hundred nine point one hundred twelve  
2 (109.112), Code 1958, is hereby repealed.

1 SEC. 9. Section one hundred nine point one hundred thirteen  
2 (109.113), Code 1958, is hereby amended by striking the words "li-  
3 censed nets or seines" from lines two (2) and three (3) and inserting  
4 in lieu thereof the words "commercial fishing gear"; by striking the  
5 words "any northern pike or pickerel not less than eighteen inches  
6 long," from lines five (5) and six (6); by substituting a period (.)  
7 for the comma (,) after the word "long" in line nine (9); by striking  
8 all of this section after the comma (,) after the word "long" in line  
9 nine (9).

1 SEC. 10. Chapter one hundred nine (109), Code 1958, is hereby  
2 amended by adding the following section:

3 "No licenses or tags for commercial fishing gear or no commercial  
4 fishing gear operator's certificates may be issued to residents of states  
5 who do not sell similar licenses, tags or certificates to residents of  
6 Iowa."

1 SEC. 11. Section one hundred ten point one (110.1), Code 1958, is  
2 hereby amended by deleting all of lines one hundred (100) through  
3 and including line one hundred twenty-four (124) and inserting in  
4 lieu thereof the following: "Net, seine, trap, trotline licenses for res-  
5 idents of state:

6 Seine: for the first 500 lineal feet or fraction thereof \$15.00 and  
7 for each additional 500 lineal feet or fraction thereof \$15.00.

8 Trammel net: for the first 300 lineal feet or fraction thereof \$10.00  
9 and for each additional 300 lineal feet or fraction thereof \$10.00.

10 Gill net: for each 100 lineal feet or fraction thereof \$2.00.

11 Hoop net without wings or leads: for each net \$1.00.

- 12 Pound net with less than 100 feet of leads or wings: for each net  
13 \$3.00.
- 14 Pound net with leads or wings of 100 or more feet in length: for  
15 each net \$6.00.
- 16 Wing, fyke or trap net with less than 100 feet of leads or wings:  
17 for each net \$1.00.
- 18 Wing, fyke or trap net with leads or wings of 100 or more feet in  
19 length: for each net \$6.00.
- 20 Dip net: for the first net \$1.00 and for each additional net \$1.00.
- 21 Wooden basket trap: for the first trap \$5.00 and for each additional  
22 trap \$1.00.
- 23 Trotline: for the first trotline \$3.00 and for each additional trotline  
24 \$1.00.
- 25 Owner's certificate for commercial fishing gear \$15.00.
- 26 Operator's certificate for each person operating commercial fishing  
27 gear \$1.00.
- 28 Net, seine, trap, trotline licenses for non-resident or alien who is  
29 eligible to purchase such licenses.
- 30 Seine: for the first 500 lineal feet or fraction thereof \$20.00 and  
31 for each additional 500 lineal feet or fraction thereof \$20.00.
- 32 Trammel net: for the first 300 lineal feet or fraction thereof \$20.00  
33 and for each additional 300 lineal feet or fraction thereof \$20.00.
- 34 Gill net: for the first 300 lineal feet or fraction thereof \$20.00 and  
35 for each additional 300 lineal feet or fraction thereof \$20.00.
- 36 Hoop nets without wings or leads: for the first net \$10.00 and for  
37 each additional net \$3.00.
- 38 Wing, pound, fyke or trap net with less than 100 feet of leads or  
39 wings: for the first net \$12.00 and for each additional net \$6.00.
- 40 Wing, pound, fyke or trap net with leads or wings of 100 feet or  
41 more in length: for the first net \$20.00 and for each additional net  
42 \$12.00.
- 43 Wooden basket traps: for the first trap \$10.00 and for each addi-  
44 tional trap \$3.00.
- 45 Dip net: for the first net \$3.00 and for each additional net \$3.00.
- 46 Trotline: for the first trotline \$4.00 and for each additional trot-  
47 line \$4.00."

1 SEC. 12. It shall be lawful to operate in the Mississippi and Mis-  
2 sissippi Rivers, one basket trap and one trotline provided the operator  
3 has purchased a regular fishing license that is required in section one  
4 hundred ten point one (110.1), Code 1958, and pays the regular fee of  
5 one (1) dollar for each basket trap or trotline. Each trap and trotline  
6 must have attached thereto an identification tag as required in section  
7 one hundred nine point one hundred seven (109.107), Code 1958.

Approved April 17, 1959.

## CHAPTER 128

## TAKING TURTLES AND CRAYFISH

H. F. 99

AN ACT to amend chapter one hundred nine (109), Code 1958, to make it illegal for nonresidents to take turtles or crayfish in Iowa.

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

- 1 SECTION 1. Chapter one hundred nine (109), Code 1958, is hereby
- 2 amended by adding the following section:
- 3 "It shall be unlawful for any nonresident or alien to take turtles or
- 4 crayfish in Iowa, by any means or method, except from the Missouri
- 5 and Mississippi Rivers and the Big Sioux River.

Approved April 27, 1959.

## CHAPTER 129

## HUNTING, FISHING AND TRAPPING LICENSE EXEMPTIONS

H. F. 54

AN ACT relating to exemption of inmates of county homes from securing a license to hunt, fish or trap on land or in the waters of the state.

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

- 1 SECTION 1. Section one hundred ten point seventeen (110.17),
- 2 Code 1958, is hereby amended by inserting after the word "of" in line
- 3 twenty-four, the following: "inmates of county homes or".

Approved April 7, 1959.

## CHAPTER 130

## HUNTING LICENSES

H. F. 344

AN ACT relating to hunting license for children under sixteen (16) years of age.

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

- 1 SECTION 1. Section one hundred ten point seventeen (110.17),
- 2 Code 1958, is hereby amended by adding the following paragraph:
- 3 "No resident of the state under sixteen (16) years of age shall be
- 4 required to have a license to hunt game if accompanied by his or her
- 5 parent or guardian or in company with any other competent adult
- 6 with the consent of the said parent or guardian, if the said person
- 7 accompanying said minor shall possess a valid hunting license."

Approved April 23, 1959.

## CHAPTER 131

## GAME PRESERVES OPEN SEASON

S. F. 43

AN ACT to amend chapter one hundred ten A (110A), Code 1958, relating to hunting season upon a game breeding and shooting preserve area.

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

- 1 SECTION 1. Section one hundred ten A point six (110A.6), Code  
 2 1958, is amended by striking from line five (5) thereof the word and  
 3 figure "March 1" and inserting in lieu thereof the word and figures  
 4 "March 31".

Approved May 5, 1959.

## CHAPTER 132

## COUNTY BONDS

S. F. 526

AN ACT to amend section one hundred eleven A point six (111A.6), Code 1958, to authorize the issuance of bonds by any county having a population in excess of ninety thousand (90,000) for recreation and conservation purposes and legalizing and validating all proceedings heretofore taken in connection therewith.

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

- 1 SECTION 1. Section one hundred eleven A point six (111A.6),  
 2 Code 1958, is amended by adding thereto the following:  
 3 "In order to make immediately available to the county conservation  
 4 board the proceeds of the annual tax hereinbefore authorized to be  
 5 levied for recreation and conservation purposes, bonds of any county  
 6 having a population in excess of ninety thousand (90,000) may be  
 7 issued in anticipation of the collection of such tax in the manner here-  
 8 inafter provided. Upon the filing of a petition by the conservation  
 9 board with the county board of supervisors asking that bonds be  
 10 issued in a specified amount for the purpose of paying the cost of  
 11 acquiring land and developing the same for public park, parkway,  
 12 preserve, playground, or other recreation or conservation purposes  
 13 within the county, then the board of supervisors may call a special  
 14 election to be held in the county to vote on the proposition of issuing  
 15 such bonds. Notice of such election shall be published once each week  
 16 for at least four consecutive weeks in one of the official county news-  
 17 papers, and the election shall be held on a day not less than five nor  
 18 more than twenty days after the last publication of such notice.  
 19 Voting machines may be used for the purpose of voting on said propo-  
 20 sition or, in the discretion of the board of supervisors, the proposi-  
 21 tion may be submitted to the voters on paper ballots. The proposition  
 22 shall be submitted in substantially the following form:  
 23 "Shall ..... County, Iowa,  
 24 issue its bonds in the amount of \$.....  
 25 for the purpose of .....?"  
 26 The expenses incurred in connection with the conduct of such election  
 27 shall be paid by the conservation board from the county conservation

28 fund. If the vote in favor of issuing the bonds is equal to at least  
29 sixty percent of the total votes cast for and against the proposition,  
30 the board of supervisors shall issue the bonds in the amount voted,  
31 and shall provide for the levy of an annual tax, within the limits of  
32 the special tax hereinbefore authorized, sufficient to pay said bonds  
33 and the interest thereon as the same respectively become due. Said  
34 bonds shall mature in not more than twenty years, shall bear interest  
35 at a rate or rates not exceeding five percent per annum, shall be in  
36 such form as the board of supervisors shall by resolution provide,  
37 and shall be payable as to both principal and interest from the pro-  
38 ceeds of the annual levy of the one mill tax hereinbefore authorized  
39 to be levied for recreation and conservation purposes, or so much  
40 thereof as will be sufficient to pay the principal thereof and interest  
41 thereon, and prior to the authorization and issuance of such bonds the  
42 board of supervisors may, with or without notice, negotiate and enter  
43 into an agreement or agreements with any bank, investment banker,  
44 trust company or insurance company or group thereof whereunder the  
45 marketing of such bonds may be assured and consummated. The  
46 proceeds of such bonds shall be deposited in a special fund, to be kept  
47 separate and apart from all other funds of the county, and shall be  
48 paid out upon warrants drawn by the county auditor upon requisition  
49 of the conservation board to pay the cost of acquiring land and devel-  
50 oping the same for recreation and conservation purposes as specified  
51 in the election proposition.

52 Nothing herein contained shall be construed to limit the authority  
53 of the board of supervisors to levy the full one mill recreation and  
54 conservation tax, but if and to whatever extent said tax is levied in  
55 any year in excess of the amount of the principal and interest falling  
56 due in such year on said bonds, the first available proceeds thereof,  
57 to an amount sufficient to meet maturing installments of principal  
58 and interest on such bonds, shall be paid into the sinking fund for  
59 such bonds before any of such taxes are deposited in the county con-  
60 servation fund or are otherwise made available to the county conser-  
61 vation board, and the amount required to be annually set aside to pay  
62 the principal of and interest on the bonds shall constitute a first  
63 charge upon all of the proceeds of such annual special tax, which  
64 tax shall be pledged to pay said bonds and the interest thereon.

65 This law shall be construed as supplemental and in addition to  
66 existing statutory authority and as providing an independent method  
67 of financing the cost of acquiring land and developing the same for  
68 public park, parkway, preserve, playground, or other recreation or  
69 conservation purposes, and for the issuance and sale of bonds in con-  
70 nection therewith, and shall not be construed as subject to the pro-  
71 visions of any other law. The aggregate amount of bonds issued and  
72 outstanding at any time hereunder shall not exceed one million dol-  
73 lars in any single county. The fact that a county may have bonds  
74 previously issued and outstanding under authority of this law shall  
75 not prevent such county from issuing additional bonds hereunder,  
76 provided that the aggregate amount of such bonds does not exceed  
77 the maximum hereinbefore established. All acts and proceedings  
78 heretofore taken by any county conservation board or board of super-  
79 visors for the exercise of any of the powers herein granted are hereby  
80 legalized and validated in all respects."

1 SEC. 2. This Act being deemed of immediate importance shall  
 2 take effect and be in force and effect from and after its passage  
 3 and publication in The Reinbeck Courier, a newspaper published at  
 4 Reinbeck, Iowa, and The Daily Times, a newspaper published at Dav-  
 5 enport, Iowa, all without expense to the state.

Approved May 7, 1959.

I hereby certify that the foregoing Act, Senate File 526, was published in the Reinbeck Courier, Reinbeck, Iowa, May 21, 1959, and in The Daily Times, Davenport, Iowa, May 20, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 133

### PROFESSIONAL ENGINEERS

S. F. 223

AN ACT relating to professional engineers and to amend sections of the Code which relate to the subject matter of professional engineering so as to conform to and be consistent with chapter one hundred fourteen (114) of said Code.

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

1 SECTION 1. Section one hundred fourteen point eighteen (114.18),  
 2 Code 1958, is amended by striking from line fifteen (15) the words  
 3 "two dollars" and inserting in lieu thereof the words "five dollars".

1 SEC. 2. Section three hundred fifty-five point one (355.1), Code  
 2 1958, is amended by inserting after the word "surveyor" in line four  
 3 (4) the following: ", who shall be a registered land surveyor holding  
 4 a certificate issued under the provisions of chapter one hundred four-  
 5 teen (114) of the Code,".

1 SEC. 3. Section four hundred nine point one (409.1), Code 1958,  
 2 is amended by inserting after the words "cause a" in line seven (7)  
 3 the following: "registered land surveyor's".

4 Further amend said section by striking the comma after the word  
 5 "made" in line nine (9) and inserting the following in lieu thereof:  
 6 "by a registered land surveyor holding a certificate issued under the  
 7 provisions of chapter one hundred fourteen (114), of the Code,".

Approved May 5, 1959.

## CHAPTER 134

### BEER AND MALT LIQUORS

H. F. 15

AN ACT relating to the penalty for minors convicted of a violation of laws relating to beer and malt liquors.

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

1 SECTION 1. Section one hundred twenty-four point thirty-seven  
 2 (124.37), Code 1958, is hereby amended as follows:

3 1. By inserting in line one (1) after the word, "person" the words,  
4 "except a minor,".

5 2. By adding after the period (.) in line fourteen (14) the follow-  
6 ing:

7 "Any minor who violates any of the provisions of this chapter or  
8 commits any other offense listed in this section shall be fined not to  
9 exceed one hundred (100) dollars or imprisoned in the county jail,  
10 not to exceed thirty (30) days."

Approved March 19, 1959.

## CHAPTER 135

### LICENSURE AND REGULATION OF HOSPITALS

H. F. 533

AN ACT to amend chapter one hundred thirty-five-B (135B), Code 1958, relating to licensure and regulation of hospitals.

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

1 SECTION 1. Section one hundred thirty-five-B point one (135B.1),  
2 Code 1958, is amended by striking from lines seventeen (17) and  
3 eighteen (18) of subsection one (1) the words ", rest homes, nursing  
4 homes, boarding homes,".

1 SEC. 2. Section one hundred thirty-five-B point five (135B.5),  
2 Code 1958, is amended by inserting in line fourteen (14) after the  
3 word "regulation." the following:

4 "Licenses issued hereunder shall be either general or restricted in  
5 form. Where the facilities of an applicant for hospital license are  
6 suitable or adequate for only certain types of hospital care or treat-  
7 ment, the specific types of care or treatment for which such hospital is  
8 properly equipped shall be set forth on the face of the license and the  
9 lawful operation of the hospital shall be thereby restricted to the  
10 types of care and treatment so specified."

Approved April 22, 1959.

## CHAPTER 136

### OPTOMETRY

S. F. 28

AN ACT relating to the definition of optometry and the dispensing and adapting of lenses.

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

1 SECTION 1. Sec.\* one hundred fifty-four point one\*\* (154.1),  
2 Code 1958, is hereby amended by striking subparagraph 1 and insert-  
3 ing in lieu thereof the following:

\*According to enrolled Act.

\*\*Words supplied by editor, §3.1 of the Code.

4 "Persons employing any means other than the use of drugs, medi-  
5 cine or surgery for the measurement of the visual power and visual  
6 efficiency of the human eye; the prescribing and adapting of lenses,  
7 prisms and contact lenses, and the using or employing of visual train-  
8 ing or ocular exercise, for the aid, relief or correction of vision."

1 SEC. 2. Section one hundred fifty-four point nine (154.9), Code  
2 1958, is hereby amended by striking from line two (2) the word, "an"  
3 and inserting in lieu thereof the following:

4 "and adapt contact lenses or any other".

Approved March 31, 1959.

## CHAPTER 137

### FUNERAL DIRECTORS AND EMBALMERS

#### S. F. 9

AN ACT to amend chapter one hundred fifty-six (156), Code 1958, relating to funeral director and embalmers license.

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

1 SECTION 1. Chapter one hundred fifty-six (156), Code 1958, is  
2 hereby amended by adding thereto the following new section:

3 "The state department of health may, with the approval of the  
4 board of funeral director and embalmer examiners, accept in lieu of  
5 the examination prescribed in section one hundred fifty-six point four  
6 (156.4) and section one hundred fifty-six point five (156.5), a certifi-  
7 cate of examination issued by the national board of funeral director  
8 and embalmer examiners of the United States of America, but every  
9 applicant for a license upon the basis of such certificate shall be re-  
10 quired to pay the fee prescribed for licenses issued under reciprocal  
11 agreements."

Approved February 18, 1959.

## CHAPTER 138

### DOMESTICATED FUR-BEARING ANIMALS

#### H. F. 8

AN ACT placing the production of domesticated fur-bearing animals under the author-  
ity of the department of agriculture.

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

1 SECTION 1. Section one hundred fifty-nine point two (159.2), Code  
2 1958, is amended by inserting in line five (5) of subsection one (1) of  
3 such section after the word "wool," the words "production of domes-  
4 ticated fur-bearing animals,".

Approved April 10, 1959.



## CHAPTER 139

## AGRICULTURE MARKETING DIVISION

H. F. 57

AN ACT relating to the establishment of a marketing division within the Iowa department of agriculture, and to make an appropriation therefor.

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

1 SECTION 1. A marketing division, hereinafter referred to as the  
2 division, is hereby created within the Iowa department of agricul-  
3 ture. It shall be the duty of the division to do or cause to be done  
4 those things designed to lead to more advantageous marketing of  
5 Iowa agricultural products. To implement this purpose the division  
6 may be, among other things, authorized by this act: (a) to investi-  
7 gate the subject of marketing farm products; (b) to promote their  
8 sales, distribution and merchandising; (c) to furnish information  
9 and assistance concerning the same to the public; (d) to study and  
10 recommend efficient and economical methods of marketing; (e) to  
11 co-operate with the division of agriculture of the Iowa state college\*  
12 of agriculture and mechanic arts in its farm marketing education  
13 and research and all unnecessary duplications should be avoided; and  
14 (f) to gather and diffuse useful information concerning all phases of  
15 the marketing of Iowa farm products in co-operation with other pub-  
16 lic or private agencies. The division shall have a director appointed  
17 by the secretary of agriculture upon approval of such appointment  
18 by the agriculture marketing board.

1 SEC. 2. The director, under the general supervision and direction  
2 of the secretary of agriculture, is empowered and directed: (a) to  
3 appoint such competent and experienced persons to assist him in the  
4 performance of his duties and powers as may be necessary to effec-  
5 tuate the purposes of this section, and to delegate to any employee of  
6 such division any of the powers and duties conferred upon the direc-  
7 tor; (b) to investigate into methods and practices in connection with  
8 the processing, handling, standardizing, grading, classifying, sorting,  
9 weighing, packing, transportation, storage, inspection and merchan-  
10 dising of farm and food products within the state and all matters  
11 relevant thereto; (c) to co-operate with the Iowa state college\* of  
12 agriculture and mechanic arts extension service in disseminating  
13 information relative to such matters described in (b) above; (d) to  
14 ascertain sources of supply of Iowa farm and food products, and  
15 prepare and publish from time to time lists of names and addresses  
16 of producers and consignors thereof and furnish the same to persons  
17 applying therefor; (e) to perform the acts of inspection and grading,  
18 or both, of any farm product where requested by any person, group  
19 of persons, partnership, firm, company, corporation, co-operative, or  
20 association engaged in the production, marketing, or processing of  
21 such farm products, providing such person or persons, partnership,  
22 firm, company, corporation, co-operative, or association is willing to  
23 pay for such services under such rules and regulations as he may  
24 prescribe, including payment of such fees as he may deem reasonable,  
25 for the services rendered or performed by employees of the division

\*See chapter 74.

26 of marketing. Such standards, grades, or classification shall not be  
27 lower in their requirements than the minimum requirements of the  
28 official standards for corresponding standards, grades and classifica-  
29 tions commonly known as United States grades promulgated from  
30 time to time by the secretary of agriculture of the United States;  
31 (f) to make rules and regulations necessary to carry out the provi-  
32 sions of this section.

1 SEC. 3. The division may accept grants and allotments of funds  
2 from the federal government and enter into co-operative agreements  
3 with the secretary of agriculture of the United States for projects  
4 to effectuate any of the purposes of this division as described herein;  
5 and to accept grants, gifts or allotments of funds from any person,  
6 firm, co-operative, corporation, or association for the purpose of  
7 carrying out the provisions of this section for which an itemized ac-  
8 counting must be made by the director to the Iowa secretary of agri-  
9 culture at the end of each fiscal year.

1 SEC. 4. All fees collected as a result of the inspection and grading  
2 provisions set out herein shall be paid into the state treasury, there  
3 to be set aside in a separate fund which is hereby appropriated for  
4 the use of the division except as indicated. Withdrawals therefrom  
5 shall be by warrant of the state comptroller upon requisition by the  
6 director approved by the secretary of agriculture. Such fund shall  
7 be continued from year to year, provided, however, that if there be  
8 any balance remaining at the end of the biennium which, in the  
9 opinion of the governor, state comptroller and secretary of agricul-  
10 ture, is greater than necessary for the proper administration of the  
11 inspection and grading program referred to herein, the treasurer of  
12 state is hereby authorized on the recommendation and with the ap-  
13 proval of the governor, state comptroller and secretary of agricul-  
14 ture, to transfer to the general fund of the state that portion of such  
15 account as they shall deem advisable.

1 SEC. 5. A certificate of the grade, or other classification, of any  
2 farm products issued under this Act shall be accepted in any court  
3 of this state as prima facie evidence of the true grade or classifica-  
4 tion of such farm products as the same existed at the time of their  
5 classification.

1 SEC. 6. There is hereby established an agriculture marketing  
2 board, to be thus known and designated.  
3 The agriculture marketing board shall be composed of the secre-  
4 tary of agriculture and the dean of agriculture at Iowa state college\*  
5 of agriculture and mechanic arts who shall serve as members of the  
6 advisory board without vote, and a producer member from each of  
7 the following statutory associations: Iowa swine producers associa-  
8 tion, Iowa beef cattle producers association, Iowa state sheep associa-  
9 tion, Iowa poultry and hatchery association, Iowa state dairy asso-  
10 ciation, Iowa crop improvement association, and state horticulture  
11 society. The names of three (3) persons shall be certified to the  
12 secretary of agriculture by the presidents of the Iowa swine pro-

\*See chapter 74.

13 ducers association, Iowa beef cattle producers association, Iowa poul-  
14 try and hatchery association, and state horticulture society by June 1  
15 of each odd-numbered year. The secretary of agriculture shall ap-  
16 point by July 1 one of these three (3) from each organization to the  
17 agriculture marketing board. Such an appointee shall serve for a  
18 period of two (2) years beginning on July 1 of the year of his ap-  
19 pointment and until his successor is appointed or qualified. Three  
20 (3) names shall be submitted and appointments made in the same  
21 manner in even-numbered years for representation from the Iowa  
22 state dairy association, Iowa state sheep association, and Iowa crop  
23 improvement association. However, in 1959 the appointees from the  
24 Iowa state dairy association, state horticulture society, and Iowa crop  
25 improvement association shall be selected as provided in this section  
26 and shall serve only until their successors are appointed and qualified  
27 in 1960. Any vacancy occurring in the agriculture marketing board  
28 shall be filled within two (2) months of the vacancy in the manner  
29 provided in this section.

30 Appointive members of the board shall receive actual necessary  
31 expenses and mileage at the rate of seven (7) cents per mile in-  
32 curred while engaged in the business of the agriculture marketing  
33 board.

1 SEC. 7. The duties of the agriculture marketing board shall in-  
2 clude the following: (1) to elect a chairman, a secretary, and from  
3 time to time such other officers as it may deem advisable; (2) to  
4 administer this chapter and perform all acts and exercise all powers  
5 reasonably necessary to effectuate the purposes of this Act; (3) to  
6 employ at its pleasure and discharge at its pleasure such advertising  
7 counsel, clerks, and employees as it deems necessary, and to prescribe  
8 their duties and powers; (4) to establish offices and incur any and all  
9 expense, and to enter into any and all contracts and agreements for the  
10 proper administration and enforcement of this Act; (5) to keep  
11 accurate books, records, and accounts of all its dealings, which books,  
12 records and accounts shall be audited annually by the auditor of state.

1 SEC. 8. The marketing division, the agriculture marketing board  
2 or an employee or representative of either said division or board shall  
3 not engage in legislative programs nor attempt in any manner by the  
4 adoption of rules, regulations, resolutions or otherwise, to influence  
5 legislation affecting any matters pertaining to the activities of this  
6 marketing division.

1 SEC. 9. To effectuate the purposes of this Act and to defray the  
2 expenses thereof, there is hereby appropriated out of the general  
3 fund the sum of twenty thousand dollars (\$20,000.00) for each year  
4 of the biennium ending June 30, 1961.

Approved May 5, 1959.

## CHAPTER 140

## STOCKYARDS' WASTE MATERIALS

S. F. 490

AN ACT relating to the boiling of waste materials from stockyards.

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

1 SECTION 1. Section one hundred sixty-three point twenty-six  
2 (163.26), subsection three (3), Code 1958, is hereby amended by  
3 striking in line six (6) the word "stockyards,".

1 SEC. 2. Section one hundred sixty-three point twenty-six (163.26),  
2 subsection three (3), Code 1958, is hereby further amended by strik-  
3 ing the period at the end of line nine (9) and inserting the following:  
4 " , except grain not consumed, that is collected from hog sales pen floors  
5 in public stockyards and fed under the control of the department of  
6 agriculture."

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 Sioux City Journal, a newspaper published at Sioux City, Iowa,  
4 and in the Sioux Center News, a newspaper published at Sioux Cen-  
5 ter, Iowa.

Approved April 8, 1959.

I hereby certify that the foregoing Act, Senate File 490, was published in the Sioux City Journal, Sioux City, Iowa, April 10, 1959, and in the Sioux Center News, Sioux Center, Iowa, April 16, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 141

## IMPORTATION OF SWINE

H. F. 318

AN ACT to regulate and control importation of swine into Iowa.

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

1 SECTION 1. After July 1, 1959, no swine other than purebred shall  
2 be imported into Iowa for feeding or breeding purposes without first  
3 having affixed in either ear of each animal a numbered tag and ac-  
4 companied by a health certificate issued by a qualified veterinarian.  
5 A copy of the health certificate shall be promptly forwarded to the  
6 animal industry division of the Iowa department of agriculture. Such  
7 certificate shall include a statement showing that the swine have been  
8 inspected within ninety-six hours prior to the time of importation and  
9 that there are no symptoms of any infectious, contagious or com-  
10 municable disease, and a statement that the swine have been vac-  
11 cinated against hog cholera by the method described by statute, not  
12 less than ten (10) days prior to the date of entry into Iowa, unless a  
13 permit allowing importation subject to immunization upon arrival  
14 has been obtained. The health certificate shall further include the ear

15 tag numbers of all swine in the shipment. Provided, however, that if  
 16 the name of the importer is shown on the ear tag the number of the  
 17 ear tag need not be placed on the health certificate, if such importer  
 18 keeps available for inspection by the secretary of agriculture, or his  
 19 authorized agent, a record of the name and address of the producer  
 20 of all such animals for a period of at least one year after the date of  
 21 entry of the animals into Iowa.

22 Blanks for health certificates and ear tags shall be furnished by the  
 23 department of agriculture at cost, when applied for by the importer.

Approved April 27, 1959.

---

## CHAPTER 142

### MARKING LIVESTOCK

H. F. 48

AN ACT to amend section one hundred sixty-four point nine (164.9), Code 1958, relating to marking stock.

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

1 SECTION 1. Section one hundred sixty-four point nine (164.9),  
 2 Code 1958, is hereby amended by inserting after the word "be" in line  
 3 eight (8) thereof the words "tattooed in the ear or".

Approved February 18, 1959.

---

## CHAPTER 143

### HOG CHOLERA

S. F. 76

AN ACT relating to the control of virulent hog cholera blood or virus.

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

1 SECTION 1. Section one hundred sixty-six point sixteen (166.16),  
 2 Code 1958, is hereby repealed and the following enacted in lieu  
 3 thereof:

4 "No person shall sell, distribute, use, or offer to sell, distribute, or  
 5 use virulent blood or virus from cholera-infected hogs except for one  
 6 or more of the following purposes:

7 a. for the purpose of interstate or foreign shipment of such blood  
 8 or virus;

9 b. for the purpose of research at any biological laboratory or by  
 10 any manufacturer of biological products;

11 c. for the purpose of testing biological products by any govern-  
 12 mental authority or by any manufacturer of biological products.

13 d. for the purpose of manufacturing any biological products or for  
 14 the purpose of producing immune hogs to be used in the production  
 15 of hog cholera serum.

16 e. for use in case of outbreaks of hog cholera, which require the  
 17 use of virulent blood or virus, when such outbreaks exist as deter-  
 18 mined by the supervisor of the Iowa veterinary medicine diagnostic  
 19 laboratory, department of veterinary medicine, Iowa State College,\*  
 20 the department of agriculture shall forthwith approve the sale of  
 21 virulent blood or virus to those persons entitled to use said virulent  
 22 blood or virus including those persons who are holders of valid un-  
 23 revoked written permits to administer the same."

Approved March 10, 1959.

\*See chapter 74.

## CHAPTER 144

### TRANSPORTATION OF DEAD ANIMALS

S. F. 280

AN ACT to amend sections one hundred sixty-seven point fifteen (167.15), one hundred sixty-seven point sixteen (167.16) and one hundred sixty-seven point seventeen (167.17), Code 1958, relating to the transportation of dead animals.

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

1 SECTION 1. Section one hundred sixty-seven point fifteen (167.15),  
 2 Code 1958, is hereby amended as follows:

3 1. By striking from lines six (6) and seven (7) thereof the words  
 4 "wagon bed or tank which is watertight" and substituting in lieu  
 5 thereof the following: "conveyance, the bed, box, tank or other type  
 6 of container of which must be covered and watertight".

7 2. By striking from line nine (9) thereof the following: "wagon  
 8 bed or tank" and substituting in lieu thereof the following: "bed,  
 9 box, tank or other type of container".

10 3. By striking from line eleven (11) thereof the words: "wagon  
 11 bed or tank" and substituting in lieu thereof the following: "bed,  
 12 box, tank or other type of container".

13 4. By striking the period (.) in line twelve (12) and inserting in  
 14 lieu thereof the following: "or at a place maintained for the purpose  
 15 of transferring said carcasses from one conveyance to another, such  
 16 transfer place being subject to all provisions of this chapter relative  
 17 to licensing, inspection, and sanitation of disposal places."

18 5. By striking from line fourteen (14) thereof the words: "of such  
 19 vehicles" and substituting in lieu thereof the following: "and oper-  
 20 ation of such vehicles, transfer places".

1 SEC. 2. Section one hundred sixty-seven point sixteen (167.16),  
 2 Code 1958, is hereby amended by striking the comma (,) in line three  
 3 (3) and inserting in lieu thereof the following: "or transfer,".

1 SEC. 3. Section one hundred sixty-seven point seventeen (167.17),  
 2 Code 1958, is hereby amended by striking from lines five (5) and six  
 3 (6) thereof the following: "wagon box, tank, or other vehicle" and  
 4 substituting in lieu thereof the following: "the bed, box, tank or  
 5 other container of such vehicle".

Approved April 8, 1959.

## CHAPTER 145

## FOOD ESTABLISHMENTS

H. F. 142

AN ACT relating to food establishments.

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

1 SECTION 1. Section one hundred seventy point one (170.1), sub-  
2 section six (6), Code 1958, is hereby amended by inserting after the  
3 second comma in line six (6) thereof the following:

4 "vehicles used for delivering and selling foods directly to the con-  
5 sumer or vehicles displaying and selling food for delivery at a future  
6 date,".

1 SEC. 2. Section one hundred seventy point two (170.2), Code 1958,  
2 is hereby amended as follows:

3 1. By adding after the period in line fourteen (14) the following:  
4 "Each license shall expire September first following the date of  
5 issue, except a hotel or restaurant license which shall expire on the  
6 last day of December following the date of issue."

7 2. By striking the period at the end of the section and adding thereto  
8 the following: "or to vehicles licensed as required by section one hun-  
9 dred ninety-two point three (192.3) of the Code."

Approved April 23, 1959.

---

CHAPTER 146

## ARBOR WEEK

H. F. 196

AN ACT to establish a permanent Arbor Week.

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

1 SECTION 1. Beginning in the year 1960, the last Friday in April  
2 in each year shall be observed in Iowa as Arbor Day and the week in  
3 which this Friday falls shall be observed as Arbor Week. This day  
4 and week shall be designated annually by the Governor with suitable  
5 proclamation urging that schools, civic organizations, governmental  
6 departments and all citizens and groups give serious thought to and  
7 appreciation of the contribution of trees to the beauty and economic  
8 welfare of Iowa.

Approved April 23, 1959.

## CHAPTER 147

## ADULTERATION OF MILK AND DAIRY PRODUCTS

H. F. 382

AN ACT relating to the adulteration of milk and to the sale of dairy products.

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

1 SECTION 1. Section one hundred ninety point three (190.3), Code  
2 1958, is hereby amended by adding the following paragraph thereto:  
3 "The provisions of subsections two (2) and three (3) of this sec-  
4 tion shall not apply to the addition of vitamins approved by the United  
5 States Pharmacopoeia or the removal of milk fat from milk as defined  
6 in subsection thirty-nine (39) of section one hundred ninety point one  
7 (190.1) of the Code."

1 SEC. 2. Section one hundred ninety-two point thirty-three  
2 (192.33), Code 1958, is hereby amended by inserting in line three (3)  
3 preceding the word "casks" the words "paper cartons or other non-  
4 rigid containers,".

Approved April 27, 1959.

## CHAPTER 148

## DAIRY PRODUCTS

H. F. 3

AN ACT relating to the labeling and sale of dairy products.

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

1 SECTION 1. Section one hundred ninety-one point two (191.2),  
2 Code 1958, is hereby amended by adding thereto the following sub-  
3 section:  
4 "Nonfat dry milk. For the purposes of this chapter the product re-  
5 sulting from the removal of fat and water from milk and containing  
6 the lactose, milk proteins, and milk minerals in the same relative pro-  
7 portions as in the fresh milk from which it was made may be labeled  
8 and sold as 'nonfat dry milk'. It shall contain not over five percent  
9 (5%) by weight of moisture and the fat content shall not be over one  
10 and one-half percent (1½%) by weight unless otherwise indicated."

1 SEC. 2. Section one hundred ninety point one (190.1), Code 1958,  
2 is amended by striking from subsection forty (40), lines three (3)  
3 and four (4), the words "three percent" and inserting in lieu thereof  
4 the following: "three and twenty-five hundredths percent".

1 SEC. 3. Section one hundred ninety point one (190.1), Code 1958,  
2 is amended by striking from subsection thirty-nine (39), lines two (2)  
3 and three (3), the words "by the complete milking of one or more  
4 cows," and inserting in lieu thereof the words "from cows".

Approved March 16, 1959.



## CHAPTER 149

## GRADES OF MILK

H. F. 259

AN ACT relating to grades or classifications of milk to be used for manufacturing dairy products.

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

1 SECTION 1. This chapter may be cited as the Iowa grading law for  
2 milk used for manufacturing purposes.

1 SEC. 2. The secretary of agriculture shall enforce the provisions  
2 hereof, and to this end may adopt such rules and regulations as may  
3 appear necessary, but not inconsistent herewith.

1 SEC. 3. For the purpose of this chapter:

2 1. "Secretary" means the secretary of agriculture.

3 2. "Person" includes individuals, partnerships, corporations, and  
4 associations.

5 3. "Milk processing plant" means an establishment to which milk  
6 of diverse producers is delivered where said products are manufac-  
7 tured into butter, cheese, dry milk or other dairy products for com-  
8 mercial purposes.

9 4. "Organoleptic examination or grading of milk" means examina-  
10 tion by the senses of sight, smell and taste.

1 SEC. 4. All milk received at a creamery, cheese factory, or milk-  
2 processing plant shall be examined for physical characteristics, off-  
3 flavors and off-odors, including those associated with developed acid-  
4 ity. The condition of the raw milk shall be wholesome and character-  
5 istic of normal milk. The flavor and odor of the raw milk shall be  
6 fresh and sweet; however, slight feed flavors may be present.

7 Any raw milk that shows an abnormal condition including, but not  
8 limited to, curdled, ropy, clotted and bloody, or that contains extrane-  
9 ous matter or which shows significant bacterial deterioration is un-  
10 lawful milk and shall be rejected to the producer, seller, or shipper  
11 and shall not be used in the processing or manufacturing of dairy  
12 products for human consumption.

1 SEC. 5. A test shall be made on the first purchase of milk from a  
2 new producer and at least once within each fifteen (15) day intervals  
3 thereafter. One lot of milk from each producer shall be selected at  
4 random and tested for extraneous matter by an appropriate method.  
5 The secretary shall determine and promulgate the standards and  
6 methods of testing the milk for extraneous matter. The method and  
7 standards shall be no less strict than those recommended by the agri-  
8 cultural marketing service, U. S. Department of Agriculture.

1 SEC. 6. At least once every fifteen (15) days an estimate of bac-  
2 terial quality shall be made of each producer's milk by the methylene  
3 blue test, resazurin test, the direct microscopic count, or any other  
4 recognized or approved test for that purpose, such as the standard  
5 plate count with standards equivalent to those of the direct micro-  
6 scopic count.

7 For the purpose of quality improvement and payment the following  
 8 classification of the milk for bacterial estimate shall be applicable:

9 Bacterial	Direct	Methylene blue test,	Resazurin test
10 Estimate	microscopic	mixed sample	no color change
11 Classification	(clump) count	not decolor- ized in—	beyond color represented by—
12			
13			
14			
15			
16			
17			
18 Class 1	200,000 per milliliter	5½ hours	P-7/4 in 2¾ hours
19 Class 2	3,000,000 per milliliter	2½ hours	P-7/4 in 1½ hours
20 Class 3	10,000,000 per milliliter	1 hour	P-7/4 in ¾ hour
21			
22			
23			

1 SEC. 7. Milk acceptable from the standpoint of organoleptic exam-  
 2 ination, containing no excessive extraneous matter and complying with  
 3 Classes 1 and 2 for bacterial estimate shall be acceptable for use in  
 4 the processing and manufacturing of dairy products for human con-  
 5 sumption.

1 SEC. 8. Milk acceptable from the standpoint of organoleptic exam-  
 2 ination, as specified in section six (6) hereof, containing no excessive  
 3 extraneous matter and classified in Class 3 or in excess of ten million  
 4 (10,000,000) for bacterial estimate, may be used in the processing  
 5 and manufacturing of dairy products for human consumption for a  
 6 period of seven (7) consecutive days.

7 After a week another quality test must be run on this producer's  
 8 milk, and if the milk has not improved to Class 2 or better, similar  
 9 tests must be made at least one (1) day per week for three (3) suc-  
 10 cessive weeks. If after the fourth weekly test the milk from the pro-  
 11 ducer has not improved to Class 2 or better, no plant shall accept milk  
 12 from this producer for the manufacture of dairy products for human  
 13 consumption until the secretary has authorized his reinstatement. Any  
 14 further acceptance of milk from this producer shall be on the basis of  
 15 testing the first shipment for extraneous matter and bacterial esti-  
 16 mate to determine if the milk is Class 2 or better.

1 SEC. 9. Milk, which from the standpoint of organoleptic examina-  
 2 tion is not acceptable, or which contains excessive extraneous matter  
 3 or which by four (4) weekly bacterial estimate tests in excess of ten  
 4 million (10,000,000) shall be deemed unlawful for the manufacture of  
 5 dairy products for human consumption.

1 SEC. 10. All purchases and deliveries of milk and cream for the  
 2 manufacture of dairy products shall be made on the basis of grades  
 3 and definitions set forth in this chapter.

1 SEC. 11. All purchasers and receivers of milk for the manufacture  
 2 of dairy products for human consumption shall maintain a reasonable  
 3 price differential between the grades of milk as defined by the bacterial

4 estimate tests. This price differential shall not be less than five per  
5 cent (5%) of the price for grade one (1) milk.

1 SEC. 12. Every creamery, cheese factory and milk processing plant  
2 must employ at least one person who is duly licensed as a grader of  
3 milk.

1 SEC. 13. Milk grader's licenses shall be issued by the secretary to  
2 persons who shall have passed a satisfactory examination as to their  
3 qualifications to grade milk. Said license shall not be transferable.

1 SEC. 14. Each license shall, unless sooner revoked, be valid until  
2 July first after date of issuance. The fee therefor shall be two dollars  
3 (\$2.00), which shall be paid before the license is issued.

1 SEC. 15. It shall be the duty of each licensed grader to comply  
2 with or to cause the plants which he owns, operates or in which he is  
3 employed, to comply with the provisions of this chapter.

1 SEC. 16. Any license issued under this chapter may be revoked by  
2 the secretary for any violation of this chapter or for violation of any  
3 standard of sanitation prescribed by any other statute applicable to  
4 the holder of such license, but only after the holder of the license has  
5 been given reasonable notice of the intention to revoke the license and  
6 reasonable opportunity to be heard, provided however, that when a  
7 licensee is convicted of a willful violation of any requirement of this  
8 chapter, the secretary shall summarily suspend said license for a  
9 period of thirty (30) days and provided that upon a second such con-  
10 viction the secretary shall summarily and permanently revoke such  
11 license.

1 SEC. 17. Each creamery, cheese factory or milk processing plant  
2 shall maintain records of all purchases and receipts of milk from indi-  
3 vidual producers. These records must show:  
4 1. Name of producer  
5 2. Date of delivery  
6 3. Quantity delivered  
7 4. Grade assigned

1 SEC. 18. It shall be the duty of each licensed grader of milk to mix  
2 with any unlawful milk, whenever observed by him, a harmless color-  
3 ing matter that will prevent the unlawful milk to be processed and  
4 used in any form for human consumption.

1 SEC. 19. Any person who, by himself or by his agent or employee,  
2 willfully violates any requirement of this chapter shall be fined not less  
3 than fifty (\$50) dollars nor more than one hundred dollars (\$100).

Approved April 24, 1959.

## CHAPTER 150

## MEASURING SAW LOGS

H. F. 247

AN ACT to adopt the Scribner Decimal "C" log rule as the standard log rule for determining the board foot content of saw logs.

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

1 SECTION 1. The Scribner Decimal "C" log rule is hereby adopted  
2 as the standard log rule for determining the board foot content of saw  
3 logs; and all contracts hereafter entered into for the cutting, purchase  
4 and sale of saw logs shall be deemed to be made on the basis of such  
5 standard rule unless some other method is specifically agreed upon.

Approved February 19, 1959.

## CHAPTER 151

## VETERINARY INSPECTION FEE

S. F. 345

AN ACT providing for veterinary inspection of animals passing through sale yards or barns.

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

1 SECTION 1. The state department of agriculture shall collect a  
2 veterinary inspection fee agreed upon by the marketing unit operator  
3 and a qualified veterinary inspector, recommended by the marketing  
4 unit operator and approved by the secretary of agriculture, plus a  
5 cost of administration not to exceed two dollars per month per mar-  
6 keting unit, on all animals marketed through sale yards, sale barns,  
7 auction markets, or other marketing agencies required to hold permits  
8 issued by the department. Such fees, when collected, shall be placed  
9 by the secretary in an "inspection fee revolving fund" under his  
10 jurisdiction. The department shall pay fees to each such approved  
11 veterinary inspector for inspection services in accordance with agree-  
12 ments between such veterinarians and the marketing units where  
13 inspections are accomplished, reduced by the allowable amounts for  
14 administration. Such fees shall be adjusted from time to time so that  
15 the amount collected will not exceed the costs of said veterinary in-  
16 spections and the administration thereof. The provisions of this Act  
17 shall also apply to all sale yards, sale barns, and marketing agencies  
18 receiving livestock moved into the state of Iowa for sale through said  
19 sale yards, sale barns, and marketing agencies, except meat process-  
20 ing establishments or terminal markets where full time federal in-  
21 spections are required and such requirement is complied with. Sale  
22 yards, sale barns and marketing agencies not handling livestock  
23 shipped into the state of Iowa for resale shall be exempt from the  
24 provisions of this Act, as well as livestock meeting federal and state  
25 requirements for interstate shipment as to health at the time of entry  
26 into Iowa.

Approved May 6, 1959.

## CHAPTER 152

## MENTAL HEALTH TERMINOLOGY

## H. F. 701

AN ACT relating to mental health terminology in the Code.

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

1 SECTION 1. Section two hundred eighteen point four (218.4), Code  
2 1958, is hereby amended as follows:

3 1. By striking the word "insane" in line seventeen (17) and by  
4 inserting in lieu thereof the words "mentally ill".

5 2. By striking the word "insane" in line twenty-nine (29) and by  
6 inserting in lieu thereof the words "mentally ill".

1 SEC. 2. Section two hundred eighteen point thirty (218.30), Code  
2 1958, is hereby amended by striking the word "insane" in line four  
3 (4) and by inserting in lieu thereof the words "mentally ill".

1 SEC. 3. Section two hundred eighteen point thirty-nine (218.39),  
2 Code 1958, is hereby amended by striking the word "insane" in line  
3 two (2) and by inserting in lieu thereof the words "mentally ill".

1 SEC. 4. Section two hundred eighteen point forty-six (218.46),  
2 Code 1958, is hereby amended by striking the word "insane" in line  
3 thirteen (13) of subsection two (2) and by inserting in lieu thereof  
4 the words "mentally ill".

1 SEC. 5. Section two hundred eighteen point seventy-six (218.76),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "insane" in line three (3) of subsection  
4 two (2) and by inserting in lieu thereof the words "mentally ill".

5 2. By striking the words "mental defectives" in lines three (3) and  
6 four (4) of subsection two (2) and by inserting in lieu thereof the  
7 words "mentally retarded".

8 3. By striking the words "mental, feeble-minded and epileptic hos-  
9 pitals" in lines three (3) and four (4) of subsection four (4) and by  
10 inserting in lieu thereof the words "hospitals for the mentally ill,  
11 mentally retarded and epileptic".

1 SEC. 6. Section two hundred nineteen point thirteen (219.13),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "insane" in line three (3) and by inserting  
4 in lieu thereof the words "mentally ill".

5 2. By striking the word "insane" in line six (6) and by inserting  
6 in lieu thereof the words "mentally ill".

1 SEC. 7. Section two hundred twenty-two point one (222.1), Code  
2 1958, is hereby amended as follows:

3 1. By striking the word "feeble-minded" in line two (2) and by  
4 inserting in lieu thereof the words "mentally retarded".

5 2. By striking the word "defectiveness" in line four (4) and by  
6 inserting in lieu thereof the word "retardation".

7 3. By striking the word "insane" in line ten (10) and by inserting  
8 in lieu thereof the words "mentally ill".

9 4. By striking the word "insane" in line twelve (12) and by in-  
10 sserting in lieu thereof the words "mentally ill".

1 SEC. 8. Section two hundred twenty-two point two (222.2), Code  
2 1958, is hereby amended by striking the word "feeble-minded" in  
3 lines four (4) and five (5) and by inserting in lieu thereof the words  
4 "mentally retarded".

1 SEC. 9. Section two hundred twenty-two point three (222.3), Code  
2 1958, is hereby amended as follows:

3 1. By striking the word "feeble-mindedness" in line two (2) and  
4 by inserting in lieu thereof the words "mental retardation".

5 2. By striking the word "feeble-minded" in line eight (8) and by  
6 inserting in lieu thereof the words "mentally retarded".

1 SEC. 10. Section two hundred twenty-two point four (222.4), Code  
2 1958, is hereby amended by striking the word "feeble-minded" in line  
3 one (1) of subsection one (1) and by inserting in lieu thereof the  
4 words "mentally retarded".

1 SEC. 11. Section two hundred twenty-two point six (222.6), Code  
2 1958, is hereby amended by striking the word "feeble-minded" in line  
3 two (2) and by inserting in lieu thereof the words "mentally re-  
4 tardated".

1 SEC. 12. Section two hundred twenty-two point seven (222.7),  
2 Code 1958, is hereby amended by striking the word "feeble-minded"  
3 in line twelve (12) and by inserting in lieu thereof the words "men-  
4 tally retarded".

1 SEC. 13. Section two hundred twenty-two point ten (222.10), Code  
2 1958, is hereby amended as follows:

3 1. By striking the word "feeble-minded" in line five (5) and by  
4 inserting in lieu thereof the words "mentally retarded".

5 2. By striking the word "warrant" in line nine (9) and inserting  
6 in lieu thereof the word "order".

1 SEC. 14. Section two hundred twenty-two point thirteen (222.13),  
2 Code 1958, is hereby amended by striking the word "feeble-minded"  
3 in line four (4) and by inserting in lieu thereof the words "mentally  
4 retarded".

1 SEC. 15. Section two hundred twenty-two point fourteen (222.14),  
2 Code 1958, is hereby amended by striking the word "feeble-minded"  
3 in line seven (7) and by inserting in lieu thereof the words "mentally  
4 retarded".

1 SEC. 16. Section two hundred twenty-two point seventeen (222.17),  
2 Code 1958, is hereby amended by striking the word "feeble-minded-  
3 ness" in line three (3) and by inserting in lieu thereof the words  
4 "mental retardation".

1 SEC. 17. Section two hundred twenty-two point eighteen (222.18),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "feeble-minded" in line two (2) and by  
4 inserting in lieu thereof the words "mentally retarded".

5 2. By striking the word "feeble-minded" in line two (2) of sub-

6 section two (2) and by inserting in lieu thereof the words "mentally  
7 retarded".

1 SEC. 18. Section two hundred twenty-two point twenty-one  
2 (222.21), Code 1958, is hereby amended by striking the word "feeble-  
3 minded" in lines six (6) and seven (7) and by inserting in lieu there-  
4 of the words "mentally retarded".

1 SEC. 19. Section two hundred twenty-two point twenty-two  
2 (222.22), Code 1958, is hereby amended as follows:

3 1. By striking the word "feeble-minded" in line three (3) and by  
4 inserting in lieu thereof the words "mentally retarded".

5 2. By striking the word "feeble-minded" in line five (5) and by in-  
6 serting in lieu thereof the words "mentally retarded".

1 SEC. 20. Section two hundred twenty-two point twenty-four  
2 (222.24), Code 1958, is hereby amended by striking the word "war-  
3 rant" in line four (4) and by inserting in lieu thereof the word  
4 "order".

1 SEC. 21. Section two hundred twenty-two point twenty-five  
2 (222.25), Code 1958, is hereby amended by striking the word "feeble-  
3 minded" in line four (4) and by inserting in lieu thereof the words  
4 "mentally retarded".

1 SEC. 22. Section two hundred twenty-two point twenty-six  
2 (222.26), Code 1958, is hereby amended as follows:

3 1. By striking the word "warrant" in line two (2) and by insert-  
4 ing in lieu thereof the word "order".

5 2. By striking the word "warrant" in line three (3) and by insert-  
6 ing in lieu thereof the word "order".

1 SEC. 23. Section two hundred twenty-two point twenty-seven  
2 (222.27), Code 1958, is hereby amended by striking the word "war-  
3 rant" in line two (2) and inserting in lieu thereof the word "order".

1 SEC. 24. Section two hundred twenty-two point thirty (222.30),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "feeble-minded" in lines one (1) and two  
4 (2) of subsection one (1) and by inserting in lieu thereof the words  
5 "mentally retarded".

6 2. By striking the word "feeble-minded" in line two (2) of sub-  
7 section one (1) and by inserting in lieu thereof the words "mentally  
8 retarded".

9 3. By striking the word "feeble-minded" in lines one (1) and two  
10 (2) of subsection three (3) and by inserting in lieu thereof the words  
11 "mentally retarded".

1 SEC. 25. Section two hundred twenty-two point thirty-two  
2 (222.32), Code 1958, is hereby amended by striking the word "feeble-  
3 minded" in line two (2) and by inserting in lieu thereof the words  
4 "mentally retarded".

1 SEC. 26. Section two hundred twenty-two point thirty-four  
2 (222.34), Code 1958, is hereby amended by striking the word "feeble-  
3 minded" in line seven (7) and by inserting in lieu thereof the words  
4 "mentally retarded".

1 SEC. 27. Section two hundred twenty-two point thirty-five  
2 (222.35), Code 1958, is hereby amended by striking the word "inmate"  
3 in line seven (7) and by inserting in lieu thereof the word "patient".

1 SEC. 28. Section two hundred twenty-two point thirty-six (222.36),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "parole" in line two (2) and by inserting  
4 in lieu thereof the words "convalescent leave."

5 2. By striking the word "inmate" in line three (3) and by inserting  
6 in lieu thereof the word "patient".

7 3. By striking the word "feeble-minded" in line seven (7) and by  
8 inserting in lieu thereof the words "mentally retarded".

9 4. By striking the word "parole" in line nine (9) and by inserting  
10 in lieu thereof the words "convalescent leave".

1 SEC. 29. Section two hundred twenty-two point thirty-seven  
2 (222.37), Code 1958, is hereby amended as follows:

3 1. By striking the words "an inmate" in line two (2) and by insert-  
4 ing in lieu thereof the words "a patient".

5 2. By striking the word "feeble-minded" in line three (3) and by  
6 inserting in lieu thereof the words "mentally retarded".

1 SEC. 30. Section two hundred twenty-two point thirty-eight  
2 (222.38), Code 1958, is hereby amended as follows:

3 1. By striking the word "feeble-minded" in lines two (2) and three  
4 (3) and by inserting in lieu thereof the words "mentally retarded".

5 2. By striking the word "feeble-minded" in line four (4) and by  
6 inserting in lieu thereof the words "mentally retarded".

1 SEC. 31. Section two hundred twenty-two point forty (222.40),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "feeble-minded" in line four (4) and by  
4 inserting in lieu thereof the words "mentally retarded".

5 2. By striking the word "feeble-minded" in line five (5) and by  
6 inserting in lieu thereof the words "mentally retarded".

1 SEC. 32. Section two hundred twenty-two point forty-one (222.41),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "feeble-minded" in line three (3) and by  
4 inserting in lieu thereof the words "mentally retarded".

5 2. By striking the word "feeble-minded" in line six (6) and by  
6 inserting in lieu thereof the words "mentally retarded".

1 SEC. 33. Section two hundred twenty-two point forty-two (222.42),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "feeble-minded" in line two (2) and by  
4 inserting in lieu thereof the words "mentally retarded".

5 2. By striking the word "feeble-minded" in line five (5) and by  
6 inserting in lieu thereof the words "mentally retarded".

7 3. By striking the word "feeble-minded" in line seven (7) and by  
8 inserting in lieu thereof the words "mentally retarded".

1 SEC. 34. Section two hundred twenty-two point forty-three  
2 (222.43), Code 1958, is hereby amended by striking the word "feeble-  
3 minded" in line four (4) and by inserting in lieu thereof the words  
4 "mentally retarded".



1 SEC. 35. Section two hundred twenty-two point forty-four  
2 (222.44), Code 1958, is hereby amended by striking the word "feeble-  
3 minded" in line nine (9) and by inserting in lieu thereof the words  
4 "mentally retarded".

1 SEC. 36. Section two hundred twenty-two point forty-five (222.45),  
2 Code 1958, is hereby amended by striking the word "feeble-minded"  
3 in line three (3) and by inserting in lieu thereof the words "mentally  
4 retarded".

1 SEC. 37. Section two hundred twenty-two point forty-six (222.46),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "feeble-minded" in line three (3) and by  
4 inserting in lieu thereof the words "mentally retarded".

5 2. By striking the word "insane" in line four (4) and by inserting  
6 in lieu thereof the words "mentally ill".

1 SEC. 38. Section two hundred twenty-two point forty-seven  
2 (222.47), Code 1958, is hereby amended as follows:

3 1. By striking the word "insane" in line six (6) and by inserting  
4 in lieu thereof the words "mentally ill".

5 2. By striking the word "insane" in line seven (7) and by inserting  
6 in lieu thereof the words "mentally ill".

1 SEC. 39. Section two hundred twenty-two point forty-eight  
2 (222.48), Code 1958, is hereby amended as follows:

3 1. By striking the word "insane" in line three (3) and by insert-  
4 ing in lieu thereof the words "mentally ill".

5 2. By striking the word "feeble-minded" in line five (5) and by  
6 inserting in lieu thereof the words "mentally retarded".

1 SEC. 40. Section two hundred twenty-two point forty-nine  
2 (222.49), Code 1958, is hereby amended as follows:

3 1. By striking the word "feeble-minded" in line two (2) and by  
4 inserting in lieu thereof the words "mentally retarded".

5 2. By striking the word "inmates" in line nine (9) and by inserting  
6 in lieu thereof the word "patients".

1 SEC. 41. Section two hundred twenty-two point fifty (222.50),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "feeble-minded" in line one (1) and by  
4 inserting in lieu thereof the words "mentally retarded".

5 2. By striking the word "escape" in line two (2) and by inserting  
6 in lieu thereof the words "depart without proper authorization".

7 3. By striking the word "feeble-minded" in line three (3) and by  
8 inserting in lieu thereof the words "mentally retarded".

9 4. By striking the word "inmate" in line seven (7) and by insert-  
10 ing in lieu thereof the word "patient".

11 5. By inserting after the word "warrant" in line nine (9) of such  
12 section the words "or order".

13 6. By striking the word "inmate" in line eleven (11) and by in-  
14 serting in lieu thereof the word "patient".

1 SEC. 42. Section two hundred twenty-two point fifty-one (222.51),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "capture" in line two (2) and by insert-  
4 ing in lieu thereof the words "taking into protective custody".

5 2. By striking the word "inmates" in line three (3) and by insert-  
6 ing in lieu thereof the word "patients".

1 SEC. 43. Section two hundred twenty-two point fifty-three  
2 (222.53), Code 1958, is hereby amended by striking the word "feeble-  
3 minded" in line three (3) and by inserting in lieu thereof the words  
4 "mentally retarded".

1 SEC. 44. Section two hundred twenty-two point fifty-four (222.54),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "feeble-minded" in line three (3) and by  
4 inserting in lieu thereof the words "mentally retarded".

5 2. By striking the word "feeble-minded" in line four (4) and by  
6 inserting in lieu thereof the words "mentally retarded".

1 SEC. 45. Section two hundred twenty-two point fifty-five (222.55),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "feeble-minded" in line two (2) and by  
4 inserting in lieu thereof the words "mentally retarded".

5 2. By striking the word "escapes" in line two (2) and by inserting  
6 in lieu thereof the words "departs without proper authority".

7 3. By striking the word "escapee" in line five (5) and by inserting  
8 in lieu thereof the word "patient".

9 4. By inserting after the word "warrant" in line six (6) of such  
10 section the words "or order".

11 5. By striking the word "escapee" in line eight (8) and by insert-  
12 ing in lieu thereof the word "patient".

13 6. By striking the word "escape" in line nine (9) and by insert-  
14 ing in lieu thereof the words "unauthorized departure".

15 7. By striking the word "escapee" in line ten (10) and by insert-  
16 ing in lieu thereof the word "patient".

17 8. By striking the word "feeble-minded" in line seventeen (17) and  
18 by inserting in lieu thereof the words "mentally retarded".

1 SEC. 46. Section two hundred twenty-three point one (223.1), Code  
2 1958, is hereby amended as follows:

3 1. By striking the word "feeble-minded" in line two (2) and by  
4 inserting in lieu thereof the words "mentally retarded".

5 2. By striking the word "feeble-minded" in line seven (7) and by  
6 inserting in lieu thereof the words "mentally retarded".

1 SEC. 47. Section two hundred twenty-three point six (223.6), Code  
2 1958, is hereby amended as follows:

3 1. By striking the word "sane" in line one (1) and by inserting in  
4 lieu thereof the words "in good mental health" after the word "pa-  
5 tient".

6 2. By striking the word "insane" in line five (5) and by inserting  
7 in lieu thereof the words "mentally ill".

8 3. By striking the word "insane" in line eight (8) and by inserting  
9 in lieu thereof the words "mentally ill".

10 4. By striking the words "commissioners of insanity" in line twelve  
11 (12) and by inserting in lieu thereof the words "commissioners of  
12 hospitalization".

1 SEC. 48. Section two hundred twenty-three point seven (223.7),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "insane" in line two (2) and by inserting  
4 in lieu thereof the words "mentally ill".

5 2. By striking the word "insane" in line three (3) and by inserting  
6 in lieu thereof the words "mentally ill".

1 SEC. 49. Section two hundred twenty-three point eight (223.8),  
2 Code 1958, is hereby amended by striking the word "insane" in line  
3 four (4) and by inserting in lieu thereof the words "mentally ill".

1 SEC. 50. Section two hundred twenty-three point nine (223.9),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "sane" in line three (3) and by inserting  
4 in lieu thereof the words "in good mental health".

5 2. By striking the word "sane" in line eight (8) and by inserting  
6 in lieu thereof the words "in good mental health".

7 3. By striking the words "a warrant" in line twelve (12) and by  
8 inserting in lieu thereof the words "an order of commitment".

1 SEC. 51. Section two hundred twenty-three point ten (223.10),  
2 Code 1958, is hereby amended by striking the word "feeble-minded" in  
3 line twelve (12) and by inserting in lieu thereof the words "mentally  
4 retarded".

1 SEC. 52. Section two hundred twenty-three point eleven (223.11),  
2 Code 1958, is hereby amended by striking the word "Inmates" in line  
3 one (1) and by inserting in lieu thereof the word "Patients".

1 SEC. 53. Section two hundred twenty-three point thirteen (223.13),  
2 Code 1958, is hereby amended by striking the words "commitments  
3 or" in line one (1).

1 SEC. 54. Section two hundred twenty-three point fourteen  
2 (223.14), Code 1958, is hereby amended as follows:

3 1. By striking the word "inmates" in line eight (8) and line nine  
4 (9) and by inserting in lieu thereof the word "patients".

5 2. By striking the word "insane" in line nine (9) and by inserting  
6 in lieu thereof the words "mentally ill".

1 SEC. 55. Section two hundred twenty-three point sixteen (223.16),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "insane" in line five (5) and by inserting  
4 in lieu thereof the words "mentally ill".

5 2. By striking the words "an inmate" in line twelve (12) and by  
6 inserting in lieu thereof the words "a patient".

7 3. By striking the word "insane" in line thirteen (13) and by in-  
8 serting in lieu thereof the words "mentally ill".

1 SEC. 56. Section two hundred twenty-three point nineteen  
2 (223.19), Code 1958, is hereby amended as follows:

3 1. By striking the word "inmate" in line two (2) and by inserting  
4 in lieu thereof the word "patient".

5 2. By striking the word "inmate" in line five (5) and by inserting  
6 in lieu thereof the word "patient".

7 3. By striking the word "paroled" in line five (5) and by inserting  
8 in lieu thereof the words "placed on convalescent leave".

9 4. By striking the word "parole" in line six (6) and by inserting  
10 in lieu thereof the words "convalescent leave".

1 SEC. 57. Section two hundred twenty-four point one (224.1), Code  
2 1958, is hereby amended by striking the words "commissioners of  
3 insanity" in line four (4) and by inserting in lieu thereof the words  
4 "commissioners of hospitalization".

1 SEC. 58. Section two hundred twenty-four point two (224.2), Code  
2 1958, is hereby amended by striking the word "insane" in line three  
3 (3) and by inserting in lieu thereof the words "mentally ill".

1 SEC. 59. Section two hundred twenty-four point three (224.3),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "inmates" in line four (4) of such section  
4 and by inserting in lieu thereof the word "patient".

5 2. By striking the word "paroled" in line four (4) and by inserting  
6 in lieu thereof the words "placed on convalescent leave".

1 SEC. 60. Section two hundred twenty-four point five (224.5), Code  
2 1958, is hereby amended as follows:

3 1. By striking the word "insane" in line four (4) and by inserting  
4 in lieu thereof the words "mentally ill".

5 2. By striking the word "insane" in line eight (8) and by inserting  
6 in lieu thereof the words "mentally ill".

7 3. By striking the words "commissioners of insanity" in line ten  
8 (10) and by inserting in lieu thereof the words "commissioners of  
9 hospitalization".

10 4. By striking the words "commissioners of insanity" in line four-  
11 teen (14) and by inserting in lieu thereof the words "commissioners  
12 of hospitalization".

1 SEC. 61. Section two hundred twenty-five A point one (225A.1),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "feeble-minded" in line four (4) and by  
4 inserting in lieu thereof the words "mentally retarded".

5 2. By striking the word "insane" in line five (5) and by inserting  
6 in lieu thereof the words "mentally ill".

1 SEC. 62. Section two hundred twenty-five A point eleven (225A.11),  
2 Code 1958, is hereby amended by striking the word "insane" in line  
3 four (4) and by inserting in lieu thereof the words "mentally ill".

1 SEC. 63. Section two hundred twenty-five A point fourteen  
2 (225A.14), Code 1958, is hereby amended as follows:

3 1. By striking the word "inmates" in line six (6) and by inserting  
4 in lieu thereof the word "patients".

5 2. By striking the word "insane" in line seven (7) and by inserting  
6 in lieu thereof the words "mentally ill".

1 SEC. 64. Section two hundred twenty-five A point fifteen  
2 (225A.15), Code 1958, is hereby amended by striking the word "in-  
3 sane" in line three (3) and by inserting in lieu thereof the words  
4 "mentally ill".

1 SEC. 65. Section two hundred twenty-six point one (226.1), Code  
2 1958, is hereby amended by striking the word "insane" in line two  
3 (2) and by inserting in lieu thereof the words "mentally ill".

1 SEC. 66. Section two hundred twenty-six point eight (226.8), Code  
2 1958, is hereby amended as follows:

3 1. By striking the word "idiot" in line one (1) and by inserting in  
4 lieu thereof the words "mental retardate".

5 2. By striking the word "insane" in line two (2) and by inserting  
6 in lieu thereof the words "mentally ill".

7 3. By striking the word "idiot" in line three (3) and by inserting  
8 in lieu thereof the words "mental retardate".

1 SEC. 67. Section two hundred twenty-six point nine (226.9), Code  
2 1958, is hereby amended as follows:

3 1. By striking the words "warrant of commitment" in lines two (2)  
4 and three (3) and by inserting in lieu thereof the words "order of  
5 admission".

6 2. By striking the word "insane" in line four (4) and by inserting  
7 in lieu thereof the words "mentally ill".

8 3. By striking the word "sane" in line thirteen (13) and by in-  
9 serting in lieu thereof the words "in good mental health".

1 SEC. 68. Section two hundred twenty-six point thirteen (226.13),  
2 Code 1958, is hereby amended by striking the word "inmate" in line  
3 four (4) and by inserting in lieu thereof the word "patient".

1 SEC. 69. Section two hundred twenty-six point fourteen (226.14),  
2 Code 1958, is hereby amended by striking the word "inmate" in line  
3 one (1) and by inserting in lieu thereof the word "patient".

1 SEC. 70. Section two hundred twenty-six point fifteen (226.15),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "inmate" in line three (3) and by insert-  
4 ing in lieu thereof the word "patient".

5 2. By striking the word "inmate" in line six (6) and by inserting  
6 in lieu thereof the word "patient".

1 SEC. 71. Section two hundred twenty-six point sixteen (226.16),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "escape" in line four (4) and by inserting  
4 in lieu thereof the words "unauthorized departure".

5 2. By striking the word "recapture" in line five (5) and by insert-  
6 ing in lieu thereof the words "take into protective custody".

7 3. By striking the word "escape" in line seven (7) and by insert-  
8 ing in lieu thereof the words "unauthorized departure".

1 SEC. 72. Section two hundred twenty-six point seventeen (226.17),  
2 Code 1958, is hereby amended by striking the word "capture" in line  
3 three (3) and by inserting in lieu thereof the words "taking into pro-  
4 tective custody".

1 SEC. 73. Section two hundred twenty-six point eighteen (226.18),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "inmate" in line three (3) and by insert-  
4 ing in lieu thereof the word "patient".

- 5 2. By striking the word "insane" in line four (4) and by inserting  
6 in lieu thereof the words "mentally ill".  
7 3. By striking the words "an inmate" in lines ten (10) and eleven  
8 (11) and by inserting in lieu thereof the words "a patient".  
9 4. By striking the word "inmates" in line thirteen (13) and by in-  
10 sserting in lieu thereof the word "patients".

1 SEC. 74. Section two hundred twenty-six point nineteen (226.19),  
2 Code 1958, is hereby amended by striking the word "sanity" in line  
3 three (3) and by inserting in lieu thereof the words "good mental  
4 health".

1 SEC. 75. Section two hundred twenty-six point twenty (226.20),  
2 Code 1958, is hereby amended by striking the words "an insane" in  
3 line four (4) and by inserting in lieu thereof the words "a mentally  
4 ill".

1 SEC. 76. Section two hundred twenty-six point twenty-three  
2 (226.23), Code 1958, is hereby amended as follows:

- 3 1. By striking the words "commissioners of insanity" in lines three  
4 (3) and four (4) and by inserting in lieu thereof the words "commis-  
5 sioners of hospitalization".  
6 2. By striking the word "parole" in line six (6) and by inserting  
7 in lieu thereof the words "place on convalescent leave".

1 SEC. 77. Section two hundred twenty-six point twenty-four  
2 (226.24), Code 1958, is hereby amended as follows:

- 3 1. By striking the word "sanity" in line three (3) and by inserting  
4 in lieu thereof the words "good mental health".  
5 2. By striking the word "sanity" in line ten (10) and by inserting  
6 in lieu thereof the words "good mental health".

1 SEC. 78. Section two hundred twenty-six point twenty-seven  
2 (226.27), Code 1958, is hereby amended as follows:

- 3 1. By striking the words "an inmate" in lines one (1) and two (2)  
4 and by inserting in lieu thereof the words "a patient".

1 SEC. 79. Section two hundred twenty-six point thirty (226.30),  
2 Code 1958, is hereby amended as follows:

- 3 1. By striking the word "inmate" in line one (1) and by inserting.  
4 in lieu thereof the word "patient".  
5 2. By striking the word "insane" in line one (1) and by inserting  
6 in lieu thereof the words "the mentally ill".  
7 3. By striking the word "inmate" in line eight (8) and by inserting  
8 in lieu thereof the word "patient".  
9 4. By striking the word "insane" in line eight (8) and by inserting  
10 in lieu thereof the words "mentally ill".  
11 5. By striking the word "inmate" in line ten (10) and by inserting  
12 in lieu thereof the word "patient".

1 SEC. 80. Section two hundred twenty-six point thirty-three  
2 (226.33), Code 1958, is hereby amended by striking the words "com-  
3 missioners of insanity" in line five (5) and by inserting in lieu there-  
4 of the words "commissioners of hospitalization".

1 SEC. 81. Section two hundred twenty-seven point one (227.1),  
 2 Code 1958, is hereby amended by striking the word "insane" in line  
 3 two (2) and by inserting in lieu thereof the words "mentally ill".

1 SEC. 82. Section two hundred twenty-seven point two (227.2),  
 2 Code 1958, is hereby amended as follows:

3 1. By striking the word "insane" in line four (4) and by inserting  
 4 in lieu thereof the words "mentally ill".

5 2. By striking the word "inmates" in line one (1) of subsection two  
 6 (2) and by inserting in lieu thereof the word "patients".

7 3. By striking the word "insane" in line two (2) of subsection  
 8 seven (7) and by inserting in lieu thereof the words "mentally ill".

1 SEC. 83. Section two hundred twenty-seven point six (227.6), Code  
 2 1958, is hereby amended as follows:

3 1. By striking the word "insane" in line three (3) and by inserting  
 4 in lieu thereof the words "mentally ill".

5 2. By striking the word "insane" in line seven (7) and by inserting  
 6 in lieu thereof the words "mentally ill".

1 SEC. 84. Section two hundred twenty-seven point nine (227.9),  
 2 Code 1958, is hereby amended by striking the word "sane" in line  
 3 three (3) and by inserting in lieu thereof the words "in good mental  
 4 health".

1 SEC. 85. Section two hundred twenty-seven point ten (227.10),  
 2 Code 1958, is hereby amended as follows:

3 1. By striking the word "insanity" in line two (2) and by inserting  
 4 in lieu thereof the words "mental illness".

5 2. By striking the word "insane" in line five (5) and by inserting  
 6 in lieu thereof the words "mentally ill".

1 SEC. 86. Section two hundred twenty-seven point eleven (227.11),  
 2 Code 1958, is hereby amended as follows:

3 1. By striking the word "insane" in line three (3) and by inserting  
 4 in lieu thereof the words "mentally ill".

5 2. By striking the word "insane" in line five (5) and by inserting  
 6 in lieu thereof the words "mentally ill".

7 3. By striking the word "insanity" in line eight (8) and by in-  
 8 serting in lieu thereof the words "mental illness".

9 4. By striking the word "insane" in line twelve (12) and by in-  
 10 serting in lieu thereof the words "mentally ill".

1 SEC. 87. Section two hundred twenty-seven point twelve (227.12),  
 2 Code 1958, is hereby amended as follows:

3 1. By striking the word "asylum" in line four (4) and by inserting  
 4 in lieu thereof the word "hospital".

5 2. By striking the word "asylum" in line eight (8) and by insert-  
 6 ing in lieu thereof the word "hospital".

1 SEC. 88. Section two hundred twenty-seven point fourteen  
 2 (227.14), Code 1958, is hereby amended as follows:

3 1. By striking the word "insane" in line two (2) and by inserting  
 4 in lieu thereof the words "mentally ill".

5 2. By striking the word "insane" in line six (6) and by inserting  
 6 in lieu thereof the words "mentally ill".

1 SEC. 89. Section two hundred twenty-seven point fifteen (227.15),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "insane" in line five (5) and by inserting  
4 in lieu thereof the words "mentally ill".

5 2. By striking the words "commission of insanity" in lines six (6)  
6 and seven (7) and by inserting in lieu thereof the words "commission  
7 of hospitalization".

1 SEC. 90. Section two hundred twenty-seven point sixteen (227.16),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "insane" in line three (3) and by insert-  
4 ing in lieu thereof the words "mentally ill".

5 2. By striking the words "commission of insanity" in line five (5)  
6 and by inserting in lieu thereof the words "commission of hospitali-  
7 zation".

1 SEC. 91. Section two hundred twenty-seven point eighteen  
2 (227.18), Code 1958, is hereby amended as follows:

3 1. By striking the word "insane" in line seven (7) and by inserting  
4 in lieu thereof the words "mentally ill".

5 2. By striking the word "insane" in line thirteen (13) and by in-  
6 serting in lieu thereof the words "mentally ill".

1 SEC. 92. Section two hundred twenty-eight point one (228.1),  
2 Code 1958, is hereby amended by striking the words "commission of  
3 insanity" in line two (2) and by inserting in lieu thereof the words  
4 "commission of hospitalization".

1 SEC. 93. Section two hundred twenty-eight point eight (228.8),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "insane" in line four (4) and by inserting  
4 in lieu thereof the words "mentally ill".

5 2. By striking the word "insane" in line five (5) and by inserting  
6 in lieu thereof the words "mentally ill".

7 3. By striking the word "insane" in line seven (7) and by insert-  
8 ing in lieu thereof the words "mentally ill".

1 SEC. 94. Section two hundred twenty-eight point nine (228.9),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the words "commissioners of insanity" in line two  
4 (2) of subsection one (1) and by inserting in lieu thereof the words  
5 "commissioners of hospitalization".

6 2. By striking the word "commitment" in line five (5) and by in-  
7 serting in lieu thereof the word "admission".

8 3. By striking the word "commitment" in line nine (9) and by in-  
9 serting in lieu thereof the word "admission".

1 SEC. 95. Section two hundred twenty-eight point eleven (228.11),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the words "warrant of commitment" in lines eleven  
4 (11) and twelve (12) and by inserting in lieu thereof the words  
5 "order of admission".

6 2. By striking the word "warrant" in line thirteen (13) and by in-  
7 serting in lieu thereof the word "order".



8 3. By striking the word "warrant" in line twenty (20) and by in-  
9 serting in lieu thereof the word "order".

1 SEC. 96. Section two hundred twenty-nine point one (229.1), Code  
2 1958, is hereby amended as follows:

3 1. By striking the word "insane" in line two (2) and by inserting  
4 in lieu thereof the words "mentally ill".

5 2. By striking the word "insane" in line two (2) of subsection one  
6 (1) and by inserting in lieu thereof the words "mentally ill".

7 3. By striking the word "insane" in line thirty-four (34) and by  
8 inserting in lieu thereof the words "mentally ill".

9 4. By striking the words "commission of insanity" in lines thirty-  
10 five (35) and thirty-six (36) and by inserting in lieu thereof the words  
11 "commission of hospitalization".

12 5. By striking the word "insane" in line forty-two (42) and by in-  
13 serting in lieu thereof the words "mentally ill".

14 6. By striking the word "insane" in line forty-seven (47) and by in-  
15 serting in lieu thereof the words "mentally ill".

16 7. By striking the word "insane" in line forty-nine (49) and by in-  
17 serting in lieu thereof the words "mentally ill".

18 8. By striking the word "insane" in line sixty-two (62) and by in-  
19 serting in lieu thereof the words "mentally ill".

1 SEC. 97. Section two hundred twenty-nine point two (229.2), Code  
2 1958, is hereby amended as follows:

3 1. By striking the word "insane" in line four (4) and by inserting  
4 in lieu thereof the words "mentally ill".

5 2. By striking the word "warrant" in lines five (5) and six (6) and  
6 by inserting in lieu thereof the word "order".

1 SEC. 98. Section two hundred twenty-nine point five (229.5), Code  
2 1958, is hereby amended by striking the word "insane" in line two  
3 (2) and by inserting in lieu thereof the words "mentally ill".

1 SEC. 99. Section two hundred twenty-nine point six (229.6), Code  
2 1958, is hereby amended as follows:

3 1. By striking the word "sane" in line nine (9) and by inserting  
4 in lieu thereof the words "in good mental health".

5 2. By striking the word "insane" in line nine (9) and by inserting  
6 in lieu thereof the words "mentally ill".

1 SEC. 100. Section two hundred twenty-nine point seven (229.7),  
2 Code 1958, is hereby amended by striking the word "insane" in line  
3 two (2) of subsection nineteen (19) and by inserting in lieu thereof  
4 the words "mentally ill".

1 SEC. 101. Section two hundred twenty-nine point nine (229.9),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "insane" in line two (2) and by inserting  
4 in lieu thereof the words "mentally ill".

5 2. By striking the word "insane" in line twenty-nine (29) and by  
6 inserting in lieu thereof the words "mentally ill".

1 SEC. 102. Section two hundred twenty-nine point ten (229.10),  
2 Code, 1958, is hereby amended by striking the word "warrant" in line  
3 two (2) and by inserting in lieu thereof the word "order".

1 SEC. 103. Section two hundred twenty-nine point eleven (229.11),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "warrant" in line one (1) and by inserting  
4 in lieu thereof the word "order".

5 2. By striking the word "warrant" in line ten (10) and by inserting  
6 in lieu thereof the word "order".

1 SEC. 104. Section two hundred twenty-nine point twelve (229.12),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "insanity" in line three (3) and by insert-  
4 ing in lieu thereof the words "mental illness".

5 2. By striking the word "warrant" in line six (6) and by inserting  
6 in lieu thereof the word "order".

1 SEC. 105. Section two hundred twenty-nine point fourteen  
2 (229.14), Code 1958, is hereby amended by striking the word "war-  
3 rant" in line five (5) and by inserting in lieu thereof the word "order".

1 SEC. 106. Section two hundred twenty-nine point fifteen (229.15),  
2 Code 1958, is hereby amended by striking the word "warrant" in line  
3 five (5) and by inserting in lieu thereof the word "order".

1 SEC. 107. Section two hundred twenty-nine point sixteen (229.16),  
2 Code 1958, is hereby amended by striking the word "insane" in line  
3 two (2) and by inserting in lieu thereof the words "mentally ill".

1 SEC. 108. Section two hundred twenty-nine point seventeen  
2 (229.17), Code 1958, is hereby amended by striking the word "insane"  
3 in lines one (1) and two (2) and by inserting in lieu thereof the words  
4 "mentally ill".

1 SEC. 109. Section two hundred twenty-nine point nineteen  
2 (229.19), Code 1958, is hereby amended as follows:

3 1. By striking the word "insane" in line two (2) and by inserting  
4 in lieu thereof the words "mentally ill".

5 2. By striking the word "warrant" in line five (5) and by inserting  
6 in lieu thereof the word "order".

1 SEC. 110. Section two hundred twenty-nine point twenty (229.20),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "parole" in line thirty-seven (37) of sub-  
4 section one (1) and by inserting in lieu thereof the words "convales-  
5 cent leave".

6 2. By striking the word "parole" in line twenty-five (25) of subsec-  
7 tion two (2) and by inserting in lieu thereof the words "place on con-  
8 valescent leave".

9 3. By striking the word "insane" in line five (5) of subsection three  
10 (3) and by inserting in lieu thereof the words "mentally ill".

11 4. By striking the word "insanity" in line twenty (20) of subsec-  
12 tion three (3) and by inserting in lieu thereof the words "mental  
13 illness".

1 SEC. 111. Section two hundred twenty-nine point twenty-two  
2 (229.22), Code 1958, is hereby amended by striking the word "parole"  
3 in line six (6) and by inserting in lieu thereof the words "convalescent  
4 leave".

1 SEC. 112. Section two hundred twenty-nine point twenty-three  
2 (229.23), Code 1958, is hereby amended by striking the word "war-  
3 rants" in lines three (3) and four (4) and by inserting in lieu thereof  
4 the word "orders".

1 SEC. 113. Section two hundred twenty-nine point twenty-four  
2 (229.24), Code 1958, is hereby amended as follows:

3 1. By striking the word "insane" in line one (1) and by inserting  
4 in lieu thereof the words "mentally ill".

5 2. By striking the words "commission of insanity" in line five (5)  
6 and by inserting in lieu thereof the words "commission of hospitali-  
7 zation".

1 SEC. 114. Section two hundred twenty-nine point twenty-six  
2 (229.26), Code 1958, is hereby amended by striking the words "com-  
3 mission of insanity" in line seven (7) and by inserting in lieu thereof  
4 the words "commission of hospitalization".

1 SEC. 115. Section two hundred twenty-nine point twenty-seven  
2 (229.27), Code 1958, is hereby amended as follows:

3 1. By striking the words "commission of insanity" in line two (2)  
4 and by inserting in lieu thereof the words "commission of hospitali-  
5 zation".

6 2. By striking the word "insane" in line six (6) and by inserting  
7 in lieu thereof the words "mentally ill."

1 SEC. 116. Section two hundred twenty-nine point twenty-eight  
2 (229.28), Code 1958, is hereby amended as follows:

3 1. By striking the words "commission of insanity" in line two (2)  
4 and by inserting in lieu thereof the words "commission of hospitali-  
5 zation".

6 2. By striking the words "an insane" in line three (3) and by in-  
7 serting in lieu thereof the words "a mentally ill".

1 SEC. 117. Section two hundred twenty-nine point twenty-nine  
2 (229.29), Code 1958, is hereby amended as follows:

3 1. By striking the word "Insane" in line one (1) and by inserting  
4 in lieu thereof the words "Mentally ill".

5 2. By striking the words "commission of insanity" in lines three  
6 (3) and four (4) and by inserting in lieu thereof the words "commis-  
7 sion of hospitalization".

1 SEC. 118. Section two hundred twenty-nine point thirty (229.30),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the words "commission of insanity" in lines two  
4 (2) and three (3) and by inserting in lieu thereof the words "commis-  
5 sion of hospitalization".

6 2. By striking the word "insane" in line five (5) and by inserting  
7 in lieu thereof the words "mentally ill".

8 3. By striking the word "sane" in line eight (8) and by inserting  
9 in lieu thereof the words "in good mental health".

10 4. By striking the word "insane" in line eight (8) and by inserting  
11 in lieu thereof the words "mentally ill".

12 5. By striking the word "insanity" in line ten (10) and by insert-  
13 ing in lieu thereof the word "hospitalization".

1 SEC. 119. Section two hundred twenty-nine point thirty-one  
2 (229.31), Code 1958, is hereby amended by striking the word "insane"  
3 in line three (3) and by inserting in lieu thereof the words "mentally  
4 ill".

1 SEC. 120. Section two hundred twenty-nine point thirty-three  
2 (229.33), Code 1958, is hereby amended by striking the word "sane"  
3 in line four (4) and by inserting in lieu thereof the words "in good  
4 mental health".

1 SEC. 121. Section two hundred twenty-nine point thirty-seven  
2 (229.37), Code 1958, is hereby amended as follows:

3 1. By striking the word "insane" in line two (2) and by inserting  
4 in lieu thereof the words "mentally ill".

5 2. By striking the word "insanity" in line four (4) and by insert-  
6 ing in lieu thereof the words "mental illness".

7 3. By striking the word "insane" in line five (5) and line six (6)  
8 and by inserting in lieu thereof the words "mentally ill".

1 SEC. 122. Section two hundred twenty-nine point thirty-eight  
2 (229.38), Code 1958, is hereby amended by striking the words "an  
3 insane" in line two (2) and by inserting in lieu thereof the words  
4 "a mentally ill".

1 SEC. 123. Section two hundred twenty-nine point thirty-nine  
2 (229.39), Code 1958, is hereby amended by striking the words "an  
3 insane" in line three (3) and by inserting the words "a mentally ill".

1 SEC. 124. Section two hundred twenty-nine point forty (229.40),  
2 Code 1958, is hereby repealed and the following is enacted in lieu  
3 thereof:

4 "The term 'mental illness' as used in this chapter includes every  
5 type of mental disease or mental disorder."

1 SEC. 125. Section two hundred twenty-nine point forty-two  
2 (229.42), Code 1958, is hereby amended by striking the words "in-  
3 sane commission" in line seven (7) and by inserting in lieu thereof  
4 the words "hospitalization commission".

1 SEC. 126. Section two hundred thirty point one (230.1), Code 1958,  
2 is hereby amended as follows:

3 1. By striking the word "arrest" in line three (3) and by inserting  
4 in lieu thereof the words "taking into custody".

5 2. By striking the words "an insane" in line four (4) and by in-  
6 serting in lieu thereof the words "a mentally ill".

7 3. By striking the word "insane" in line eleven (11) and by in-  
8 sertng in lieu thereof the words "mentally ill".

9 4. By striking the words "an inmate" in line twelve (12) and by  
10 inserting in lieu thereof the words "a patient".

1 SEC. 127. Section two hundred thirty point two (230.2), Code  
2 1958, is hereby amended as follows:

3 1. By striking the words "commission of insanity" in lines one (1)  
4 and two (2) and by inserting in lieu thereof the words "commission  
5 of hospitalization".

6 2. By striking the word "insane" in line three (3) and by inserting  
7 in lieu thereof the words "mentally ill".

1 SEC. 128. Section two hundred thirty point four (230.4), Code  
2 1958, is hereby amended by striking the words "commission of in-  
3 sanity" in line ten (10) and by inserting in lieu thereof the words  
4 "commission of hospitalization".

1 SEC. 129. Section two hundred thirty point six (230.6), Code 1958,  
2 is hereby amended as follows:

3 1. By striking the words "commission of insanity" in line two (2)  
4 of subsection one (1) and by inserting in lieu thereof the words  
5 "commission of hospitalization".

6 2. By striking the word "insane" in line five (5) of subsection one  
7 (1) and by inserting in lieu thereof the words "mentally ill".

8 3. By striking the words "commission of insanity" in line two (2)  
9 of subsection two (2) and by inserting in lieu thereof the words  
10 "commission of hospitalization".

11 4. By striking the word "insane" in line five (5) of subsection two  
12 (2) and by inserting in lieu thereof the words "mentally ill".

1 SEC. 130. Section two hundred thirty point seven (230.7), Code  
2 1958, is hereby amended by striking the words "an insane" in lines  
3 two (2) and three (3) and by inserting in lieu thereof the words "a  
4 mentally ill".

1 SEC. 131. Section two hundred thirty point eight (230.8), Code  
2 1958, is hereby amended by striking the word "insane" in line two  
3 (2) and by inserting in lieu thereof the words "mentally ill".

1 SEC. 132. Section two hundred thirty point nine (230.9), Code  
2 1958, is hereby amended by striking the word "insane" in line two  
3 (2) and by inserting in lieu thereof the words "mentally ill".

1 SEC. 133. Section two hundred thirty point ten (230.10), Code  
2 1958, is hereby amended as follows:

3 1. By striking the word "arrest" in line two (2) and by inserting  
4 in lieu thereof the words "taking into custody".

5 2. By striking the word "insane" in line four (4) and by inserting  
6 in lieu thereof the words "mentally ill".

1 SEC. 134. Section two hundred thirty point eleven (230.11), Code  
2 1958, is hereby amended by striking the word "insane" in line four  
3 (4) and by inserting in lieu thereof the words "mentally ill".

1 SEC. 135. Section two hundred thirty point twelve (230.12), Code  
2 1958, is hereby amended by striking the word "insane" in line four  
3 (4) and by inserting in lieu thereof the words "mentally ill".

1 SEC. 136. Section two hundred thirty point thirteen (230.13), Code  
2 1958, is hereby amended as follows:

3 1. By striking the word "insane" in line two (2) and by inserting  
4 in lieu thereof the words "mentally ill".

5 2. By striking the word "insanity" in line eight (8) and by insert-  
6 ing in lieu thereof the words "mental illness".

1 SEC. 137. Section two hundred thirty point fourteen (230.14),  
2 Code 1958, is hereby amended as follows:  
3 1. By striking the word "insane" in line two (2) and by inserting  
4 in lieu thereof the words "mentally ill".  
5 2. By striking the word "insane" in line five (5) and by inserting  
6 in lieu thereof the words "mentally ill".  
7 3. By striking the word "insane" in line seven (7) and by inserting  
8 in lieu thereof the words "mentally ill".  
9 4. By striking the word "insanity" in line ten (10) and by insert-  
10 ing in lieu thereof the words "mental illness".

1 SEC. 138. Section two hundred thirty point fifteen (230.15), Code  
2 1958, is hereby amended as follows:  
3 1. By striking the word "insane" in line one (1) and by inserting  
4 in lieu thereof the words "mentally ill".  
5 2. By striking the word "insane" in line three (3) and in line four  
6 (4) and by inserting in lieu thereof the words "mentally ill".  
7 3. By striking the words "an insane" in line five (5) and by insert-  
8 ing in lieu thereof the words "a mentally ill".  
9 4. By striking the word "idiotic" in line five (5) and by inserting  
10 in lieu thereof the words "mentally retarded".  
11 5. By striking the word "insane" in line seven (7) and by insert-  
12 ing in lieu thereof the words "mentally ill".  
13 6. By striking the word "idiotic" in line seven (7) and by insert-  
14 ing in lieu thereof the words "mentally retarded".

1 SEC. 139. Section two hundred thirty point eighteen (230.18),  
2 Code 1958, is hereby amended as follows:  
3 1. By striking the word "insane" in line one (1) and by inserting  
4 in lieu thereof the words "mentally ill".  
5 2. By striking the word "idiotic" in line one (1) and by inserting  
6 in lieu thereof the words "mentally retarded".  
7 3. By striking the word "asylum" in line three (3) and by insert-  
8 ing in lieu thereof the word "hospital".

1 SEC. 140. Section two hundred thirty point nineteen (230.19),  
2 Code 1958, is hereby amended by striking the word "insane" in line  
3 three (3) and by inserting in lieu thereof the words "mentally ill".

1 SEC. 141. Section two hundred thirty point twenty (230.20), Code  
2 1958, is hereby amended by striking the word "insane" in lines  
3 (2) and three (3) and by inserting in lieu thereof the words "men-  
4 tally ill".

1 SEC. 142. Section two hundred thirty point twenty-three (230.23),  
2 Code 1958, is hereby amended by striking the word "insane" in lines  
3 four (4) and by inserting in lieu thereof the words "mentally ill".

1 SEC. 143. Section two hundred thirty point twenty-four (230.24),  
2 Code 1958, is hereby amended as follows:  
3 1. By striking the word "insane" in line four (4) and by inserting  
4 in lieu thereof the words "mentally ill".  
5 2. By striking the words "the insane ward of" in line six (6).  
6 3. By striking the word "insane" in line eight (8) and by inserting  
7 in lieu thereof the words "mentally ill".

- 8 4. By striking the words "the insane" in line nine (9) and by in-  
 9 sserting in lieu thereof the words "mental illness".  
 10 5. By striking the word "insane" in line eleven (11) and by insert-  
 11 ing in lieu thereof the words "mentally ill".  
 12 6. By striking the word "insane" in line sixteen (16) and by in-  
 13 sserting in lieu thereof the words "mental illness".  
 14 7. By striking the word "insane" in line twenty-six (26) and by  
 15 inserting in lieu thereof the words "mental illness".

1 SEC. 144. Section two hundred thirty point thirty-one (230.31),  
 2 Code 1958, is hereby amended as follows:

- 3 1. By striking the word "insane" in line two (2) and by inserting  
 4 in lieu thereof the words "mentally ill".  
 5 2. By striking the word "escapes" in line two (2) and by inserting  
 6 in lieu thereof the words "departs without proper authority".  
 7 3. By striking the word "escapee" in line four (4) and in line  
 8 five (5) and by inserting in lieu thereof the word "patient".  
 9 4. By striking the word "warrant" in line six (6) and by insert-  
 10 ing in lieu thereof the word "order".  
 11 5. By striking the word "escapee" in line eight (8) and by insert-  
 12 ing in lieu thereof the word "patient".  
 13 6. By striking the word "escape" in line nine (9) and by inserting  
 14 in lieu thereof the words "unauthorized leave".  
 15 7. By striking the word "escapee" in line ten (10) and by inserting  
 16 in lieu thereof the word "patient".

1 SEC. 145. Section two hundred thirty-two point one (232.1), Code  
 2 1958, is hereby amended by striking the word "feeble-minded" in line  
 3 five (5) and by inserting in lieu thereof the words "mentally re-  
 4 tardated".

1 SEC. 146. Section two hundred forty-five point twelve (245.12),  
 2 Code 1958, is hereby amended as follows:

- 3 1. By striking the word "insane" in line three (3) and by inserting  
 4 in lieu thereof the words "mentally ill".  
 5 2. By striking the word "insane" in line six (6) and by inserting  
 6 in lieu thereof the words "mentally ill".  
 7 3. By striking the word "insane" in line eight (8) and by insert-  
 8 ing in lieu thereof the words "mentally ill".  
 9 4. By striking the word "sanity" in line eleven (11) and by insert-  
 10 ing in lieu thereof the words "good mental health".

1 SEC. 147. Section two hundred forty-six point fifteen (246.15),  
 2 Code 1958, is hereby amended by striking the word "insane" in line  
 3 three (3) and by inserting in lieu thereof the words "mentally ill".

1 SEC. 148. Section two hundred forty-six point sixteen (246.16),  
 2 Code 1958, is hereby amended as follows:

- 3 1. By striking the word "insane" in line three (3) and by inserting  
 4 in lieu thereof the words "mentally ill".  
 5 2. By striking the word "insane" in line five (5) and by inserting  
 6 in lieu thereof the words "mentally ill".  
 7 3. By striking the word "insane" in line six (6) and by inserting  
 8 in lieu thereof the words "mentally ill".

9 4. By striking the word "insane" in line eight (8) and by insert-  
10 ing in lieu thereof the words "mentally ill".

11 5. By inserting the word "the" in line eight (8) after the word  
12 "for".

13 6. By striking the word "sane" in line eleven (11) and by inserting  
14 in lieu thereof the words "in good mental health".

1 SEC. 149. Section two hundred forty-six point seventeen (246.17),  
2 Code 1958, is hereby amended as follows:

3 1. By striking the word "insane" in line four (4) and by inserting  
4 in lieu thereof the words "mentally ill".

5 2. By striking the word "sane" in line seven (7) and by inserting  
6 in lieu thereof the words "in good mental health".

7 3. By striking the word "insane" in line seven (7) and by insert-  
8 ing in lieu thereof the words "mentally ill".

9 4. By striking the word "insane" in line nine (9) and by inserting  
10 in lieu thereof the words "mentally ill".

11 5. By striking the word "insane" in line eleven (11) and by insert-  
12 ing in lieu thereof the words "mentally ill".

13 6. By striking the word "insane" in line twelve (12) and by insert-  
14 ing in lieu thereof the words "mentally ill".

1 SEC. 150. Section two hundred twenty-five point five (225.5), Code  
2 1958, is hereby amended by striking in line four (4) of such section  
3 the word "insane" and by inserting in lieu thereof the words "men-  
4 tally ill".

1 SEC. 151. Section two hundred twenty-five point six (225.6), Code  
2 1958, is hereby amended as follows:

3 1. By striking in line five (5) of such section the word "insane"  
4 and by inserting in lieu thereof the words "mentally ill".

5 2. By striking in line nine (9) of such section the word "insane"  
6 and by inserting in lieu thereof the words "mentally ill".

7 3. By striking in line eleven (11) of such section the word "insan-  
8 ity" and by inserting in lieu thereof the words "mental illness".

1 SEC. 152. Section two hundred twenty-five point thirty-six  
2 (225.36), Code 1958, is hereby amended as follows:

3 1. By striking in line eight (8) of such section the word "insane"  
4 and by inserting in lieu thereof the words "mentally ill".

5 2. By striking in line ten (10) of such section the words "commis-  
6 sion of insanity" and by inserting in lieu thereof the words "commis-  
7 sioners of hospitalization".

1 SEC. 153. Section two hundred twenty-five point thirty-seven  
2 (225.37), Code 1958, is hereby amended as follows:

3 1. By striking in lines four (4) and five (5) of such section the  
4 words "commission of insanity" and by inserting in lieu thereof the  
5 words "commissioners of hospitalization".

6 2. By striking in lines seven (7) and eight (8) of such section the  
7 words "commission of insanity" and by inserting in lieu thereof the  
8 words "commissioners of hospitalization".

9 3. By striking in line eleven (11) of such section the words "com-  
10 mission of insanity" and by inserting in lieu thereof the words "com-  
11 missioners of hospitalization".



1 SEC. 154. Section two hundred twenty-five point thirty-eight  
 2 (225.38), Code 1958, is hereby amended by striking in line eleven (11)  
 3 of such section the words "commission of insanity" and by inserting  
 4 in lieu thereof the words "commissioners of hospitalization".

1 SEC. 155. Section two hundred twenty-five point thirty-nine  
 2 (225.39), Code 1958, is hereby amended as follows:

3 1. By striking in line one (1) of such section the word "insane" and  
 4 by inserting in lieu thereof the words "mentally ill".

5 2. By striking in line seven (7) of such section the words "commis-  
 6 sion of insanity" and by inserting in lieu thereof the words "commis-  
 7 sioners of hospitalization".

8 3. By striking in line eleven (11) of such section the words "com-  
 9 mission of insanity" and by inserting in lieu thereof the words "com-  
 10 missioners of hospitalization".

11 4. By striking in line sixteen (16) of such section the word "insane"  
 12 and by inserting in lieu thereof the words "mentally ill".

13 5. By striking in lines twenty-four (24) and twenty-five (25) of  
 14 such section the words "commission of insanity" and by inserting in  
 15 lieu thereof the words "commissioners of hospitalization".

1 SEC. 156. Section two hundred twenty-five point forty-one  
 2 (225.41), Code 1958, is hereby amended by striking in line five (5)  
 3 of such section the word "insane" and by inserting in lieu thereof  
 4 the words "mentally ill".

1 SEC. 157. Section two hundred twenty-five point forty-two  
 2 (225.42), Code 1958, is hereby amended by striking in line nine (9)  
 3 of such section the word "insane" and by inserting in lieu thereof  
 4 the words "mentally ill".

1 SEC. 158. Section two hundred twenty-five point forty-four  
 2 (225.44), Code 1958, is hereby amended by striking the word "feeble-  
 3 minded" in line nine (9) and by inserting in lieu thereof the words  
 4 "mentally retarded".

1 SEC. 159. Section six hundred seventy point two (670.2), Code  
 2 1958, is hereby amended as follows:

3 1. By striking in line one (1) of subsection one (1) of such section  
 4 the words "An idiot" and by inserting in lieu thereof the words "A  
 5 mental retardate".

6 2. By striking in line one (1) of subsection two (2) of such section  
 7 the words "habitual drunkard" and by inserting in lieu thereof the  
 8 words "chronic alcoholic".

1 SEC. 160. Section six hundred seventy point five (670.5), Code  
 2 1958, is hereby amended by striking in line one (1) of such section  
 3 the words "an idiot" and by inserting in lieu thereof the words "a  
 4 mental retardate".

1 SEC. 161. Section six hundred seventy point four (670.4), Code  
 2 1958, is hereby amended by striking the words "habitual drunkard"  
 3 in line two (2) and by inserting in lieu thereof the words "chronic  
 4 alcoholic".

1 SEC. 162. Section six hundred seventy point seventeen (670.17),  
2 Code 1958, is hereby amended as follows:

3 1. By striking in line three (3) of such section the word "insane"  
4 and by inserting in lieu thereof the words "mentally ill".

5 2. By striking in line six (6) of such section the word "insane"  
6 and by inserting in lieu thereof the words "mentally ill".

1 SEC. 163. Section six hundred seventy point nineteen (670.19),  
2 Code 1958, is hereby amended as follows:

3 1. By striking in line two (2) of such section the word "idiot" and  
4 by inserting in lieu thereof the words "mental retardate".

5 2. By striking in line three (3) of such section the words "habitual  
6 drunkard" and by inserting in lieu thereof the words "chronic alco-  
7 holic".

1 SEC. 164. Section seven hundred ninety-two point five (792.5),  
2 Code 1958, is hereby amended by striking the words "commissioners  
3 of insanity" in line six (6) and by inserting in lieu thereof the words  
4 "commissioners of hospitalization".

1 SEC. 165. Chapter two hundred eighteen (218), Code 1958, is here-  
2 by amended by adding the following new section:

3 "For purposes of construing the provisions of this title relating to  
4 the mentally ill and reconciling same with other former and present  
5 provisions of statute, the following terms shall be considered synony-  
6 mous:

- 7 1. 'Mentally ill' and 'insane';
- 8 2. 'Mental defectives' and 'mentally retarded';
- 9 3. 'Feeble-minded' and 'mentally retarded';
- 10 4. 'Defectiveness' and 'retardation';
- 11 5. 'Parole' and 'convalescent leave';
- 12 6. 'Inmate' and 'patient';
- 13 7. 'Escape' and 'depart without proper authorization';
- 14 8. 'Warrant' and 'order of admission';
- 15 9. 'Escapee' and 'patient';
- 16 10. 'Sane' and 'in good mental health';
- 17 11. 'Commissioners of insanity' and 'commissioners of hospitaliza-  
18 tion';
- 19 12. 'Idiot' and 'mental retardate';
- 20 13. 'Recapture' and 'take into protective custody';
- 21 14. 'Asylum' and 'hospital';
- 22 15. 'Commitment' and 'admission'.

23 It is hereby declared to be the policy of the general assembly that  
24 words which have come to have a degrading meaning shall not be  
25 employed in institutional records having reference to the mentally  
26 afflicted and that in all such records the less discriminatory of the  
27 foregoing synonyms shall be employed."

1 SEC. 166. Subsection six (6) of section four point one (4.1), Code  
2 1958, is hereby amended by striking in lines one (1) and two (2) of  
3 such subsection the words "'insane person' include idiots" and by  
4 inserting in lieu thereof the words "'mentally ill person' include men-  
5 tal retardates".

1 SEC. 167. Section one hundred forty-five point one (145.1), Code  
2 1958, is hereby amended as follows:

3 1. By striking in line one (1) of subsection five (5) of such section  
4 the word "feeble-minded" and by inserting in lieu thereof the words  
5 "mentally retarded".

6 2. By striking in line two (2) of subsection six (6) of such section  
7 the word "feeble-minded" and by inserting in lieu thereof the words  
8 "mentally retarded".

1 SEC. 168. Section one hundred forty-five point two (145.2), Code  
2 1958, is hereby amended by striking in line nine (9) of such section  
3 the words "feeble-minded, insane" and by inserting in lieu thereof  
4 the words "mentally ill or retarded".

1 SEC. 169. Section one hundred forty-five point nine (145.9), Code  
2 1958, is hereby amended as follows:

3 1. By striking in lines four (4) and five (5) of such section the  
4 word "feeble-mindedness" and by inserting in lieu thereof the words  
5 "mental retardedness".

6 2. By striking in line five (5) of such section the word "insanity"  
7 and by inserting in lieu thereof the words "mental illness".

1 SEC. 170. Section one hundred forty-five point eleven (145.11),  
2 Code 1958, is hereby amended by striking in line six (6) of such sec-  
3 tion the words "an insane or feeble-minded" and by inserting in lieu  
4 thereof the words "a mentally ill or retarded".

1 SEC. 171. Section one hundred forty-five point fourteen (145.14),  
2 Code 1958, is hereby amended as follows:

3 1. By striking in lines two (2) and three (3) of such section the  
4 words "be feeble-minded or insane" and by inserting in lieu thereof  
5 the words "is mentally ill or retarded".

6 2. By striking in line ten (10) of such section the words "be insane,  
7 or feeble-minded" and by inserting in lieu thereof the words "is men-  
8 tally ill or retarded".

1 SEC. 172. Section one hundred forty-five point sixteen (145.16),  
2 Code 1958, is hereby amended by striking in lines fifteen (15) and  
3 sixteen (16) of such section the words "be an insane or feeble-minded"  
4 and by inserting in lieu thereof the words "is a mentally ill or re-  
5 tardated".

1 SEC. 173. Subsection five (5) of section two hundred forty-nine  
2 point six (249.6), Code 1958, is hereby amended by striking in line  
3 three (3) of such subsection the words "insane asylum" and by in-  
4 serting in lieu thereof the words "mental hospital".

1 SEC. 174. Subsection four (4) of section three hundred twenty-  
2 one point one hundred seventy-seven (321.177), Code 1958, is hereby  
3 amended by striking in line two (2) of such subsection the words  
4 "habitual drunkard" and by inserting in lieu thereof the words  
5 "chronic alcoholic".

1 SEC. 175. Subsection eleven (11) of section three hundred thirty-  
2 three point eleven (333.11), Code 1958, is hereby amended as follows:

3 1. By striking in line one (1) of such subsection the word "insane"  
4 and by inserting in lieu thereof the words "mentally ill".

5 2. By striking in line two (2) of such subsection the word "asylum"  
6 and by inserting in lieu thereof the word "hospital".

7 3. By striking in line four (4) of such subsection the word "insane"  
8 and by inserting in lieu thereof the words "mentally ill".

1 SEC. 176. Subsection seven (7) of section three hundred forty-  
2 seven point thirteen (347.13), Code 1958, is hereby amended by strik-  
3 ing in line three (3) of such subsection the word "insanity" and by  
4 inserting in lieu thereof the word "hospitalization".

1 SEC. 177. Section four hundred forty-eight point twelve (448.12),  
2 Code 1958, is hereby amended by striking in line six (6) of such sec-  
3 tion the word "insane" and by inserting in lieu thereof the words  
4 "mentally ill".

1 SEC. 178. Section four hundred forty-eight point thirteen (448.13),  
2 Code 1958, is hereby amended by striking in line eleven (11) of such  
3 section the word "insane" and by inserting in lieu thereof the words  
4 "mentally ill".

1 SEC. 179. Section four hundred sixty-two point fourteen (462.14),  
2 Code 1958, is hereby amended as follows:

3 1. By striking in line two (2) of such section the word "insane"  
4 and by inserting in lieu thereof the words "mentally ill".

5 2. By striking in line five (5) of such section the word "insane"  
6 and by inserting in lieu thereof the words "mentally ill".

7 3. By striking in line ten (10) of such section the word "insane,"  
8 and by inserting in lieu thereof the words "mentally ill".

1 SEC. 180. Section four hundred sixty-nine point nineteen (469.19),  
2 Code 1958, is hereby amended by striking in line two (2) of such  
3 section the word "insane" and by inserting in lieu thereof the words  
4 "mentally ill".

1 SEC. 181. Subsection thirteen (13) of section five hundred forty-  
2 five point two (545.2), Code 1958, is hereby amended by striking in  
3 line three (3) of such subsection the word "insanity" and by insert-  
4 ing in lieu thereof the words "mental illness".

1 SEC. 182. Subsection seven (7) of section five hundred forty-five  
2 point eleven (545.11), Code 1958, is hereby amended by striking in  
3 lines two (2) and three (3) of such subsection the word "insanity"  
4 and by inserting in lieu thereof the words "mental illness".

1 SEC. 183. Section five hundred forty-five point thirty-six (545.36),  
2 Code 1958, is hereby amended by striking in line one (1) of such sec-  
3 tion the word "insanity" and by inserting in lieu thereof the words  
4 "mental illness".

1 SEC. 184. Subsection five (5) of section five hundred ninety-five  
2 point three (595.3), Code 1958, is hereby amended by striking in lines  
3 one (1) and two (2) of such subsection the words "an idiot, imbecile,  
4 insane" and by inserting in lieu thereof the words "mentally ill or  
5 retarded, a mental retardate".

1 SEC. 185. Section five hundred ninety-seven point six (597.6),  
2 Code 1958, is hereby amended as follows:

3 1. By striking in line one (1) of such section the word "insane" and  
4 by inserting in lieu thereof the words "mentally ill".

5 2. By striking in lines twelve (12) and thirteen (13) of such sec-  
6 tion the word "insane" and by inserting in lieu thereof the words  
7 "mentally ill".

1 SEC. 186. Section five hundred ninety-seven point seven (597.7),  
2 Code 1958, is hereby amended by striking in line eight (8) of such  
3 section the word "insane" and by inserting in lieu thereof the words  
4 "mentally ill".

1 SEC. 187. Section five hundred ninety-seven point nine (597.9),  
2 Code 1958, is hereby amended as follows:

3 1. By striking in line three (3) of such section the word "insane"  
4 and by inserting in lieu thereof the words "mentally ill".

5 2. By striking in line six (6) of such section the words "become  
6 of sound mind" and by inserting in lieu thereof the words "again be in  
7 good mental health".

1 SEC. 188. Subsection four (4) of section five hundred ninety-eight  
2 point eight (598.8), Code 1958, is hereby amended by striking in lines  
3 one (1) and two (2) of such subsection the words "addicted to habit-  
4 ual drunkenness" and by inserting in lieu thereof the words "a  
5 chronic alcoholic".

1 SEC. 189. Subsection four (4) of section five hundred ninety-eight  
2 point nineteen (598.19), Code 1958, is hereby amended by striking  
3 in line one (1) of such section the words "insane or idiotic" and by  
4 inserting in lieu thereof the words "mentally ill or a mental retardate".

1 SEC. 190. Section five hundred ninety-eight point twenty-two  
2 (598.22), Code 1958, is hereby amended by striking in lines six (6)  
3 and seven (7) of such section the words "insanity, or idiocy" and  
4 by inserting in lieu thereof the words "mental illness or mental re-  
5 tardation".

1 SEC. 191. Section six hundred point three (600.3), Code 1958, is  
2 hereby amended by striking in line eight (8) of such section the word  
3 "insane" and by inserting in lieu thereof the words "mentally ill".

1 SEC. 192. Section six hundred point seven (600.7), Code 1958, is  
2 hereby amended as follows:

3 1. By striking in lines two (2) and three (3) of such section the  
4 word "feeble-mindedness" and by inserting in lieu thereof the words  
5 "mental retardedness".

6 2. By striking in line three (3) of such section the word "insanity"  
7 and by inserting in lieu thereof the words "mental illness".

1 SEC. 193. Section six hundred fourteen point eight (614.8), Code  
2 1958, is hereby amended by striking in line four (4) of such section  
3 the word "insane" and by inserting in lieu thereof the words "men-  
4 tally ill."

1 SEC. 194. Section six hundred fourteen point twenty-two (614.22),  
2 Code 1958, is hereby amended by striking in line twenty-one (21) of  
3 such section the word "insanity" and by inserting in lieu thereof the  
4 words "mental illness".

1 SEC. 195. Section six hundred twenty-two point four (622.4), Code  
2 1958, is hereby amended by striking in line eleven (11) of such sec-  
3 tion the word "insane" and by inserting in lieu thereof the words  
4 "mentally ill".

1 SEC. 196. Section six hundred twenty-two point five (622.5), Code  
2 1958, is hereby amended by striking in line seven (7) of such section  
3 the word "insane" and by inserting in lieu thereof the words "men-  
4 tally ill".

1 SEC. 197. Section six hundred twenty-two point six (622.6), Code  
2 1958, is hereby amended as follows:

3 1. By striking the word "sanity" in line seven (7) of such section  
4 and by inserting in lieu thereof the words "good mental health".

5 2. By striking in line eleven (11) of such section the word "insan-  
6 ity" and by inserting in lieu thereof the words "mental illness".

1 SEC. 198. Section six hundred seventy-five point twenty-one  
2 (675.21), Code 1958, is hereby amended by striking in line two (2)  
3 of such section the word "insane" and by inserting in lieu thereof the  
4 words "mentally ill".

1 SEC. 199. Rule Civil Procedure thirteen (13), Code 1958, is hereby  
2 amended by striking in line four (4) of such rule the word "insane"  
3 and by inserting in lieu thereof the words "mentally ill".

1 SEC. 200. Rule Civil Procedure seventeen (17), Code 1958, is  
2 hereby amended by striking in line four (4) of such rule the word  
3 "insane" and by inserting in lieu thereof the words "mentally ill".

1 SEC. 201. Rule Civil Procedure fifty-six (56), Code 1958, is hereby  
2 amended as follows:

3 1. By striking in line three (3) of paragraph (c) of such rule the  
4 word "insane" and by inserting in lieu thereof the words "mentally  
5 ill".

6 2. By striking in line three (3) of paragraph (d) of such rule  
7 the word "insane" and by inserting in lieu thereof the words "men-  
8 tally ill".

9 3. By striking in line two (2) of paragraph (e) of such rule the  
10 word "insane" and by inserting in lieu thereof the words "mentally  
11 ill".

1 SEC. 202. Rule Civil Procedure one hundred sixty-five (165), Code  
2 1958, is hereby amended by striking in line seven (7) of such rule the  
3 word "insane" and by inserting in lieu thereof the words "mentally  
4 ill".

Approved May 4, 1959.

## CHAPTER 153

## EXECUTIVE OFFICERS OF INSTITUTIONS

H. F. 427

AN ACT relating to the appointment, removal, and responsibility of executive officers of institutions under the jurisdiction of the board of control.

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

1 SECTION 1. Section two hundred eighteen point nine (218.9),  
2 Code 1958, is hereby repealed and the following enacted in lieu  
3 thereof:

4 "The director of mental health, subject to the approval of the board  
5 of control, shall appoint the superintendent of the Glenwood state  
6 school, the Woodward state hospital and school, the mental health  
7 institutes, and of any other institutions placed by the board of control  
8 under the director of mental health for administration.

9 "The director of corrective institutions, subject to the approval of  
10 the board of control, shall appoint the wardens of the state peniten-  
11 tiary and the men's reformatory and the superintendents of the wom-  
12 en's reformatory, the training school for boys, the training school for  
13 girls, and of any other institutions placed by the board of control  
14 under the director of corrective institutions for administration.

15 "The director of child welfare, subject to the approval of the board  
16 of control, shall appoint the superintendents of the Iowa Annie Witten-  
17 myer Home, the juvenile home, and of any other institutions placed  
18 by the board of control under the director of child welfare for admin-  
19 istration.

20 "The board of control may appoint a commandant of the soldiers  
21 home. When the position of director of mental health, director of  
22 corrective institutions, or director of child welfare is vacant, the  
23 board shall appoint the superintendent or warden or other executive  
24 officer of any institution under its jurisdiction.

25 "The superintendent, warden, or other executive officer shall have  
26 the immediate custody and control, subject to the orders and policies  
27 of the board and the director, of all property used in connection with  
28 the institution except as provided in this chapter. The tenure of office  
29 of the officers shall be at the pleasure of the appointing authority but  
30 they may be removed for inability or refusal to properly perform the  
31 duties of the office. Such removal shall be had only after an oppor-  
32 tunity is given the person to be heard before the board of control  
33 upon preferred written charges. The removal, when made shall be  
34 final."

Approved May 15, 1959.

## CHAPTER 154

## INSTITUTIONAL PAYROLLS

H. F. 437

AN ACT relating to placing institutional payrolls on a semimonthly basis.

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

1 SECTION 1. Section two hundred eighteen point eighteen (218.18),  
 2 Code 1958, is hereby amended by striking the word "monthly" in line  
 3 five (5) and inserting in lieu thereof the word "semimonthly".

1 SEC. 2. Section two hundred eighteen point eighty-eight (218.88),  
 2 Code 1958, is hereby amended by striking the word "month" in line  
 3 two (2) and inserting in lieu thereof the words "pay period".

1 SEC. 3. Section two hundred eighteen point eighty-eight (218.88),  
 2 Code 1958, is further amended by striking the word "monthly" in  
 3 lines five (5) and seven (7) and inserting in lieu thereof the word  
 4 "semimonthly".

Approved May 15, 1959.

## CHAPTER 155

## BOARD OF CONTROL DIRECTORS

S. F. 525

AN ACT relating to the employment of certain directors by the board of control.

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

1 SECTION 1. Section two hundred eighteen point seventy-four  
 2 (218.74), Code 1958, is hereby amended by inserting in line four (4)  
 3 after the word, "and" the words, "may employ".

Approved May 5, 1959.

## CHAPTER 156

## DIRECTOR OF MENTAL HEALTH

H. F. 719

AN ACT to provide for a director of mental health and to specify his duties.

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

1 SECTION 1. Section two hundred eighteen point seventy-four  
 2 (218.74), Code 1958, is hereby amended by striking from lines (2)  
 3 and three (3) the word "institutions" and by inserting in lieu thereof  
 4 the word "health".

1 SEC. 2. Section two hundred eighteen point seventy-five (218.75),  
 2 Code 1958, is hereby amended as follows:

\*According to enrolled Act.



3 1. By striking from line two (2) the word "institutions" and by  
4 inserting in lieu thereof the word "health".

5 2. By striking the period at the end of the section and by insert-  
6 ing in lieu thereof the following: ", and three (3) years actual ex-  
7 perience in institutional administration. He shall hold a certificate of  
8 qualifications in psychiatry issued by the American Board of Psychi-  
9 atry and Neurology."

1 SEC. 3. Section two hundred eighteen point seventy-six (218.76),  
2 Code 1958, is hereby amended as follows:

3 1. By striking from line two (2) the word "institutions" and by  
4 inserting in lieu thereof the word "health".

5 2. By striking therefrom subsection one (1) and by inserting in  
6 lieu thereof the following:

7 "Establish, under the board of control, a division of mental health  
8 and serve as its chief executive officer. Administer, under the poli-  
9 cies established by the board of control, the powers and duties given  
10 under the law to the board of control relating to the Glenwood state  
11 school, the Woodward state hospital and school, the mental health in-  
12 stitutes, and any other institutions placed by the board under the  
13 director of mental health for administration, or relating to the care  
14 and treatment of the mentally ill.

15 "Establish psychiatric services for all institutions under the juris-  
16 diction of the board of control when approved by the board and the  
17 director of corrective institutions or the director of child welfare, or  
18 by the board and the chief executive officer of the institution if there  
19 is no director.

20 "Appoint and determine the pay of a board of professional con-  
21 sultants to furnish advice to the director on all matters pertaining to  
22 mental health. Such pay, including expenses, for each member of such  
23 board shall not exceed thirty (30) dollars per day. The board of pro-  
24 fessional consultants shall consist of not more than seven (7) mem-  
25 bers. No more than two (2) members shall be from any one (1) of  
26 the professions traditionally concerned with the admission, care, ex-  
27 amination, treatment or after-care of the mentally ill. Payment to  
28 the board shall be made out of funds appropriated to or under the  
29 control of the board of control."

Approved April 28, 1959.

## CHAPTER 157

### DIRECTOR OF PRISON INDUSTRIES

S. F. 522

AN ACT relating to the powers and duties of the director of industries under the board of control.

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

1 SECTION 1. Section two hundred eighteen point eighty-two  
2 (218.82), Code 1958, is hereby amended as follows:

3 1. By striking in lines one (1) and two (2) of subsection four (4)

4 the words, "industries, and farm work" and by inserting in lieu  
5 thereof the words, "and industries".

6 2. By striking all of subsection seven (7) of such section, and by  
7 inserting in lieu thereof the following:

8 "Remit to the state treasurer each month a cash sum equal to the  
9 amount of calculated depreciation on the equipment owned and oper-  
10 ated by the prison industries.

11 "The state treasurer shall deposit such cash sums to a fund entitled  
12 the prison industry depreciation fund, which fund is not revertible to  
13 the state general fund, and which fund shall be used to replace obso-  
14 lete or worn out equipment from time to time as needed. The state  
15 comptroller shall issue his warrants on such fund for the purchase of  
16 equipment upon the receipt of itemized and notarized vouchers certi-  
17 fied by the secretary of the board of control and signed by at least one  
18 (1) member of the board."

Approved May 5, 1959.

## CHAPTER 158

### BOARD OF CONTROL REAL ESTATE

#### H. F. 746

AN ACT relating to the acquisition and sale of real estate by the board of control.

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

1 SECTION 1. Senate File four hundred thirty (430)\*, Acts of the  
2 Fifty-eighth General Assembly, now on file in the office of the secre-  
3 tary of state, shall be in full force and effect from and after its pub-  
4 lication together with this Act as hereinafter provided and the secre-  
5 tary of state is directed to so publish said Acts.

1 SEC. 2. This Act and said Senate File four hundred thirty (430),  
2 being deemed of immediate importance, shall be effective from and  
3 after publication in the Eldora Herald-Ledger, a newspaper pub-  
4 lished at Eldora, Iowa, and in the Daily Freeman-Journal, a news-  
5 paper published at Webster City, Iowa.

Approved April 22, 1959.

I hereby certify that the foregoing Act, House File 746, was published in the Eldora Herald-Ledger, Eldora, Iowa, April 28, 1959, and in the Daily Freeman-Journal, Webster City, Iowa, April 24, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

\*Chapter 160.

## CHAPTER 159

## GIFTS TO BOARD OF CONTROL

H. F. 660

AN ACT to authorize the board of control to accept and use gifts, grants, devises or bequests of real or personal property.

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

1 SECTION 1. Chapter two hundred eighteen (218), Code 1958, is  
 2 hereby amended by adding thereto the following section:  
 3 "The board of control is authorized to accept gifts, grants, devises  
 4 or bequests of real or personal property from the federal government  
 5 or any source. The board may exercise such powers with reference to  
 6 the property so accepted as may be deemed essential to its preservation  
 7 and the purposes for which given, devised or bequeathed."

Approved April 27, 1959.

## CHAPTER 160\*

## BOARD OF CONTROL REAL ESTATE

S. F. 430

AN ACT relating to the acquiring and sale of real estate by the board of control.

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

1 SECTION 1. Chapter two hundred eighteen (218), Code 1958, is  
 2 hereby amended by adding thereto the following section:  
 3 "The board of control shall have full power, subject to the approval  
 4 of the budget and financial control committee to acquire and sell real  
 5 estate for the proper uses of said institutions. Real estate shall be  
 6 acquired and sold upon such terms and conditions as the board may  
 7 recommend subject to the approval of the budget and financial control  
 8 committee. Upon sale of such real estate, the proceeds thereof shall  
 9 be deposited with the treasurer of state and credited to the general  
 10 fund of the state. There is hereby appropriated from the general fund  
 11 of the state a sum equal to the proceeds so deposited and credited to  
 12 the general fund of the state to the state board of control, which with  
 13 the prior approval of the budget and financial control committee, may  
 14 be used to purchase other real estate or for capital improvements upon  
 15 property under its control."

Approved April 15, 1959.

I hereby certify that the foregoing Act, Senate File 430, was published in the Eldora Herald Ledger, Eldora, Iowa, April 28, 1959, and in the Daily Freeman-Journal, Webster City, Iowa, April 24, 1959, pursuant to the provisions of House File 746, Acts of the Fifty-eighth General Assembly.

MELVIN D. SYNHORST, *Secretary of State.*

\*See chapter 158.

## CHAPTER 161

## TRANSFERS TO MEN'S REFORMATORY

H. F. 355

AN ACT to permit the transfer of inmates of the training school for boys to the men's reformatory.

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

1 SECTION 1. Chapter two hundred eighteen (218), Code 1958, is  
 2 hereby amended by adding thereto the following section:  
 3 "The board of control or the director of corrective institutions may  
 4 order the transfer of inmates of the training school for boys to the  
 5 men's reformatory for custodial care whenever it is determined that  
 6 such action will be conducive to the welfare of the other inmates of  
 7 the school. Such transfer shall be effected by application in writing  
 8 to the district court, or any judge thereof, of the county in which the  
 9 said training school is situated. Upon the granting of the order of  
 10 transfer, the transfer shall take place. The county attorney of the  
 11 said county shall appear in support of such application. The cost of  
 12 the transfer shall be paid from the funds of the training school for  
 13 boys."

Approved April 10, 1959.

## CHAPTER 162

## CONSULTANTS FOR BOARD OF CONTROL

H. F. 503

AN ACT to authorize the board of control to secure and pay consultants.

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

1 SECTION 1. Chapter two hundred eighteen (218), Code 1958, is  
 2 hereby amended by adding thereto the following section:  
 3 "The board of control is authorized to secure the services of con-  
 4 sultants to furnish advice on administrative, professional or technical  
 5 problems to the board, its employees or employees of institutions  
 6 under the jurisdiction of the board, or to provide in-service training  
 7 and instruction for such employees. The board of control is author-  
 8 ized to pay the consultants at a rate to be determined by the board  
 9 from funds under the control of the board of any institution under its  
 10 jurisdiction as the board may determine."

Approved April 27, 1959.

## CHAPTER 163

## TRANSFER OF MENTAL PATIENTS TO REFORMATORY

H. F. 661

AN ACT to permit the transfer of patients from institutions under the jurisdiction of the director of mental health to the men's reformatory.

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

1 SECTION 1. Chapter two hundred eighteen (218), Code 1958, is  
 2 hereby amended by adding thereto the following section:

3 "Whenever a patient in Glenwood state school, Woodward state  
4 hospital and school, any mental health institute, or any institution  
5 placed by the board of control under the director of mental health  
6 for administration, has become so mentally disturbed as to constitute  
7 a danger to self, to other patients in the institution or to the public,  
8 and the institution involved cannot provide adequate security, the  
9 board of control or director of mental health may order the patient  
10 to be transferred to the hospital unit for the mentally ill at the men's  
11 reformatory, provided that the executive head of the institution in-  
12 volved with the support of a majority of his medical staff recom-  
13 mends the transfer in the interest of the patient, other patients or  
14 the public. The order of the board of control or director of mental  
15 health shall have the same force and effect as a warrant of commit-  
16 ment for mental illness. The cost of the transfer shall be paid from  
17 the funds of the institution from which the transfer is made."

Approved May 15, 1959.

## CHAPTER 164

### BOARD OF CONTROL DUTIES

H. F. 360

AN ACT relating to the duties of the board of control and to repeal section two hundred twenty-three point twenty-one (223.21), Code 1958.

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

1 SECTION 1. Section two hundred twenty-three point twenty-one  
2 (223.21), Code 1958, is hereby repealed.

Approved April 10, 1959.

## CHAPTER 165

### EMERGENCY MENTAL HEALTH INSTITUTIONS

H. F. 710

AN ACT to provide for the continued operation of the mental health institutes under emergency disaster, and to authorize their use as emergency general hospitals.

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

1 SECTION 1. In case of emergency disaster, with the infliction of  
2 numerous casualties among the civilian population, the mental health  
3 institutes are authorized to accept sick and wounded persons without  
4 commitment or any other formalities.

1 SEC. 2. The hospital is authorized to make a charge for these  
2 patients, in the manner now provided by law and subject to the  
3 changes hereinafter provided.

1 SEC. 3. In case the mental health institutes lose contact with the  
2 state house, due to enemy action or otherwise, the superintendents of

3 the institutes are hereby delegated the following powers and duties:  
 4 (a) May collect moneys due the state treasury from the counties  
 5 and/or from responsible persons or other relatives, these funds to be  
 6 collected monthly, instead of quarterly, and to be deposited for use  
 7 in operating the institutes.

8 (b) The superintendent shall have the power to requisition sup-  
 9 plies, such as food, fuel, drugs and medical equipment, from any  
 10 source available, in the name of the state, with the power to enter  
 11 into contracts binding the state for payment at an indefinite future  
 12 time.

13 (c) The superintendent shall be authorized to employ personnel in  
 14 all categories and for whatever remuneration he deems necessary,  
 15 without regard to existing laws, rules or regulations, in order to per-  
 16 mit the institute to continue its old functions, as well as meet its  
 17 additional responsibilities.

Approved May 15, 1959.

## CHAPTER 166

### MENTALLY ILL PERSONS

H. F. 357

AN ACT relating to the custody, pending appeal, of persons found by the commission of hospitalization to be mentally ill.

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

1 SECTION 1. Section two hundred twenty-nine point eighteen  
 2 (229.18), Code 1958, is hereby repealed and the following enacted in  
 3 lieu thereof:

4 "If the appellant is in the custody of the commission at the time of  
 5 service of the notice of appeal he shall be discharged from custody  
 6 pending appeal unless the commission finds that he cannot with safety  
 7 be allowed to go at large, in which case it shall require him to be  
 8 suitably provided for in the manner hereinafter specified. If the appel-  
 9 lant is in the custody of an institution under the jurisdiction of the  
 10 director of mental health at the time of service of the notice of appeal,  
 11 he shall be discharged from custody pending appeal unless the super-  
 12 intendent of the institution with the concurrence of at least two (2)  
 13 members of his medical staff finds that he cannot with safety be al-  
 14 lowed to go at large, in which case the appellant shall remain in the  
 15 custody of the institution or shall be otherwise suitably provided for  
 16 in the manner hereinafter specified."

Approved April 23, 1959.

## CHAPTER 167

### VOLUNTARY MENTAL ILLNESS PATIENTS

H. F. 703

AN ACT relating to voluntary mental illness patients.

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

1 SECTION 1. Section two hundred twenty-nine point forty-one  
 2 (229.41), Code 1958, is hereby amended as follows:

- 3 1. By inserting after the word "hospitalization" in line twenty-six  
 4 (26) the words, "at rates established by the board of control".  
 5 2. By striking all after the period in line twenty-nine (29).

1 SEC. 2. Section two hundred twenty-nine point forty-two  
 2 (229.42), Code 1958, is hereby repealed and the following enacted in  
 3 lieu thereof:

4 "If a person wishing to make application for voluntary admission  
 5 to a mental hospital is unable to pay the costs of hospitalization or  
 6 those responsible for such person are unable to pay such costs, appli-  
 7 cation for voluntary admission must be made to any clerk of the dis-  
 8 trict court. After determining the county of legal settlement the said  
 9 clerk shall, on forms provided by the board of control, authorize such  
 10 person's admission to a mental health hospital as a voluntary case.  
 11 The costs of the hospitalization shall be paid by the county of legal  
 12 settlement to the business office of the mental health hospital."

Approved May 15, 1959.

## CHAPTER 168

### MENTALLY ILL PATIENTS

H. F. 358

AN ACT relating to payment due the state from counties for mentally ill patients.

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

1 SECTION 1. Section two hundred thirty point twenty (230.20),  
 2 Code 1958, is hereby amended by inserting after the period (.) in line  
 3 nine (9) the following:  
 4 "In determining the amount due the state from the counties the  
 5 superintendent shall include only funds appropriated from tax sources  
 6 needed to provide the mental health services but shall not include  
 7 amounts collected in the payment of services provided voluntary  
 8 mental illness patients whether provided by the patient, relatives or  
 9 other persons on behalf of the patient or by the county of residence  
 10 of the patient."

Approved April 27, 1959.

## CHAPTER 169

### COUNTY FUND FOR MENTAL HEALTH

H. F. 297

AN ACT to amend sections two hundred thirty point twenty-four (230.24) and two  
 hundred twenty-seven point eighteen (227.18), Code 1958, relating to the county  
 fund for the insane.

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

1 SECTION 1. Section two hundred thirty point twenty-four  
 2 (230.24), Code 1958, is hereby amended by striking from line nine

3 (9) the words "the insane" and inserting in lieu thereof the words  
4 "mental health".

1 SEC. 2. Section two hundred thirty point twenty-four (230.24),  
2 Code 1958, is hereby amended by striking from line sixteen (16) the  
3 word "insane" and inserting after the word "fund" the words "for  
4 mental health".

1 SEC. 3. Section two hundred thirty point twenty-four (230.24),  
2 Code 1958, is hereby amended by striking the word "insane" in line  
3 twenty-six (26) and inserting after the word "fund" the words "for  
4 mental health".

1 SEC. 4. Section two hundred twenty-seven point eighteen  
2 (227.18), Code 1958, is hereby amended by striking from lines seven  
3 (7) and thirteen (13) thereof the words "the insane" and inserting  
4 in lieu thereof the words "mental health".

Approved May 15, 1959.

---

## CHAPTER 170

### LIEN OF ASSISTANCE TO INSANE PERSON

S. F. 170

AN ACT to amend sections two hundred thirty point twenty-five (230.25) and two hundred thirty point twenty-six (230.26), Code 1958, relating to lien of assistance.

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

1 SECTION 1. Section two hundred thirty point twenty-five (230.25),  
2 Code 1958, is amended by adding the following at the end thereof:  
3 "Such lien shall be effective against the real estate owned by the hus-  
4 band or wife of such person only in the event that the name of the  
5 husband or the wife of such person is indexed by the auditor. No lien  
6 imposed by this statute against any real estate of a husband or wife  
7 of such person prior to the effective date of this Act shall be effective  
8 against the property of such husband or wife unless prior to July 4,  
9 1960, the name of such husband or wife of such person shall be in-  
10 dexed."

1 SEC. 2. Amend section two hundred thirty point twenty-six  
2 (230.26), Code 1958, by adding the following new sentence at the end  
3 thereof: "The name of the husband or the wife of such person desig-  
4 nating such party as the spouse of the person committed shall also be  
5 indexed in the same manner as the names of the persons committed  
6 are indexed."

Approved April 10, 1959.



## CHAPTER 171

## JUVENILE COURT OFFICERS

S. F. 115

AN ACT relating to the appointment and compensation of probation officers and secretaries in the juvenile courts.

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

1 SECTION 1. Section two hundred thirty-one point eight (231.8),  
2 Code 1958, is hereby repealed and the following enacted in lieu there-  
3 of:

4 "The judge designated as judge of the juvenile court in any county,  
5 or where there is more than one (1) judge designated such judges  
6 acting jointly, may appoint such probation officers as may be neces-  
7 sary to carry out the work of the court. In counties where more than  
8 one (1) officer is appointed one (1) of such officers shall be designated  
9 as chief probation officer. The salaries of such officers shall be fixed  
10 by the judge or judges making the appointments but in no case shall  
11 the salary of a chief probation officer exceed seventy (70) percent of  
12 the salary of the district court judge nor shall the salary of a deputy  
13 probation officer exceed sixty (60) percent of the salary of such judge.

14 "Probation officers may be appointed to serve two (2) or more  
15 counties. The salaries of such officers and their deputies, if any, shall  
16 be fixed by the judges of the judicial district containing such counties  
17 and such salaries and the expenses of the probation offices shall be  
18 prorated among the counties served in such proportion as may be  
19 determined by said judges who shall in making such determination,  
20 consider the volume of work in the several counties. Such officers may  
21 be paid not to exceed sixty (60) percent of the salary of a district  
22 court judge.

23 "Such secretarial and clerical help as may be needed in the admin-  
24 istration of any probation office may be appointed by the judge or  
25 judges of the juvenile court who may fix their salaries at not more  
26 than forty (40) percent of the salary of a district court judge."

Approved March 18, 1959.

## CHAPTER 172

## SOCIAL WELFARE EMPLOYEES

H. F. 378

AN ACT relating to the qualification of employees of the department of social welfare.

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

1 SECTION 1. Section two hundred thirty-four point eight (234.8),  
2 Code 1958, is hereby amended by striking from lines two (2), three  
3 (3), and four (4) of such section the words, "shall have been resi-  
4 dents of the state of Iowa for at least two years immediately pre-  
5 ceding their employment and".

1     SEC. 2. Section two hundred thirty-four point twelve (234.12),  
 2 Code 1958, is hereby amended by striking all of such section after  
 3 the word, "training" in line nine (9) of such section and inserting in  
 4 lieu thereof a period.

Approved May 15, 1959.

---

CHAPTER 173

COMMISSION FOR THE BLIND

H. F. 523

AN ACT relating to powers and duties of the commission for the blind.

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

1     SECTION 1. Section ninety-three point six (93.6), Code 1958, is  
 2 hereby amended by adding the following subsections:  
 3     1. Establish, manage and control a special training, orientation  
 4 and adjustment center or centers for the blind.  
 5     2. Establish and maintain offices for the commission.  
 6     3. Accept gifts, grants, devices or bequests of real or personal  
 7 property from any source for the use and purposes of the commission.

Approved May 15, 1959.

---

CHAPTER 174

DEPENDENT CHILDREN AND THE BLIND

S. F. 12

AN ACT to amend section two hundred thirty-nine point nine (239.9) and section two hundred forty-one point seventeen (241.17), Code 1958, relating to funeral expenses for dependent children and the blind.

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

1     SECTION 1. Section two hundred thirty-nine point nine (239.9),  
 2 Code 1958, is hereby amended by striking from line seven (7) thereof  
 3 the word "fifty" and substituting in lieu therefor the words "seventy-  
 4 five".  
 1     SEC. 2. Section two hundred forty-one point seventeen (241.17),  
 2 Code 1958, is hereby amended by striking from line six (6) thereof  
 3 the word "fifty" and substituting in lieu therefor the words "seventy-  
 4 five".

Approved February 18, 1959.

## CHAPTER 175

## PENAL INSTITUTIONS REVOLVING FUND

S. F. 248

AN ACT relating to the use of the establishing and maintaining industry revolving funds of the state penitentiary at Fort Madison and the state reformatory at Anamosa.

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

- 1 SECTION 1. Section two hundred forty-six point twenty-seven
- 2 (246.27), Code 1958, is hereby amended by inserting in line five (5)
- 3 after the word, "named", the following:
- 4 "except that such funds, if available, may, at the discretion of and
- 5 with the approval of the board of control, be used to provide voca-
- 6 tional and educational facilities and services for such inmates at the
- 7 institutions named."

Approved April 14, 1959.

## CHAPTER 176

## PAROLES

H. F. 478

AN ACT to amend section two hundred forty-seven point five (247.5), Code 1958, 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 five
- 2 (247.5), Code 1958, by adding thereto the following:
- 3 "The board may also terminate or discharge a parole granted by it
- 4 from the penitentiary or men's or women's reformatory or placed
- 5 under its supervision by the district court at any time and at its sole
- 6 discretion whenever it is satisfied that satisfactory evidence has been
- 7 given that society will not suffer thereby. Said discharge shall relieve
- 8 the parolee from further liability under his sentence."

Approved April 22, 1959.

## CHAPTER 177

## CITIZENSHIP OF PAROLEES

H. F. 479

AN ACT to repeal section two hundred forty-eight point three (248.3), Code 1958, and to enact a substitute therefor relating to restoration of citizenship to persons discharged from parole.

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

- 1 SECTION 1. Section two hundred forty-eight point three (248.3),
- 2 Code 1958, is hereby repealed and the following enacted in lieu there-
- 3 of:

4 "The board of parole shall recommend to the governor the restora-  
 5 tion of citizenship of such persons as have been discharged from  
 6 parole and who have, by their conduct, given satisfactory evidence  
 7 that they will continue to be law-abiding citizens."

Approved April 23, 1959.

## CHAPTER 178

### TAX DEED TO SOCIAL WELFARE BOARD

S. F. 210

AN ACT relating to the taking of a tax deed by the state board of social welfare.

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

1 SECTION 1. Section two hundred forty-nine point twenty (249.20),  
 2 Code 1958, is hereby amended by striking the "period (.)" after the  
 3 word, "redemption" in line one hundred four (104) and inserting in  
 4 lieu thereof the following: "and shall be entitled to receive a tax  
 5 deed."

Approved April 22, 1959.

## CHAPTER 179

### HEAD TAX

S. F. 47

AN ACT to repeal the head tax levied on adults to provide funds for the old-age assist-  
 ance fund, and to abolish the liens charged against property for delinquent head  
 taxes.

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

1 SECTION 1. Section two hundred forty-nine point thirty-six  
 2 (249.36), Code 1958, is hereby amended by striking the remainder  
 3 of said section after the first sentence therein.

1 SEC. 2. Section two hundred forty-nine point thirty-seven  
 2 (249.37), Code 1958, is hereby repealed.

1 SEC. 3. Section two hundred forty-nine point thirty-eight  
 2 (249.38), Code 1958, is hereby repealed.

1 SEC. 4. Section two hundred forty-nine point thirty-nine  
 2 (249.39), Code 1958, is hereby amended by striking from lines thirty-  
 3 six (36), thirty-seven (37) and thirty-eight (38) the words, "and  
 4 may be expended for the purposes and in the manner referred to in  
 5 section 249.36." and inserting in lieu thereof the following: "and  
 6 shall be separate from the general fund of the state. On receipt of  
 7 written order from the state department, the state comptroller shall  
 8 draw warrants, or warrant checks against the old-age assistance fund  
 9 for any and all old-age assistance payments and other expenditures  
 10 provided for in this chapter."

- 1 SEC. 5. All unpaid liens on real estate or other property which  
 2 have arisen because the owners of said real estate or property have  
 3 not paid the head tax, herein repealed, are abolished and released.

Approved March 18, 1959.

---

## CHAPTER 180

### SOLDIERS RELIEF COMMISSION

H. F. 256

AN ACT relating to the compensation of the soldiers relief commission and relating to the commission emergency fund.

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

- 1 SECTION 1. Section two hundred fifty point five (250.5), Code  
 2 1958, is hereby amended by striking from line three (3) the word  
 3 "two" and inserting in lieu thereof the word "five".

- 1 SEC. 2. Section two hundred fifty point twenty (250.20), Code  
 2 1958, is hereby repealed.

Approved May 8, 1959.

---

## CHAPTER 181

### SUPPORT OF POOR

S. F. 34

AN ACT relating to the support of the poor.

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

- 1 SECTION 1. Section two hundred fifty-two point sixteen (252.16),  
 2 Code 1958, is amended as follows:

- 3 1. By striking all of subsection one (1) and inserting the follow-  
 4 ing:

5 "1. Any person continuously residing in any county in this state for  
 6 a period of one year acquires a settlement in that county."

- 7 2. By striking from subsection two (2) in lines five (5) and six (6)  
 8 the words, "two years without being warned to depart as provided in  
 9 this chapter" and inserting in lieu thereof the words, "one year".

- 1 SEC. 2. Sections two hundred fifty-two point twenty (252.20) and  
 2 two hundred fifty-two point twenty-one (252.21), Code 1958, are here-  
 3 by repealed.

- 1 SEC. 3. Section two hundred fifty-two point twenty-two (252.22),  
 2 Code 1958, is amended by striking from lines nine (9), ten (10) and  
 3 eleven (11) the following: "if able, may be removed to the county of  
 4 his settlement, or," and by striking from line thirteen (13) the word,  
 5 "he".

1 SEC. 4. Section two hundred fifty-two point twenty-three (252.23),  
 2 Code 1958, is amended by striking from the end thereof the words,  
 3 "or making the removal".

1 SEC. 5. Section two hundred fifty-two point twenty-four (252.24),  
 2 Code 1958, is amended by striking from lines five (5) and six (6) the  
 3 following: ", and for the charges of removal and expenses of support  
 4 incurred".

Approved March 31, 1959.

---

## CHAPTER 182

### POOR INDIANS

S. F. 429

AN ACT relating to the administration and financing of support for the poor for Indians residing on a reservation in the state of Iowa.

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

1 SECTION 1. Section two hundred fifty-two point forty-three  
 2 (252.43), Code 1958, is hereby amended by adding thereto the follow-  
 3 ing:  
 4 "The expense of support for the poor for Indians residing on a  
 5 reservation in this state shall be paid from funds of the state depart-  
 6 ment of social welfare. To administer such support for Indians resi-  
 7 ding on a reservation, the state department of social welfare shall  
 8 have the powers and duties assigned to county officials by this chap-  
 9 ter, or the department may designate the director of social welfare  
 10 in the county where such Indians reside to administer such relief."

Approved April 23, 1959.

---

## CHAPTER 183

### TREATMENT OF INMATES OF PENAL INSTITUTIONS

H. F. 480

AN ACT to amend chapter two hundred fifty-five (255), Code 1958, relating to treatment of inmates of the Iowa state penitentiary and the men's or women's reformatory.

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

1 SECTION 1. Chapter two hundred fifty-five (255), Code 1958, is  
 2 hereby amended by adding thereto the following new section:  
 3 "The board of parole may send former inmates of the Iowa state  
 4 penitentiary and men's or women's reformatory, while on parole, to  
 5 the hospital of the college of medicine of the state university for treat-  
 6 ment and care as provided in this chapter, without securing the order  
 7 of the court required in other cases. Said board may pay the traveling  
 8 expenses of any patient thus committed and, when necessary, the

9 traveling expenses of an attendant of such patient out of funds ap-  
10 propriated for the use of the board of parole."

Approved April 27, 1959.

---

## CHAPTER 184

### BOARD OF REGENTS SALE OF REAL ESTATE

#### S. F. 235

AN ACT relating to the sale of real estate by the state board of regents and the use of the proceeds of such sales.

*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 subsection five (5), Code 1958, is amended by inserting after the  
3 period in line nine (9) the following:  
4 "If real estate subject to sale hereunder has been purchased or  
5 acquired from appropriated funds, the proceeds of such sale shall be  
6 deposited with the treasurer of state and credited to the general fund  
7 of the state. There is hereby appropriated from the general fund of  
8 the state a sum equal to the proceeds so deposited and credited to the  
9 general fund of the state to the state board of regents which, with the  
10 prior approval of the budget and financial control committee, may be  
11 used to purchase other real estate."

Approved March 31, 1959.

---

## CHAPTER 185

### SELF-LIQUIDATING COLLEGE BUILDINGS

#### S. F. 148

AN ACT to authorize the state board of regents to erect, equip, maintain and operate self-liquidating buildings and facilities, to use and acquire land therefor, to fix student fees and charges for their payment and to borrow money and pledge the student fees and charges, the property and the rents and profits therefrom for such purposes.

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

1 SECTION 1. The state board of regents is authorized to:  
2 1. Set aside and use such portions of the respective campuses of  
3 the institutions of higher education under its control, namely, the  
4 state university of Iowa, the college\* of agriculture and mechanical  
5 arts, and the Iowa state teachers college, as the board shall determine  
6 to be suitable for the construction thereon of self-liquidating and  
7 revenue producing buildings and facilities, which the board deems  
8 necessary for the comfort, convenience and welfare of their students  
9 and suitable for the purposes for which the institutions were estab-

---

\*See chapter 74.

10 lished, including student unions, recreational buildings, auditoriums,  
11 stadiums, field houses, athletic buildings and areas, parking struc-  
12 tures and areas, and additions to or alterations of existing buildings  
13 or structures now or hereafter used for any or all of the purposes  
14 aforesaid.

15 2. Acquire by any lawful means additional land deemed by the  
16 board to be desirable and suitable for any or all of the aforesaid pur-  
17 poses.

18 3. Construct, equip, furnish, maintain, operate, manage and control  
19 any or all of the buildings, structures, facilities, areas, additions  
20 or improvements hereinbefore enumerated.

1 SEC. 2. The erection of the buildings, improvements and facilities  
2 for the educational institutions of higher learning in this state is a  
3 public necessity and the board is vested with full power to purchase  
4 or condemn at said institutions, or convenient thereto, all real estate  
5 necessary to carry out the powers herein granted.

1 SEC. 3. The title to all real estate so acquired and the improve-  
2 ments erected thereon shall be taken and held in the name of the state.

1 SEC. 4. When in the opinion of the board of regents, any of the  
2 buildings, structures, facilities, property, improvements, equipment,  
3 additions or alterations as above authorized are deemed necessary by  
4 said board for the comfort, convenience and welfare of the student  
5 body as a whole, or for any specified class or part thereof, the board  
6 of regents shall have authority to charge and collect, from all students  
7 in attendance at the university, college or institution, or from any  
8 specified class or part thereof for which such facilities are so deemed  
9 necessary, fees and charges for the use and availability of such build-  
10 ings, facilities, improvements and for the services and benefits made  
11 available therefrom. The fees and charges if established shall be ap-  
12 plied to the costs of acquisition, construction, maintenance and financ-  
13 ing of such improvements.

1 SEC. 5. In carrying out the above powers said board may:

2 1. Borrow money on the credit of the income and revenues to be  
3 derived from the operation or use of the building, structure, facility,  
4 area or improvement and from fees or charges made by said board to  
5 students for whom such facilities are made available and to issue  
6 notes, bonds, or other evidence of indebtedness in anticipation of the  
7 collection of such income, revenues, fees and charges.

8 2. Mortgage any real estate so acquired and the improvements  
9 erected thereon in order to secure necessary loans.

10 3. Pledge the rents, profits and income received from any such  
11 property for the discharge of the indebtedness.

12 4. Pledge the proceeds of all fees and charges to students attending  
13 the institution for the use or availability of such buildings, structures,  
14 areas or facilities for the discharge of the indebtedness.

1 SEC. 6. No obligation created hereunder shall ever be or become  
2 a charge against the state of Iowa but all such obligations, including  
3 principal and interest, shall be payable solely:

4 1. From the net rents, profits and income arising from the prop-  
5 erty so pledged or mortgaged,



6 2. From the net rents, profits, and income which has not been  
7 pledged for other purposes arising from any similar building, facil-  
8 ity, area or improvement under the control and management of said  
9 board,

10 3. From the fees or charges established by said board for students  
11 attending the institution for the use or availability of the building,  
12 structure, area, facility or improvement for which the obligation was  
13 incurred, or

14 4. From the income derived from gifts and bequests made to the  
15 institutions under the control of said board for such purposes.

1 SEC. 7. In discharging the obligations under section six (6) the  
2 buildings, structures, areas, facilities and improvements at each of  
3 said institutions shall be considered as a unit and the rents, profits  
4 and other income available for such purposes at one institution shall  
5 not be used to discharge obligations created for similar purposes at  
6 another institution.

1 SEC. 8. All obligations created hereunder shall be exempt from  
2 taxation, together with the interest thereon.

1 SEC. 9. No state funds shall be loaned for this purpose. This shall  
2 not apply to funds derived from the net earnings of such buildings,  
3 structures, areas and facilities now or hereafter owned by the state  
4 or to funds received from student fees or charges.

1 SEC. 10. This Act shall not be construed to repeal, modify or  
2 amend any law of this state now in force, but shall be deemed as sup-  
3 plemental thereto, nor shall it prevent the making of state appropria-  
4 tions, in whole or in part, for any of the purposes of this Act.

1 SEC. 11. All such self-liquidating projects under this Act shall be  
2 first approved by the budget and financial control committee.

This bill (Senate File 148), having remained with the Governor three days (Sunday excepted), the General Assembly being in session, has become a law this 30th day of March, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 186

### SCHOOL DISTRICT BOARD MEMBERS

H. F. 379

AN ACT to amend sections two hundred seventy-three point four (273.4), two hundred seventy-three point nine (273.9), two hundred seventy-seven point one (277.1), two hundred seventy-seven point twenty-four (277.24), two hundred seventy-seven point twenty-six (277.26), two hundred seventy-seven point twenty-eight (277.28), two hundred seventy-nine point one (279.1), and two hundred seventy-nine point fourteen (279.14), Code 1958, to effect a change of date for election of members of boards of directors in school districts and members of county boards of education.

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

1 SECTION 1. Section two hundred seventy-three point four (273.4),  
2 Code 1958, is amended by striking from line nine (9) of the first para-

3 graph the word "April" and inserting in lieu thereof the word "Oc-  
4 tober".

1 SEC. 2. Section two hundred seventy-three point four (273.4),  
2 Code 1958, is further amended by striking the second paragraph and  
3 inserting in lieu thereof the following paragraph: "The terms of those  
4 members of the county board of education whose terms expire on the  
5 first Monday in April 1961 are hereby extended until the first Mon-  
6 day in October 1961, the terms which expire the first Monday in April  
7 1963 are extended to the first Monday in October 1963 and the terms  
8 which expire the first Monday in April 1965 are extended to the first  
9 Monday in October 1965."

1 SEC. 3. Section two hundred seventy-three point four (273.4),  
2 Code 1958, is further amended by striking from line four (4) of the  
3 third paragraph the word "April" and inserting in lieu thereof the  
4 word "October".

1 SEC. 4. Section two hundred seventy-three point nine (273.9),  
2 Code 1958, is amended by striking from line three (3) the word  
3 "April" and inserting in lieu thereof the word "October".

1 SEC. 5. Section two hundred seventy-seven point one (277.1),  
2 Code 1958, is amended by striking from lines three (3) and ten (10)  
3 the word "March" and inserting in lieu thereof in each instance the  
4 word "September".

1 SEC. 6. Section two hundred seventy-seven point twenty-four  
2 (277.24), Code 1958, is amended by striking from line six (6) in the  
3 first paragraph and from line four (4) in the second paragraph the  
4 word "March" and inserting in lieu thereof in each instance the word  
5 "September".

1 SEC. 7. Section two hundred seventy-seven point twenty-four  
2 (277.24), Code 1958, is further amended by adding a third paragraph  
3 as follows: "Terms of members of boards of directors which expire  
4 the third Monday in March 1960 are hereby extended to the third  
5 Monday in September 1960 and terms of members which expire the  
6 third Monday in March in succeeding years are extended to the third  
7 Monday in September of the year in which the terms expire."

1 SEC. 8. Section two hundred seventy-seven point twenty-six  
2 (277.26), Code 1958, is amended by inserting in line five (5) after the  
3 word "July" the words "following his election".

1 SEC. 9. Section two hundred seventy-seven point twenty-eight  
2 (277.28), Code 1958, is amended by striking from line six (6) the  
3 word "March" and inserting in lieu thereof the word "September".

1 SEC. 10. Section two hundred seventy-nine point one (279.1),  
2 Code 1958, is amended by striking from line five (5) the word  
3 "March" and inserting in lieu thereof the word "September".

1 SEC. 11. Section two hundred seventy-nine point fourteen  
2 (279.14), Code 1958, is amended by changing the comma (,) after the  
3 word "years" in line eight (8) to a period (.) and by striking the re-  
4 mainder of the sentence.

Approved March 30, 1959.

## CHAPTER 187

## COUNTY DETENTION HOMES

## S. F. 364

AN ACT relating to school instruction of inmates of county detention homes in counties of more than one hundred twenty-five thousand (125,000) population.

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

1 SECTION 1. Section two hundred seventy-three point thirteen  
2 (273.13), Code 1958, is hereby amended by adding thereto the follow-  
3 ing subsection:

4 "In any county of more than one hundred twenty-five thousand  
5 (125,000) population, upon request of the board of supervisors, pro-  
6 vide suitable curriculum, teaching staff, books, supplies and other  
7 necessary materials for the instruction of children of school age who  
8 are inmates of the detention home of such county provided for in  
9 section two hundred thirty-two point thirty-five (232.35), Code 1958."

Approved April 22, 1959.

## CHAPTER 188

## SCHOOL DISTRICT BOUNDARIES

## S. F. 305

AN ACT amending section two hundred seventy-four point five (274.5), Code 1958, relating to the limitations of actions questioning the organization, reorganization, enlargement or changes in the boundaries of school corporations.

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

1 SECTION 1. Section two hundred seventy-four point five (274.5),  
2 Code 1958, is hereby amended by adding at the end of said section the  
3 following new sentence: "When the said period of limitations shall  
4 have passed, it shall be conclusively presumed that all acts and pro-  
5 ceedings taken with reference to the said organization, reorganization,  
6 enlargement or change in boundaries were legally taken for every pur-  
7 pose whatsoever and that a de jure school corporation exists."

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 DeWitt Observer, a newspaper published at DeWitt, Iowa, and  
4 The Cedar Rapids Gazette, a newspaper published at Cedar Rapids,  
5 Iowa.

Approved April 8, 1959.

I hereby certify that the foregoing Act, Senate File 305, was published in the DeWitt Observer, DeWitt, Iowa, April 16, 1959, and in The Cedar Rapids Gazette, Cedar Rapids, Iowa, April 10, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 189

## REORGANIZATION OF SCHOOL DISTRICTS

H. F. 104

AN ACT relating to the reorganization of school districts.

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

1 SECTION 1. Section two hundred seventy-five point one (275.1),  
 2 Code 1958, is hereby amended by adding thereto the following: "Pro-  
 3 vided, however, that any school district which has been reduced to less  
 4 than four (4) government sections as a result of reorganization may  
 5 be annexed to a twelve (12) grade district by the board of education  
 6 of the county in which located without the approval of the electors and  
 7 areas in excess of four (4) sections where no persons reside thereon  
 8 and the land is owned by persons residing within the district to which  
 9 such land is to be attached may be so attached."

1 SEC. 2. Section two hundred seventy-five point twenty-four  
 2 (275.24), Code 1958, is hereby amended by striking the period (.) at  
 3 the end of the section and adding the following:  
 4 "or, if no new board is elected, then on July 1 following the en-  
 5 largement, reorganization or boundary change."

1 SEC. 3. Section two hundred seventy-five point twenty-seven  
 2 (275.27), Code 1958, is hereby amended by inserting the following  
 3 words after the word "system" in line four (4); "of the county in  
 4 which the greatest number of electors of said district reside at the  
 5 time of the special election called for in section two hundred seventy-  
 6 five point eighteen (275.18), and this provision pertaining to greatest  
 7 number of electors shall be in full force and effect any statute to the  
 8 contrary notwithstanding."

1 SEC. 4. Chapter two hundred seventy-five (275), Code 1958, is  
 2 hereby amended by adding the following new section: "Territory de-  
 3 scribed in the petition of a proposed reorganization which has been  
 4 set out of the proposed reorganization by the county board or the joint  
 5 boards, as the case may be, and in the event of an appeal, after the  
 6 decision of the state department of public instruction or the courts as  
 7 by law provided, may be included in any new petition for reorganiza-  
 8 tion."

1 SEC. 5. This Act being deemed of immediate importance shall be  
 2 in full force and effect after its passage and publication in the Gowrie  
 3 News, a newspaper published at Gowrie, Iowa and in the Sac City Sun,  
 4 a newspaper published in Sac City, Iowa.

Approved April 28, 1959.

I hereby certify that the foregoing Act, House File 104, was published in the Gowrie News, Gowrie, Iowa, May 7, 1959, and in the Sac City Sun, Sac City, Iowa, May 7, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 190

## AREA OF SCHOOL DISTRICTS

S. F. 53

AN ACT relating to school districts containing less than four (4) sections in area.

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

1 SECTION 1. Section two hundred seventy-five point five (275.5),  
2 Code 1958, is hereby amended by striking all after the word "shall"  
3 in line twenty-six (26), and inserting in lieu thereof the following:  
4 "by resolution attach or subdivide and attach the remaining portion  
5 or portions of said district to another school district or districts."

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 Daily Freeman-Journal, a newspaper published at Webster City,  
4 Iowa, and in the Eagle Grove Eagle, a newspaper published at Eagle  
5 Grove, Iowa.

Approved March 24, 1959.

I hereby certify that the foregoing Act, Senate File 53, was published in the Daily Freeman-Journal, Webster City, Iowa, March 27, 1959, and in the Eagle Grove Eagle, Eagle Grove, Iowa, April 2, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 191

## COMMUNITY SCHOOL BOARDS

S. F. 529

AN ACT to amend sections two hundred seventy-five point twenty-five (275.25) and two hundred seventy-five point twenty-nine (275.29), Code of Iowa, to provide for the organization and legal responsibility of a newly elected board of a community district within fifteen (15) days after election.

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

1 SECTION 1. Section two hundred seventy-five point twenty-five  
2 (275.25), Code of Iowa, is hereby amended by striking lines thirty-  
3 seven (37), thirty-eight (38), and thirty-nine (39) and substituting  
4 in lieu thereof the following:

5 "The new board shall organize within fifteen (15) days following  
6 their election upon call of the county superintendent. The new board  
7 of directors shall have complete control of the employment of all  
8 personnel for the newly formed community school district for the  
9 ensuing school year. Following the organization of the new board  
10 they shall have authority to establish policy, organize curriculum,  
11 enter into contracts and complete such other planning and take such  
12 action as is essential for the efficient management of the newly  
13 formed community school district."

1 SEC. 2. Section two hundred seventy-five point twenty-nine  
2 (275.29), Code of Iowa, is hereby amended by striking all of said  
3 section and substituting in lieu thereof the following:

4 "Between July 1st and July 20th, the board of directors of the  
5 newly formed community school district shall meet with the boards  
6 of all the old districts or parts of districts affected by the organiza-  
7 tion of the new school corporation for the purpose of reaching joint  
8 agreement on an equitable division of the assets of the several school  
9 corporations or parts thereof and an equitable distribution of the  
10 liabilities of the affected corporations or parts thereof."

1 SEC. 3. This Act being deemed of immediate importance shall be  
2 in full force and effect upon its passage and publication in the New  
3 Hampton Tribune, a newspaper published in New Hampton, Iowa,  
4 and in the Pleasantville News, a newspaper published in Pleasant-  
5 ville, Iowa.

Approved May 5, 1959.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3.9, Code of Iowa, 1958, there being no newspaper by the name of Pleasantville News published at Pleasantville, Iowa, the Marion County News, a newspaper published at Pleasantville, Iowa, is designated to publish the foregoing Act, Senate File 529.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, Senate File 529, was published in the New Hampton Tribune, New Hampton, Iowa, May 14, 1959, and in the Marion County News, Pleasantville, Iowa, May 14, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 192

### SCHOOL REORGANIZATION

#### S. F. 336

AN ACT to amend chapter two hundred seventy-five (275), Code 1958, relating to the reorganization of school districts.

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

1 SECTION 1. Amend chapter two hundred seventy-five (275), Code  
2 1958, by adding the following new section:

3 "In addition to the procedure set forth in sections two hundred  
4 seventy-five point twelve (275.12) to two hundred seventy-five point  
5 twenty-three (275.23) inclusive, relating to the organization of a  
6 proposed school district, a school district not operating a high school  
7 that is contiguous to a high school district may merge with said high  
8 school district in the following manner:

9 (1) A petition signed by at least twenty percent (20%) of the  
10 qualified voters of such school district not operating a high school,  
11 proposing that said district be included in said high school district,  
12 shall be filed with the county superintendent of the county which has  
13 jurisdiction over the high school district and a duplicate copy with  
14 the school board of the high school district.

15 (2) The school board of the high school district involved shall,  
16 after the filing of said petition, take action at the next regular board  
17 meeting or a special meeting called for that purpose, agreeing or  
18 refusing to accept said school district not operating a high school

19 into said high school district and filing a record of such action with  
20 said county superintendent.

21 (3) If the said school board of the high school district agrees to  
22 accept said school district not operating a high school, said county  
23 board shall approve or disapprove said merger proposal. The county  
24 superintendent shall fix a time and place for filing objections, cause  
25 one notice thereof to be published at least ten (10) days prior thereto  
26 in a newspaper published within the high school district or if none is  
27 published therein then in a newspaper of general circulation in the  
28 high school district; and in the event of the filing prior to said time of  
29 a petition signed by voters in the high school district involved equal  
30 in number to at least twenty percent (20%) of the number of eli-  
31 gible voters or four hundred (400) voters, whichever is the smaller  
32 number, objecting to such board action, the entire action shall be void  
33 and in order to effect said merger it shall be necessary to proceed as  
34 provided in section two hundred seventy-five point twelve (275.12).  
35 In case of a controversy over county plans which would affect a pro-  
36 posed merger, said merger must have the approval of the state board  
37 of public instruction which decision shall be final and no further  
38 action shall be taken until such approval is granted. Any county  
39 board of education affected or either local board of education in-  
40 volved may submit the controversy to the state department of public  
41 instruction within ten (10) days after the decision of the county  
42 board or county boards of education.

43 (4) If approved as set forth above, an election shall be held as  
44 provided in this chapter in said school district not operating a high  
45 school and if approved by a majority of those voting, said district  
46 shall become merged with said high school district on the July 1 fol-  
47 lowing said election."

1 SEC. 2. This Act being deemed of immediate importance shall  
2 take effect and be in force from and after the publication in the  
3 Rockford Register, a newspaper published in Rockford, Iowa, and in  
4 the Corydon Times-Republican, a newspaper published in Corydon,  
5 Iowa.

Approved May 5, 1959.

I hereby certify that the foregoing Act, Senate File 336, was published in the Rock-  
ford Register, Rockford, Iowa, May 13, 1959, and in the Corydon Times-Republican,  
Corydon, Iowa, May 14, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 193

### SCHOOL EMPLOYEES SICK LEAVE

H. F. 55

AN ACT relating to sick leave for public school employees.

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

1 SECTION 1. Section two hundred seventy-nine point forty (279.40),  
2 Code 1958, is hereby amended by striking the words "a maximum" in

3 line fourteen (14) and inserting in lieu thereof the words "at least a  
4 total".

1 SEC. 2. Section two hundred seventy-nine point forty (279.40),  
2 Code 1958, is further amended by adding thereto the following:

3 "Nothing in this section shall be construed as limiting the right of  
4 a school board to grant more time than the days herein specified."

1 SEC. 3. Section two hundred seventy-nine point forty (279.40),  
2 Code 1958, is further amended by adding thereto the following:

3 "Cumulation of sick leave by virtue of this section shall not be af-  
4 fected or terminated by reason of the organization of a Community  
5 School District or districts which include all or the portion of the dis-  
6 trict which employed the particular public school employee for the  
7 school year previous to such organization, if such employee is em-  
8 ployed by one of such community school districts for the first school  
9 year following its organization.

Approved February 11, 1959.

## CHAPTER 194

### TERMINATION OF TEACHERS' CONTRACTS

#### S. F. 1

AN ACT to amend section two hundred seventy-nine point thirteen (279.13), Code 1958, to provide for a conference between the board of directors of a school district and a teacher before such teacher is notified of termination of contract.

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

1 SECTION 1. Section two hundred seventy-nine point thirteen  
2 (279.13), Code 1958, is hereby amended as follows:

3 1. By striking the word "in" in line seventy-one (71) and by in-  
4 serting in lieu thereof the following:

5 "provided, however, that at least ten (10) days prior to mailing of  
6 any notice of termination the board or its agent shall inform the  
7 teacher in writing that (1) the board is considering termination of  
8 said contract and that (2) the teacher shall have the right to a pri-  
9 vate conference with the board if the teacher files a request therefor  
10 with the president or secretary of the board within five (5) days;  
11 and if within five (5) days after receipt by the teacher of such writ-  
12 ten information the teacher files with the president or secretary of the  
13 board a written request for a conference, the board shall, before any  
14 notice of termination is mailed, give the teacher written notice of the  
15 time and place of such conference and shall hold a private conference  
16 between the board and teacher and his representative if the teacher  
17 appears at such time and place. In".

18 2. By adding the following:

19 "The term 'teacher' as used in this section shall include all certifi-  
20 cated school employees, including superintendents."

Approved February 9, 1959.



## CHAPTER 195

## JUNIOR COLLEGES

H. F. 220

AN ACT to amend section two hundred eighty point eighteen (280.18), Code 1958, relating to junior colleges.

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

- 1 SECTION 1. Amend section two hundred eighty point eighteen  
2 (280.18), Code 1958, as follows:  
3 1. By inserting in line eight (8) after the word "public" the words  
4 "community or".  
5 2. By inserting in line fifteen (15) after the word "for" the words  
6 "community or".  
7 3. By inserting in line sixteen (16) after the word "for" the words  
8 "community or".  
9 4. By inserting in line eighteen (18) after the word "by" the words  
10 "community or".  
11 5. By inserting in line twenty-one (21) after the word "a" the  
12 words "community or".  
13 6. By inserting in line twenty-nine (29) after the word "public"  
14 the words "community or".  
15 7. By inserting in line thirty-three (33) after the word "a" the  
16 words "community or".

Approved February 18, 1959.

## CHAPTER 196

## HANDICAPPED CHILDREN

S. F. 262

AN ACT to amend chapter two hundred eighty-one (281), Code 1958, relating to the education of handicapped children.

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

- 1 SECTION 1. Section two hundred eighty-one point one (281.1),  
2 Code 1958, is hereby amended by striking line five (5) and inserting  
3 in lieu thereof the following: "of education for children requiring  
4 special education".  
1 SEC. 2. Amend section two hundred eighty-one point two (281.2),  
2 Code 1958, as follows:  
3 1. By striking from lines one (1) and two (2) the words "handi-  
4 capped children" and inserting in lieu thereof the words, "children  
5 requiring special education".  
6 2. By striking from line twelve (12) the words, "by a practicing  
7 physician".  
8 3. By striking from lines sixteen (16) and seventeen (17) the  
9 words "handicapped children" and inserting in lieu thereof the words,  
10 "children requiring special education".

1 SEC. 3. Amend section two hundred eighty-one point three (281.3),  
2 Code 1958, as follows:

3 1. By striking in subsection one (1), line three (3), the words  
4 "handicapped children" and inserting in lieu thereof the words, "chil-  
5 dren requiring special education".

6 2. By striking in subsection one (1), lines four (4) and five (5)  
7 the words "handicapped children" and inserting in lieu thereof the  
8 words, "children requiring special education".

9 3. By striking in subsection two (2), line four (4), the words  
10 "handicapped children" and inserting in lieu thereof the words, "chil-  
11 dren requiring special education".

12 4. By striking in subsection four (4), line four (4), the words  
13 "handicapped children" and inserting in lieu thereof the words, "chil-  
14 dren requiring special education".

15 5. By striking in subsection six (6), line three (3), the words  
16 "handicapped children" and inserting in lieu thereof the words, "chil-  
17 dren requiring special education".

18 6. By striking in subsection six (6), line six (6), the words  
19 "handicapped children" and inserting in lieu thereof the words, "chil-  
20 dren requiring special education".

21 7. By striking in subsection seven (7), line three (3), the words  
22 "handicapped children" and inserting in lieu thereof the words "chil-  
23 dren requiring special education".

24 8. By striking in subsection eight (8), line two (2), the words  
25 "handicapped children" and inserting in lieu thereof the words, "chil-  
26 dren requiring special education".

27 9. By striking in subsection nine (9), line three (3), the words  
28 "handicapped child" and inserting in lieu thereof the words, "child  
29 requiring special education".

30 10. By striking in subsection ten (10), line eight (8), the words  
31 "handicapped children" and inserting in lieu thereof the words, "chil-  
32 dren requiring special education".

33 11. By striking in subsection eleven (11), lines two (2) and three  
34 (3), the words "handicapped children" and inserting in lieu thereof  
35 the words, "children requiring special education".

1 SEC. 4. Amend section two hundred eighty-one point four (281.4),  
2 Code 1958, as follows:

3 1. By striking from line twelve (12) the words "handicapped chil-  
4 dren" and inserting in lieu thereof the words, "children requiring  
5 special education".

6 2. By striking from line thirty-six (36), the words "handicapped  
7 children" and inserting in lieu thereof the words, "children requiring  
8 special education".

1 SEC. 5. Section two hundred eighty-one point five (281.5), Code  
2 1958, is hereby amended by striking from lines four (4) and five (5)  
3 the words "handicapped children" and inserting in lieu thereof the  
4 words, "children requiring special education".

1 SEC. 6. Amend section two hundred eighty-one point six (281.6),  
2 Code 1958, as follows:

3 1. By striking from line four (4) the words "handicapped child"  
4 and inserting in lieu thereof the words, "child requiring special edu-  
5 cation".

6 2. By striking from line twelve (12) the words "handicapped child"  
7 and inserting in lieu thereof the words, "child requiring special edu-  
8 cation".

1 SEC. 7. Amend section two hundred eighty-one point seven  
2 (281.7), Code 1958, as follows:

3 1. By striking from lines two (2) and three (3) the words "handi-  
4 capped child" and inserting in lieu thereof the words, "child requiring  
5 special education".

6 2. By striking from lines three (3) and four (4) the words "handi-  
7 capped children" and inserting in lieu thereof the words, "children  
8 requiring special education".

9 3. By striking from line nine (9) the words "handicapped children"  
10 and inserting in lieu thereof the words, "children requiring special  
11 education".

12 4. By striking in line ten (10) all after the word "be" and by strik-  
13 ing lines eleven (11), twelve (12), thirteen (13), fourteen (14), and  
14 fifteen (15) to the word "Final" and inserting in lieu thereof the  
15 words, "prescribed by the state division of special education."

16 5. By striking from line seventeen (17) the words, "director\* of  
17 the".

1 SEC. 8. Amend section two hundred eighty-one point eight (281.8),  
2 Code 1958, as follows:

3 1. By striking from lines three (3) and four (4) the words "handi-  
4 capped child" and inserting in lieu thereof the words, "child requiring  
5 special education".

6 2. By striking from line seven (7) the words "handicapped child"  
7 and inserting in lieu thereof the words, "child requiring special edu-  
8 cation".

9 3. By striking from line eight (8) the words "handicapped chil-  
10 dren" and inserting in lieu thereof the words, "children requiring  
11 special education".

1 SEC. 9. Section two hundred eighty-one point nine (281.9), Code  
2 1958, is hereby amended by striking from lines three (3) and four  
3 (4) the words "handicapped children" and inserting in lieu thereof  
4 the words, "children requiring special education".

Approved May 1, 1959.

## CHAPTER 197

### DISTRIBUTION OF FEDERAL AID TO SCHOOLS

#### S. F. 250

AN ACT relating to the acceptance and distribution of federal funds, services, com-  
modities, or equipment and to repeal chapter two hundred eighty-three (283), Code  
1958, relating thereto, and to enact a substitute therefor.

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

1 SECTION 1. Chapter two hundred eighty-three (283), Code 1958,  
2 is hereby repealed and the following enacted in lieu thereof:

3 "1. The state board of public instruction is hereby designated as  
 4 the 'state educational authority' for the purpose of accepting and  
 5 administering such funds as may be appropriated by congress for  
 6 educational purposes and all such funds shall be deposited with the  
 7 treasurer of state and disbursed through the office of state comptroller  
 8 on vouchers audited as provided by law. When state matching funds  
 9 are required as a condition to the acceptance of such federal funds,  
 10 the state board of public instruction is authorized to make expendi-  
 11 tures for matching only from funds provided by the legislature for  
 12 such purpose; provided, however, that when federal funds may be  
 13 matched with expenditures from funds appropriated for the general  
 14 operation of the department of public instruction such may be done  
 15 with the approval of the budget and financial control committee.  
 16 "2. The state board of public instruction is also authorized to ac-  
 17 cept services, commodities and surplus property and make provision  
 18 for warehousing and distribution to various departments and sub-  
 19 divisions of the state, and such other agencies, institutions and au-  
 20 thorized recipients within the state as may be from time to time desig-  
 21 nated in federal statutes and rules."

Approved April 28, 1959.

## CHAPTER 198

### PUBLIC SCHOOL TRANSPORTATION

H. F. 289

AN ACT to amend sections two hundred eighty-five point one (285.1) and two hundred eighty-five point two (285.2), Code 1958, relating to public school transportation.

*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 1958, is amended by striking all of paragraph *a* of subsection  
 3 one (1) and inserting in lieu thereof the following:

4 "Elementary pupils residing within the limits of a village, town, or  
 5 city of less than twenty thousand population wherein the designated  
 6 school is located, must live more than two miles from the school in  
 7 their district designated for attendance to be entitled to transporta-  
 8 tion."

9 Further amend said section and subsection by striking all of para-  
 10 graph *d* and inserting in lieu thereof the following:

11 "High school pupils residing within the limits of a village, town, or  
 12 city of less than twenty thousand population wherein the designated  
 13 school is located are not entitled to transportation."

1 SEC. 2. Section two hundred eighty-five point two (285.2), Code  
 2 1958, is amended as follows:

3 1. By inserting in line four (4) after the word "annum" a period  
 4 (.) and striking all that comes thereafter in line four (4) and lines  
 5 five (5) through fourteen (14) and inserting in lieu thereof the fol-  
 6 lowing: "Provided, however, that in any case where the claim of a  
 7 given high school district was in excess of thirty dollars (\$30.00) per

8 pupil for the 1957-1958 school year, the claim of that school district  
 9 for the 1958-1959 school year, and for each subsequent school year  
 10 prior to July 1, 1962, shall be on the basis of the same per pupil claim  
 11 as for the 1957-1958 school year."

12 2. By striking all of subsection one (1).

13 3. By striking all of subsection two (2).

14 4. By striking in subsection three (3) all that comes before the  
 15 word "In" in line eighteen (18).

16 5. By striking in lines twenty-two (22) and twenty-three (23),  
 17 subsection three (3) the words "the distribution formula shall be  
 18 waived and".

Approved April 6, 1959.

## CHAPTER 199

### TEACHERS' RETIREMENT PAYMENTS

H. F. 67

AN ACT relating to teachers' retirement allowance payments, and making an appropriation therefor.

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

1 SECTION 1. Section two hundred ninety-four point fifteen (294.15),  
 2 Code 1958, is hereby amended by adding thereto the following para-  
 3 graph:

4 "For the purpose of paying the teachers' retirement allowance pay-  
 5 ments granted under this section, there is hereby appropriated out of  
 6 any funds in the state treasury not otherwise appropriated, a sum  
 7 sufficient therefor, provided, however, that the total claims paid for  
 8 each year of any biennium shall not exceed four hundred fifty thou-  
 9 sand (450,000) dollars".

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 Brooklyn Chronicle, a newspaper published at Brooklyn, Iowa,  
 4 and in The Clarinda Herald-Journal, a newspaper published at Cla-  
 5 rinda, Iowa.

Approved January 30, 1959.

I hereby certify that the foregoing Act, House File 67, was published in The Brooklyn Chronicle, Brooklyn, Iowa, February 5, 1959, and in The Clarinda Herald-Journal, Clarinda, Iowa, February 5, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 200

## BOND ISSUE ELECTIONS

S. F. 251

AN ACT to amend section two hundred ninety-six point two (296.2), Code 1958, relating to petition for election on bond issues.

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

1 SECTION 1. Section two hundred ninety-six point two (296.2),  
2 Code 1958, is hereby amended by striking the following words from  
3 line six (6), "regular school election" and inserting in lieu thereof the  
4 following words: "election of school officials".

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 Nashua Reporter, a newspaper published at Nashua,  
4 Iowa, and in the Rockford Register, a newspaper published at Rock-  
5 ford, Iowa.

Approved April 3, 1959.

I hereby certify that the foregoing Act, Senate File 251, was published in The Nashua Reporter, Nashua, Iowa, April 9, 1959, and in the Rockford Register, Rockford, Iowa, April 8, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 201

## STATE ARCHEOLOGIST

H. F. 182

AN ACT relating to the creation of the office of state archeologist.

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

1 SECTION 1. The state board of regents shall appoint a state arche-  
2 ologist, who shall be a member of the faculty of the department of  
3 sociology and anthropology of the state university.

1 SEC. 2. The state archeologist shall have the primary responsibil-  
2 ity for the discovery, location and excavation of archeological sites  
3 and for the recovery, restoration and preservation of archeological  
4 remains in and for the state of Iowa, and shall coordinate all such  
5 activities through cooperation with the state highway commission,  
6 state conservation commission, and other state agencies concerned  
7 with archeological salvage or the products thereof.

1 SEC. 3. The state archeologist is authorized to enter agreements  
2 and cooperative efforts with the United States commissioner of public  
3 roads, the United States departments of commerce, interior, agricul-  
4 ture and defense, and any other federal or state agencies concerned  
5 with archeological salvage or the preservation of antiquities.

Approved April 7, 1959.

## CHAPTER 202

## ROUNDING CORNERS ON HIGHWAYS

S. F. 116

AN ACT relating to rounding of corners on establishment of highways.

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

1 SECTION 1. Section three hundred six point fourteen (306.14),  
2 Code 1958, is hereby amended by striking all of such section after the  
3 word, "same" in line four (4) and by inserting in lieu thereof a pe-  
4 riod (.).

1 SEC. 2. The provision of this Act shall not apply to any highway  
2 or road project where prior to the effective date of this Act written  
3 objection has been filed, by the owner of any ground so affected, to the  
4 highway authority having jurisdiction of such highway or road, or  
5 where prior to the effective date of this Act a public hearing has been  
6 held thereon, or where any litigation is pending at the time of the  
7 effective date of this Act involving any such ground.

Approved February 23, 1959.

## CHAPTER 203

## RENTAL OF HIGHWAY IMPROVEMENT PROPERTY

H. F. 688

AN ACT relating to rental of properties acquired but not immediately needed for im-  
provement of public highways and to amend chapter three hundred six (306), Code  
1958.

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

1 SECTION 1. Chapter three hundred six (306), Code 1958, is  
2 amended by adding the following new section:  
3 "In the event that land acquired for improvement of any highway  
4 is not immediately needed for such improvement, the board or com-  
5 mission in control of said highway may rent such land or buildings  
6 thereon to responsible persons for a cash rental consistent with the  
7 fair market value of similar property. The board or commission may  
8 employ a local real estate firm for management and collection of  
9 rentals or may do so directly through its own personnel. The com-  
10 mission or service charge of such real estate company shall be paid  
11 out of such rentals."

1 SEC. 2. Section three hundred six point twenty (306.20), Code  
2 1958, is hereby amended by inserting the words "or rental" following  
3 the word "sale" in line six (6).

Approved May 5, 1959.

## CHAPTER 204

## CONTROLLED-ACCESS HIGHWAYS

S. F. 272

AN ACT to amend section three hundred six A point six (306A.6), Code 1958, regarding the establishment of controlled-access facilities.

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

1 SECTION 1. Section three hundred six A point six (306A.6), Code  
2 1958, is hereby amended by inserting after the word "facility" in line  
3 fourteen (14) the following: ", the provisions of sections three hun-  
4 dred six point five (306.5) through three hundred six point eleven  
5 (306.11), Code 1958, shall apply and govern the procedure for the  
6 closing of such road or street and the method of ascertaining dam-  
7 ages sustained by any person as a consequence of such closing, pro-  
8 vided, however, that the highway authority desiring the closing of  
9 such road or street shall conduct the hearing and carry out the pro-  
10 cedure therefor and pay any damages, including any allowed on appeal,  
11 as a consequence thereof, any law to the contrary notwithstanding,".

Approved April 22, 1959.

## CHAPTER 205

## RELOCATION OF UTILITY FACILITIES

H. F. 446

AN ACT to provide for reimbursement to utilities for nonbetterment costs associated with relocation of facilities occasioned by the federal system of interstate highway and freeway projects.

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

1 SECTION 1. Whenever the Iowa state highway commission shall  
2 determine that relocation or removal of any utility facility now lo-  
3 cated in, over, along, or under any highway or street, is necessitated  
4 by the construction of a project on routes of the national system of  
5 interstate and defense highways including extensions within cities  
6 and towns, the utility owning or operating such facility shall relocate  
7 or remove the same in accordance with statutory notice. The costs of  
8 relocation or removal, including the costs of installation in a new loca-  
9 tion, shall be ascertained by the Iowa state highway commission or as  
10 determined in condemnation proceedings for such purposes and paid  
11 by the state out of the primary road fund as part of the cost of such  
12 federally-aided project.

1 SEC. 2. Cost of relocation or removal shall include the entire  
2 amount paid by such utility properly attributable to such relocation or  
3 removal except the cost of land or any rights or interest in land, after  
4 deducting therefrom any increase in the value of the new facility and  
5 and any salvage value derived from the old facility.

1 SEC. 3. No reimbursement shall be made for any relocation or  
2 removal of facilities under this Act unless funds to be provided by



3 federal aid amount to at least ninety (90) percent of each reimburse-  
4 ment payment.

1 SEC. 4. The term "utility" shall include all privately, publicly,  
2 municipally or cooperatively owned systems for supplying water,  
3 sewer, electric lights, street lights and traffic lights, gas, power, tele-  
4 graph, telephone, transit, pipe line, heating plants, railroads and  
5 bridges, or the like service to the public or any part thereof if such  
6 system be authorized by law to use the streets or highways for the  
7 location of its facilities.

This bill (House File 446), having remained with the Governor three days (Sunday excepted), the General Assembly being in session, has become a law this 4th day of May, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 206

### HIGHWAY COMMISSION

S. F. 375

AN ACT to amend section three hundred seven point five (307.5), Code 1958, relating to the duties of the state highway commission.

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

1 SECTION 1. Section three hundred seven point five (307.5), Code  
2 1958, is hereby amended by inserting the following after the period  
3 (.) in line seven (7) of subsection three (3): "When in the interest  
4 of the state, the commission may allow not to exceed forty-five (45)  
5 days subsistence expense for continuous stay in one (1) location while  
6 on duty away from established headquarters and/or place of domicile;  
7 allow seven (7) cents a mile for moving an employee and his family  
8 from place of present domicile to new domicile, and actual transpor-  
9 tation expense for moving not to exceed seven thousand (7,000)  
10 pounds of household goods. Such household goods shall not include  
11 pets or animals."

1 SEC. 2. Section three hundred seven point five (307.5), Code 1958,  
2 is hereby further amended by adding the following as a new subsec-  
3 tion: "The commission shall adopt such rules and regulations in  
4 accordance with the provisions of chapter seventeen A (17A), Code  
5 1958, as it may deem necessary to transact its business and for the  
6 administration and exercise of its powers and duties."

Approved May 15, 1959.

## CHAPTER 207

### PARK AND INSTITUTIONAL ROADS

H. F. 656

AN ACT to provide for the construction, reconstruction, improvement and maintenance of state-owned streets, roads and bridges in and adjacent to state parks and state institutions.

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

1 SECTION 1. Section three hundred seven point five (307.5), Code  
2 1958, is hereby amended by adding thereto the following subsection:

3 "Construct, reconstruct, improve and maintain state institutional  
4 roads and state park roads as defined in section three hundred six  
5 point two (306.2) of the Code, and bridges on such roads, upon the  
6 request of the state board or commission which has jurisdiction over  
7 such roads. This shall be done in such manner as may be agreed upon  
8 by the highway commission and the state board or commission which  
9 has jurisdiction. The highway commission may contract with any  
10 county or municipality for the construction, reconstruction, improve-  
11 ment or maintenance of such roads and bridges. Any state park road  
12 which is an extension of either a primary or secondary highway which  
13 both enters and exits from a state park at separate points shall be con-  
14 structed, reconstructed, improved and maintained as provided in sec-  
15 tion three hundred six point three (306.3) of the Code."

1 SEC. 2. Section three hundred thirteen point four (313.4), Code  
2 1958, is hereby amended by adding thereto the following:

3 "Such fund is also appropriated and shall be used for the construc-  
4 tion, reconstruction, improvement and maintenance of state institu-  
5 tional roads and state park roads and bridges on such roads as pro-  
6 vided in section one (1) of this Act and for the road improvement  
7 payments required in section four (4) of this Act."

1 SEC. 3. Chapter three hundred eight (308), Code 1958, is hereby  
2 repealed.

1 SEC. 4. When a city, town or county shall drain, oil, pave, or hard-  
2 surface a road which extends through or abuts upon lands owned by  
3 the state or constructs a bridge on any such road, the state, through  
4 the highway commission, shall pay such portion of the cost of making  
5 said improvements through or along such lands as would be legally  
6 assessable against said lands were said lands privately owned. The  
7 amount shall be determined by the highway commission and the city,  
8 town, or county concerned.

Approved April 15, 1959.

## CHAPTER 208

### PRIMARY ROAD PROGRAM

H. F. 463

AN ACT relating to the duties of the state highway commission.

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

1 SECTION 1. Section three hundred seven point five (307.5), Code  
2 1958, is hereby amended by adding the following subsection:

3 "Prepare, adopt and cause to be published a long-range program for  
4 the primary road system. Such program shall be prepared for a  
5 period of at least five (5) years and shall be revised, brought up to  
6 date and republished at least once every year in order to have a con-  
7 tinuing five (5) year program. The program shall include, in so far  
8 as such estimates can be made, an estimate of the money expected to  
9 become available during the period covered by the program and a

10 statement of the construction, maintenance, and other work planned  
 11 to be performed during such period. The commission shall conduct  
 12 periodic reinspections of the primary roads in order to revise, from  
 13 time to time, its estimates of future needs to conform to the physical  
 14 and service conditions of the primary roads. The commission shall  
 15 annually cause to be published a sufficiency rating report showing the  
 16 relative conditions of the primary roads. Before the last day of De-  
 17 cember of each year, the commission shall adopt and cause to be pub-  
 18 lished from its long-range program, a plan of improvements to be  
 19 accomplished during the next calendar year. This annual program  
 20 shall list definite projects in order of urgency and shall include a  
 21 reasonable year's work with the funds estimated to be available. The  
 22 annual program shall be final and followed by the commission in the  
 23 next year except that deviations may be made in case of disaster or  
 24 other unforeseen emergencies or difficulties. The relative urgency of  
 25 the proposed improvements shall be determined by a consideration of  
 26 the physical condition, safety, and service characteristics of the vari-  
 27 ous primary roads."

Approved April 22, 1959.

## CHAPTER 209

### SECONDARY ROAD BUDGETS

S. F. 121

AN ACT relating to county secondary road budgets.

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

1 SECTION 1. Section three hundred nine point twenty-two (309.22),  
 2 Code 1958, is hereby amended by striking from line two (2) the word  
 3 "November" and inserting in lieu thereof the word "December".

1 SEC. 2. Section three hundred nine point ninety-three (309.93),  
 2 Code 1958, is hereby amended by striking from line two (2) the word  
 3 "November" and inserting in lieu thereof the word "December".

1 SEC. 3. Section three hundred nine point ninety-six (309.96),  
 2 Code 1958, is hereby amended by striking all of subsection one (1)  
 3 and inserting in lieu thereof the following:

4 "1. No county shall expend from the secondary road fund an  
 5 amount in excess of the total amount of the budget or amended budget  
 6 as adopted by the board of supervisors, whether such budget is ap-  
 7 proved or disapproved by the highway commission. In order to per-  
 8 mit any county to adjust its secondary road income to changed needs  
 9 that may occur after the budget has been approved by the highway  
 10 commission the expenditures for any individual item within the budget  
 11 may exceed by not more than ten (10) per cent the amount budgeted  
 12 for that item without highway commission approval or the submission  
 13 of an amended budget, provided, however, that the expenditures for  
 14 one (1) or more other individual items are less than budgeted and the  
 15 total expenditures from the secondary road fund do not exceed the  
 16 total secondary road budget."

Approved April 3, 1959.

## CHAPTER 210

## FARM-TO-MARKET ROADS

S. F. 298

AN ACT to permit resurfacing of farm-to-market roads.

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

- 1 SECTION 1. Section three hundred ten point four (310.4), Code  
 2 1958, is hereby amended by inserting in line six (6) of such section  
 4 after the word, "surfacing," the word, "resurfacing,".

Approved April 6, 1959.

## CHAPTER 211

## SECONDARY ROAD IMPROVEMENTS

S. F. 99

AN ACT to change the final date for filing petitions for improvement of secondary highways by private funds.

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

- 1 SECTION 1. Section three hundred eleven point seven (311.7), Code  
 2 1958, is hereby amended by striking from line five (5) thereof the  
 3 word and figure, "July 1" and inserting in lieu thereof the word and  
 4 figure, "October one (1)".

Approved April 28, 1959.

## CHAPTER 212

## HIGHWAY SYSTEMS

H. F. 340

AN ACT relating to the highway systems in the state.

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

- 1 SECTION 1. Section three hundred thirteen point two (313.2), Code  
 2 1958, is hereby repealed and the following enacted in lieu thereof:  
 3 "The highways of the state are, for the purposes of this chapter,  
 4 divided into two (2) systems, to wit: the primary road system and  
 5 the secondary road system. The primary road system shall embrace  
 6 those main roads, not including roads within cities and towns, which  
 7 connect all county-seat towns, cities, and main market and industrial  
 8 centers and which have already been designated as primary roads in  
 9 Chapter 241, Code of 1924; provided that the said designation of  
 10 roads shall be, with the consent of the federal bureau of public roads,  
 11 subject to revision by the state highway commission.  
 12 "Any portion of said primary road system eliminated by recon-  
 13 struction or relocation shall revert to and become part of the local

14 secondary road system, provided, however, that the highway commis-  
15 sion shall, during a period of not to exceed one (1) year from the date  
16 a county has been so notified that the road has reverted to the second-  
17 ary system, maintain said road and conduct periodic traffic checks.  
18 If, at the end of one (1) year the traffic on the section in question  
19 exceeds four hundred (400) vehicles per day it shall remain in the  
20 primary system. If, at the end of one (1) year, the traffic on said  
21 section does not exceed four hundred (400) vehicles per day, it shall  
22 revert to and become a part of the secondary system, provided, how-  
23 ever, that the state highway commission shall first allocate sufficient  
24 funds to place the road in good repair sufficient for the traffic thereon.

25 "The state highway commission may, for the purpose of affording  
26 access to cities, towns or state parks, or for the purpose of shortening  
27 the direct line of travel on important routes, or to effect connections  
28 with interstate roads at the state line, add such road or roads to the  
29 primary system.

30 "The state highway commission shall have the authority to utilize  
31 any land acquired incidental to the acquisition of land for highway  
32 right of way and to also accept by gift, lands not exceeding two (2)  
33 acres in area for roadside parks and parking areas, provided, how-  
34 ever, that the upkeep and maintenance of said roadside parks and  
35 parking areas shall involve only minor maintenance expense. The  
36 commission shall also have authority to accept by gift, equipment or  
37 other installations incidental to the use of said parks and parking  
38 areas. Said parks and parking areas shall be a part of the primary  
39 road system and the commission may at its discretion sell or otherwise  
40 dispose of said lands."

Approved April 24, 1959.

---

## CHAPTER 213

### NOXIOUS WEEDS

H. F. 29

AN ACT relating to primary noxious weeds.

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

1 SECTION 1. Section three hundred and seventeen point one  
2 (317.1), Code 1958, is hereby amended by inserting the following  
3 after the word "(Rhamnus)" in line ten (10) of subsection one (1):  
4 "and all other species of thistles belonging in genera of *Cirsium* and  
5 *Carduus*."

Approved March 10, 1959.

## CHAPTER 214

## WEED COMMISSIONERS

H. F. 324

AN ACT relating to the necessary expenses and compensation of county weed commissioners and their deputies.

*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 1958, is hereby amended by striking from line twenty-six (26)  
3 the period (.) and by inserting in lieu thereof the words, "or the weed  
4 eradication and equipment fund."

1 SEC. 2. Section three hundred seventeen point twenty (317.20),  
2 Code 1958, is hereby amended by striking from line seven (7) the  
3 period (.) and by inserting in lieu thereof the words, ", and for the  
4 payment of the necessary expenses and compensation of the county  
5 weed commissioner, and his deputies, if any."

Approved March 24, 1959.

## CHAPTER 215

## MISSISSIPPI RIVER PARKWAY COMMISSION

H. F. 299

AN ACT to authorize the establishment of a Mississippi River parkway planning commission to act for the state of Iowa in cooperation with the federal agencies and the Iowa state highway commission in the location, planning and construction of the Mississippi River parkway and to authorize the appointment of a parkway planning commission.

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

1 SECTION 1. The Mississippi parkway planning commission shall  
2 be composed of ten (10) members appointed by the governor, five (5)  
3 members to be appointed for two (2) year terms beginning July 1,  
4 1959 and five (5) members to be appointed for four (4) year terms  
5 beginning July 1, 1959. In addition to the above members there shall  
6 be six (6) advisory ex officio members who shall be as follows: One  
7 (1) member from the Iowa state highway commission, one (1) mem-  
8 ber from the state conservation commission, one (1) member from  
9 the Iowa state soil conservation commission, one (1) member from  
10 the state historical society of Iowa, one (1) member from the faculty  
11 of the landscape architectural division of the Iowa state college\* and  
12 one (1) member from the natural resources council. Members and  
13 ex officio members shall serve without pay, but the actual and neces-  
14 sary expenses of members and ex officio members may be paid if the  
15 commission so orders and if the commission has funds available for  
16 such purpose.

1 SEC. 2. The General Assembly of the state of Iowa hereby declares  
2 that the intent of this Act is to assent to any Act of the United States

\*See chapter 74.

3 Congress authorizing the development of any national parkway lo-  
 4 cated wholly or partly within the state of Iowa, to the full extent that  
 5 is necessary to secure any benefits under such Act, provided that the  
 6 hunting of migratory waterfowl and other game and fishing shall not  
 7 be prohibited or otherwise restricted by the United States govern-  
 8 ment or any of its designated agencies in control of said project, and  
 9 to authorize the appropriate state boards, commissions, departments  
 10 and the governing bodies of counties, cities, towns, and villages and  
 11 especially the state highway commission to cooperate in the planning  
 12 and development of all national parkways that may be proposed for  
 13 development in Iowa, with any agency or department of the govern-  
 14 ment of the United States in which is vested the necessary authority  
 15 to construct or otherwise develop such national parkways. Whenever  
 16 authority shall exist for the planning and development of any national  
 17 parkway, of which any portion shall be located in the state of Iowa,  
 18 it shall be the duty of the state highway commission to make such  
 19 investigations and studies in cooperation with the appropriate federal  
 20 agency, and such state boards, commissions and departments as shall  
 21 have an interest in such parkway development, to the extent that shall  
 22 be desirable and necessary in order to provide that the state shall  
 23 secure all advantages that may accrue through such parkway develop-  
 24 ment and that the interests of the counties, cities, villages and towns  
 25 along the route shall be served.

1 SEC. 3. For the purposes of this Act, all terms applying to any  
 2 parkway, such as "secretary", \* "parkway", "scenic landscape", "sightly  
 3 or safety easement", "access", "parkway road", "parkway develop-  
 4 ment", "national parkway", "frontage", and other or similar terms,  
 5 which are defined in any Act of the United States Congress applicable  
 6 to such national parkway, shall have the meanings set forth in such  
 7 Act. The term "national parkway" as used in this section shall mean  
 8 and include the Great River Road and appurtenances thereto, as pro-  
 9 vided in section fourteen (14) of Public Law three hundred fifty  
 10 (350), 83rd Congress, Chapter 181, 2d session, or any other parkway  
 11 or road in Iowa projected in general accordance with the recommended  
 12 plan set forth in the joint report submitted to the Congress November  
 13 28, 1951, by the secretaries of commerce and interior pursuant to the  
 14 Act of August 24, 1949, (Public Law two hundred sixty-two (262),  
 15 81st Congress) to the end that the highway commission shall have  
 16 authority to act with reference to them as provided by this Act.

1 SEC. 4. The state highway commission shall have full authority  
 2 to make such investigations, surveys, studies and plans in connection  
 3 with any proposed national parkway or parkway development as it  
 4 shall deem necessary or desirable in order to determine if the pro-  
 5 posed development, under the terms of the Act of the United States  
 6 Congress applicable to such parkway or any regulations under such  
 7 Act, is advantageous to the state. Such parkway development may be  
 8 any portion of the proposed parkway, which it may be proposed to  
 9 construct as a project under such Act. The state highway commission  
 10 may hold such hearings in connection with such investigations as it  
 11 shall deem necessary or desirable, and shall give at least seven (7)

\*According to enrolled Act.

12 days notice of such hearings by publication in at least two newspapers  
13 having general circulation in the locality.

1 SEC. 5. When the state highway commission has completed its  
2 investigations with respect to any proposed national parkway develop-  
3 ment, it shall make its findings and determination with respect to such  
4 proposed development. Such finding and determination shall state  
5 whether or not such proposed national parkway development is  
6 deemed advantageous to the state, shall include such information with  
7 respect to the development as shall be necessary to state its character  
8 and extent, and shall estimate the cost thereof and separately, the  
9 amount and character of lands necessary to be acquired in fee simple  
10 and in easements, with their cost, and needed to carry out the develop-  
11 ment.

Approved April 29, 1959.

---

## CHAPTER 216

### HOUSE TRAILERS AND MOBILE HOMES

#### H. F. 314

AN ACT to define house trailers and mobile homes.

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

1 SECTION 1. Section three hundred twenty-one point one (321.1),  
2 Code 1958, is hereby amended by adding thereto the following sub-  
3 section:  
4 "‘House trailer and mobile home’ means a trailer or semitrailer  
5 which is designed, constructed and equipped as a dwelling place, liv-  
6 ing abode or sleeping place, either permanently or temporarily, and  
7 is equipped for use as a conveyance on streets and highways."

Approved April 24, 1959.

---

## CHAPTER 217

### MOTOR VEHICLE CERTIFICATE OF TITLE

#### S. F. 23

AN ACT to provide for destruction of certificate of title by county treasurer three (3)  
years after date of notification of cancellation or issuance of new title.

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

1 SECTION 1. Section three hundred twenty-one point twenty-four  
2 (321.24), Code 1958, is hereby amended by striking from line sixty-  
3 five (65) of such section the word, "until" and by inserting in lieu  
4 thereof the words, "for a period of three (3) years from the date of".  
5 Further amend section three hundred twenty-one point twenty-four  
6 (321.24), Code 1958, by inserting following the word "chapter" in line  
7 sixty-seven (67) the words "after which it may be destroyed".

Approved April 28, 1959.



## CHAPTER 218

## RADIO OPERATORS AUTO PLATES

## S. F. 21

AN ACT to amend chapter three hundred twenty-one (321), Code 1958, relating to special automobile registration plates for holders of amateur radio licenses.

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

1 SECTION 1. Section three hundred twenty-one point thirty-four  
2 (321.34), Code 1958, is hereby amended by adding at the end thereof  
3 the following:

4 "The owner of an automobile who holds an amateur radio license  
5 issued by the federal communications commission may, upon written  
6 application to the county treasurer accompanied by a fee of two (2)  
7 dollars, order special license plates bearing the call letters authorized  
8 the radio station covered by his amateur radio license. When received  
9 by the county treasurer, such special license plates shall be issued to  
10 the applicant in exchange for the registration plates previously issued  
11 to him. Not more than one set of special license plates may be issued  
12 to an applicant. Said fee shall be in addition to and not in lieu of the  
13 fee for regular license plates.

14 Special license plates must be surrendered upon expiration of the  
15 owner's amateur radio license or upon transfer of title to the auto-  
16 mobile for which such plates have been issued; and the owner shall  
17 thereupon be entitled to his regular registration plates.

18 The county treasurer shall furnish the department of public safety  
19 an alphabetically arranged list of those to whom special plates have  
20 been issued.

21 This law shall first become effective with respect to registration  
22 plates issued for the year 1960."

Approved February 24, 1959.

## CHAPTER 219

## TRUCK WEIGHT MARKINGS

## S. F. 542

AN ACT to amend sections three hundred twenty-one point thirty-four (321.34), three hundred twenty-one point thirty-five (321.35), three hundred twenty-one point thirty-seven (321.37), and three hundred twenty-one point fifty-three (321.53), Code 1958, relating to the display of evidence on trucks, truck tractors, trailers and semi-trailers registered in Iowa or other jurisdictions to designate the weights for which such vehicles are registered.

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

1 SECTION 1. Section three hundred twenty-one point thirty-four  
2 (321.34), Code 1958, is hereby amended as follows:

3 1. By inserting in line five (5) after the word, "motorcycle," the  
4 words, "truck tractor,".

5 2. By inserting the following new paragraph after the word,  
6 "vehicle." in line seven (7) :  
7 "The county treasurer shall also issue to applicants for registra-  
8 tion of a truck or a truck tractor, not including in the lowest regis-  
9 tration class, a decalcomania emblem for each plate and which  
10 emblem designates the gross weight for which the vehicle is regis-  
11 tered by figures which show the gross weight in tons. Number plates  
12 and weight limitation emblems which are issued with registrations  
13 or registration increases are hereby declared to be integral parts of  
14 the registration of the vehicle for which issued."

1 SEC. 2. Section three hundred twenty-one point thirty-five  
2 (321.35), Code 1958, is hereby amended by adding the following sen-  
3 tence:

4 "The numbers on the plates issued for trucks and for truck trac-  
5 tors shall be so arranged on the plate as to leave a blank space three  
6 (3) inches wide and four (4) inches high at one (1) end of the plate  
7 which is to be the location of the decalcomania gross weight emblem  
8 provided for in section three hundred twenty-one point thirty-four  
9 (321.34) of the Code. This emblem shall show the gross weight for  
10 which registered in as large figures as possible in the upper three  
11 (3) inches and the word 'ton' in the lower one (1) inch of the  
12 emblem. The emblem shall be of such material and quality that it  
13 will remain legible during the full registration period and that it  
14 cannot be removed from the plate without its being destroyed."

1 SEC. 3. Section three hundred twenty-one point thirty-seven  
2 (321.37), Code 1958, is hereby amended as follows:

3 1. By inserting after the word, "motorcycle" in lines two (2) and  
4 three (3) the words, "or a truck tractor".

5 2. By adding the following new sentence:

6 "The registration plate issued for a truck tractor shall be attached  
7 to the front thereof."

1 SEC. 4. Section three hundred twenty-one point fifty-three  
2 (321.53), Code 1958, is hereby amended by adding the following sen-  
3 tence at the end thereof:

4 "A truck, truck tractor, trailer or semi-trailer owned by a non-  
5 resident and operated on Iowa highways must have displayed upon  
6 it a valid registration plate or plates and a valid registration certifi-  
7 cate, card, or other official evidence of its allowable weight in the  
8 state, district or county in which it is registered."

Approved May 5, 1959.

## CHAPTER 220

## MOTOR VEHICLE REGISTRATION

H. F. 473

AN ACT relating to motor vehicle registration receipts.

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

- 1 SECTION 1. Amend section three hundred twenty-one point forty  
 2 (321.40), Code 1958 as follows:  
 3 1. By striking in lines fourteen (14) and fifteen (15) the word,  
 4 "triplicate" and inserting in lieu thereof the word, "quadruple".  
 5 2. By striking in line seventeen (17) the words, "one copy" and  
 6 inserting in lieu thereof the words, "two copies".

Approved April 23, 1959.

## CHAPTER 221

## TRAILERS AND MOBILE HOMES

H. F. 309

AN ACT relating to certificate of titles, liens, and registration fees on trailers and mobile homes.

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

- 1 SECTION 1. Section three hundred twenty-one point fifty (321.50),  
 2 Code 1958, is hereby amended by striking from lines ten (10) and  
 3 eleven (11) of such section the words, "subject to a registration fee  
 4 of ten dollars or less." and by inserting in lieu thereof the words,  
 5 "whose empty weight is two thousand (2,000) pounds or less and  
 6 wagon box trailers subject to a registration fee of five (5) dollars or  
 7 less."

- 1 SEC. 2. Section three hundred twenty-one point one hundred  
 2 twenty-three (321.123), Code 1958, is hereby amended as follows:  
 3 1. By inserting in line one (1) of such section after the word,  
 4 "trailers" the words, "and mobile homes".  
 5 2. By striking from lines five (5) and six (6) of such section the  
 6 words, "subject to a registration fee of ten dollars or less" and by  
 7 inserting in lieu thereof the words, "whose empty weight is two thou-  
 8 sand (2,000) pounds or less and wagon box trailers subject to a regis-  
 9 tration fee of five (5) dollars or less".

- 1 SEC. 3. This Act shall be effective from and after November 30,  
 2 1959.

Approved April 24, 1959.

## CHAPTER 222

## MOTOR VEHICLE OPERATORS POINT SYSTEM

S. F. 463

AN ACT to amend section three hundred twenty-one point two hundred ten (321.210), Code 1958, relating to the suspension of licenses to operate motor vehicles.

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

1 SECTION 1. Amend section three hundred twenty-one point two  
2 hundred ten (321.210), Code 1958, by adding a subsection thereto as  
3 follows:

4 "Has committed a serious violation of the motor vehicle laws of  
5 this state."

1 SEC. 2. Amend section three hundred twenty-one point two hun-  
2 dred ten (321.210), Code 1958, by adding the following at the end  
3 thereof:

4 "For the purpose of determining when to suspend a license under  
5 this section the commissioner may, in accordance with the provisions  
6 of chapter seventeen A (17A), Code 1958, promulgate a point system  
7 for the purpose of weighing traffic convictions, or offenses by their  
8 seriousness and may change such weighted scale from time to time  
9 as experience or the accident frequency in the state makes necessary  
10 or desirable.

11 "Prior to a suspension taking effect under subsections two (2),  
12 three (3), four (4), five (5), or seven (7), the licensee shall have  
13 received twenty (20) days advance notice of the effective date of the  
14 suspension, and an appeal under the provisions of section three hun-  
15 dred twenty-one point two hundred fifteen (321.215), Code 1958, shall  
16 operate to stay the suspension pending the determination by the dis-  
17 trict court.

18 "From and after the effective date of this Act, if the department  
19 of public safety assesses any points against an operator or chauffeur  
20 of a motor vehicle under any point system devised by the department  
21 for the purpose of suspending operator's or chauffeur's licenses, the  
22 licensee shall receive a credit of one (1) point for each year in which  
23 the licensee had in continuous effect a valid operator's or chauffeur's  
24 license and during which no points were assessed against such li-  
25 censee, but such credit of points shall not exceed five (5) points at  
26 any one time. Credit points shall be subtracted from the total points  
27 assessed against the licensee in determining when to suspend a li-  
28 censee.

29 "From and after the effective date of this Act, if the department  
30 of public safety assesses any points against an operator or chauffeur  
31 of a motor vehicle under any point system devised by the department  
32 for the purpose of suspending operator's or chauffeur's licenses, the  
33 department must notify the licensee by ordinary mail that such points  
34 have been assessed and the reason therefor. Provided that no license  
35 shall be suspended on the basis of any point system devised by the  
36 department without notice of proposed suspension to the licensee and  
37 a reasonable opportunity for a preliminary hearing before a member  
38 of the department who shall have authority in meritorious cases to  
39 revoke the suspension."

1 SEC. 3. Section three hundred twenty-one point two hundred ten  
2 (321.210), Code 1958, is hereby amended by adding the following  
3 paragraph at the end thereof:

4 "However, a warning memorandum, summons, conviction or for-  
5 feiture of bail, not vacated, for a violation of any section of the code  
6 pertaining to the standards to be maintained for motor vehicle equip-  
7 ment, shall not be taken into consideration in determining suspen-  
8 sion or the length of suspension of an operator's or chauffeur's license  
9 if the equipment in violation of the code has been repaired within  
10 seventy-two (72) hours of such warning memorandum, summons,  
11 conviction, or forfeiture of bail not vacated, and evidence of such  
12 repair has immediately been sent to the commissioner."

1 SEC. 4. The safety commissioner may, on application, issue a  
2 temporary restricted license to any person convicted whose regular  
3 employment is the operation of a motor vehicle or who cannot per-  
4 form his regular occupation without the use of a motor vehicle, but  
5 such person shall not operate a vehicle for pleasure while holding  
6 such restricted license. However, this section shall not apply to any  
7 person whose license is revoked under the provisions of section three  
8 hundred twenty-one point two hundred nine (321.209), Code 1958.

Approved May 15, 1959.

---

## CHAPTER 223

### SPEED LIMITS IN ALLEYS

S. F. 197

AN ACT relating to speed limits in alleys.

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

1 SECTION 1. Section three hundred twenty-one point two hundred  
2 thirty-six (321.236), Code 1958, is hereby amended by adding thereto  
3 the following new subsection:

4 "Establishing speed limits in public alleys and providing the penalty  
5 for violation thereof."

Approved March 24, 1959.

---

## CHAPTER 224

### MOTOR VEHICLE TESTING STATIONS

S. F. 321

AN ACT relating to motor vehicle testing stations of cities and towns.

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

1 SECTION 1. Section three hundred twenty-one point two hundred  
2 thirty-eight (321.238), Code 1958, is hereby amended by adding there-  
3 to the following:

4 "Cities and towns operating and maintaining motor vehicle testing  
 5 stations may enact ordinances authorizing and providing for the in-  
 6 spection and testing of motor vehicles owned or operated by an owner  
 7 or operator of a fleet of five (5) or more motor vehicles by such owner  
 8 or operator. Such ordinances may impose such conditions and re-  
 9 quirements as the city or town may deem appropriate in connection  
 10 with the granting of such authority to fleet owners or operators."

Approved March 23, 1959.

---

## CHAPTER 225

### SPEED LIMITS ON INTERSTATE HIGHWAYS

S. F. 125

AN ACT to define speed limits for all traffic on fully controlled access facilities.

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

1 SECTION 1. Section three hundred twenty-one point two hundred  
 2 eighty-five (321.285), Code 1958, is amended by adding a new sub-  
 3 section as follows:

4 "Notwithstanding any other speed restrictions, the speed limits for  
 5 all vehicular traffic on fully controlled access divided multi-laned  
 6 highways included in, and as a part of, the national system of inter-  
 7 state highways designated by the federal bureau of public roads and  
 8 this state (23 U.S.C. 103 (d)) shall be seventy-five (75) miles per  
 9 hour from sunrise to sunset and sixty-five (65) miles per hour from  
 10 sunset to sunrise.

11 "For the purposes of this subsection a fully controlled access high-  
 12 way is a highway that gives preference to through traffic by providing  
 13 access connections with selected public roads only and by prohibiting  
 14 crossings at grade or direct private driveway connections."

1 SEC. 2. It is further provided that a minimum speed of forty (40)  
 2 miles per hour, road conditions permitting, shall be established on the  
 3 highways referred to in section one (1) of this Act.

Approved April 17, 1959.

---

## CHAPTER 226

### SPEED LIMIT FOR CERTAIN TRAILERS

H. F. 26

AN ACT to increase the speed limit for any vehicle drawing certain trailers.

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

1 SECTION 1. Section three hundred twenty-one point two hundred  
 2 eighty-five (321.285), Code 1958, is hereby amended as follows:

- 3 1. By striking the period (.) at the end of subsection three (3) and  
 4 by inserting in lieu thereof the following:  
 5 “, except as hereinafter specified.”  
 6 2. By adding thereto the following subsection:  
 7 “Fifty-five (55) miles per hour for any motor vehicle drawing a  
 8 one (1) or two (2) wheel trailer or a tandem wheel trailer not more  
 9 than twenty-four (24) feet in length including towing arm with a  
 10 gross weight of not more than three thousand (3,000) pounds and not  
 11 more than eight (8) feet in height and not more than (8) feet in  
 12 width.

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 Hamburg  
 3 Reporter, a newspaper published in Hamburg, Iowa, and in the  
 4 Garner Leader & Signal, a newspaper published in Garner, Iowa.

Approved March 30, 1959.

I hereby certify that the foregoing Act, House File 26, was published in the Ham-  
 burg Reporter, Hamburg, Iowa, April 9, 1959, and in the Garner Leader & Signal,  
 Garner, Iowa, April 8, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 227

### DAYTIME SPEED LIMIT

S. F. 124

AN ACT to establish daytime 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-five (321.285), Code 1958, is hereby amended by striking the  
 3 period (.) at the end of subsection five (5) and by inserting in lieu  
 4 thereof the words, “and seventy (70) miles per hour from sunrise to  
 5 sunset.”

Approved March 13, 1959.

## CHAPTER 228

### SPEED LIMITS ON SECONDARY ROADS

H. F. 245

AN ACT to establish daytime and nighttime speed limits on secondary roads.

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

1 SECTION 1. Section three hundred twenty-one point two hundred  
 2 eighty-five (321.285), Code 1958, is hereby amended by adding thereto  
 3 the following subsection:  
 4 “Reasonable and proper, but not greater than sixty (60) miles per  
 5 hour at any time between sunrise and sunset, and not greater than  
 6 fifty (50) miles per hour at any time between sunset and sunrise, on

7 secondary roads. Whenever the board of supervisors of any county  
 8 shall determine upon the basis of an engineering and traffic investi-  
 9 gation conducted by the state highway commission when so requested  
 10 by said board that the speed limit on any secondary road is greater  
 11 than is reasonable and proper under the conditions found to exist at  
 12 any intersection or other place or upon any part of a secondary road,  
 13 said board shall determine and declare a reasonable and proper speed  
 14 limit thereat. The speed limits provided and as determined in this  
 15 subsection shall be effective when appropriate signs giving notice  
 16 thereof are erected by the board of supervisors at such intersection  
 17 or other place or part of the highway."

Approved April 24, 1959.

---

## CHAPTER 229

### BUS SPEED LIMITS

S. F. 528

AN ACT relating to the speed limit on passenger busses.

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

1 SECTION 1. Section three hundred twenty-one point two hundred  
 2 eight-seven (321.287), Code 1958, is repealed and the following en-  
 3 acted in lieu thereof:

4 "No passenger-carrying motor vehicle used as a common carrier,  
 5 except school busses, shall be driven upon the highways at a greater  
 6 rate of speed than sixty (60) miles per hour at any time. No school  
 7 bus shall be operated in violation of section three hundred twenty-  
 8 one point three hundred seventy-seven (321.377)."

Approved May 4, 1959.

---

## CHAPTER 230

### FOUR-WHEEL TRAILERS

H. F. 53

AN ACT relating to trucks pulling a four (4) wheel trailer.

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

1 SECTION 1. Section three hundred twenty-one point three hundred  
 2 ten (321.310), Code 1958, is hereby amended by striking from lines  
 3 thirty-one (31) through thirty-five (35) the words:

4 "a truck operating under an 'A' registration commonly known as a  
 5 pickup truck or light delivery truck hauling less than two thousand  
 6 pounds on said truck" and by inserting in lieu thereof the words:

7 "trucks equipped with pneumatic tires with a gross weight not  
 8 exceeding five (5) tons".

Approved April 23, 1959.



## CHAPTER 231

## YIELDING RIGHT OF WAY

S. F. 145

AN ACT providing for yield of right of way signs.

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

1 SECTION 1. Section three hundred twenty-one point three hundred  
2 forty-five (321.345), Code 1958, is hereby amended as follows:

3 1. By striking the word "commission" in line two (2) and insert-  
4 ing in lieu thereof "commission, based on an engineering study,".

5 2. By inserting in line six (6) of such section after the word, "sign"  
6 the words, "or yield signs, in accordance with specifications established  
7 by the state highway commission,".

8 3. By inserting after the word, "intersection" in lines seven (7)  
9 and eight (8) the words, "or as a yield intersection".

10 4. By inserting in line ten (10) of such section after the word,  
11 "Stop" the words, "or Yield".

12 5. By inserting in line twelve (12) of such section after the word  
13 "stop" the words, "or yield".

14 6. By inserting in line fourteen (14) of such section after the word,  
15 "stop" the words, "or yield".

16 7. By inserting in line nineteen (19) of such section after the word,  
17 "stop" the words, "or yield".

1 SEC. 2. Section three hundred twenty-one point three hundred  
2 twenty-two (321.322), Code 1958, is hereby amended as follows:

3 1. By inserting in line two (2) of such section after the word,  
4 "stop" the words, "or yield".

5 2. By inserting in line three (3) of such section after the word,  
6 "stop" the words, "or yield".

7 3. By inserting in line four (4) of such section after the word,  
8 "stop" the words, "or yield".

9 4. By inserting in line eight (8) of such section after the word,  
10 "stop" the words, "or yield".

11 5. By adding thereto the following new paragraph:

12 "The driver of a vehicle approaching a yield sign shall in obedi-  
13 ence to such sign slow down to a speed reasonable for the existing  
14 conditions or shall stop if necessary and shall yield the right of way  
15 to any pedestrian legally crossing the roadway on which he is driv-  
16 ing, and to any vehicle in the intersection or approaching on another  
17 highway so closely as to constitute a hazard. Said driver having so  
18 yielded may proceed with caution."

1 SEC. 3. Section three hundred twenty-one point two hundred  
2 ninety-three (321.293), Code 1958, is hereby amended by inserting in  
3 line five (5) of such section after the word, "stop" the words, "or  
4 yield".

1 SEC. 4. Subsection six (6) of section three hundred twenty-one  
2 point two hundred thirty-six (321.236), Code 1958, is hereby amended  
3 by inserting in line two (2) of such subsection after the word, "stop"  
4 the words, "or yield the right of way".

1 SEC. 5. Section three hundred twenty-one point three hundred  
2 twenty-one (321.321), Code 1958, is hereby amended by inserting in  
3 line two (2) of such section after the word, "stop" the words, "or  
4 yield".

Approved March 18, 1959.

---

## CHAPTER 232

### MOTOR VEHICLE REFLECTORS

S. F. 541

AN ACT relating to the height of reflectors on vehicles.

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

1 SECTION 1. Section three hundred twenty-one point three hun-  
2 dred ninety (321.390), Code 1958, is hereby amended by striking in  
3 line seven (7) the word, "twenty-four" and by inserting in lieu  
4 thereof the word, "twenty (20)".

Approved May 1, 1959.

---

## CHAPTER 233

### AMBER PARKING LAMPS

S. F. 484

AN ACT to amend section three hundred twenty-one point three hundred ninety-five (321.395), Code 1958, to permit amber parking lamps.

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

1 SECTION 1. Section three hundred twenty-one point three hundred  
2 ninety-five (321.395), Code 1958, is hereby amended by striking the  
3 word "white" in line seven (7), and substituting in lieu thereof the  
4 words "white or amber".

Approved April 14, 1959.

---

## CHAPTER 234

### BRAKES ON TRAILERS

S. F. 129

AN ACT to amend section three hundred twenty-one point four hundred thirty (321.430), Code 1958, relating to brake requirements.

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

1 SECTION 1. Section three hundred twenty-one point four hundred  
2 thirty (321.430), subsection three (3), Code 1958, is amended by  
3 inserting after "cab," in line eight (8) the following: "or with self-  
4 actuating brakes,".

Approved April 3, 1959.

## CHAPTER 235

## IMPLEMENTS MOVED ON HIGHWAYS

S. F. 229

AN ACT to amend section three hundred twenty-one point four hundred fifty-three (321.453), Code 1958, concerning the movement of implements on highways.

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

- 1 SECTION 1. Section three hundred twenty-one point four hundred  
2 fifty-three (321.453), Code 1958, is hereby amended by inserting after  
3 the word "highway" in line five (5) the following:  
4 "or to implements moved between dealer and farm purchaser within  
5 a twenty-five (25) mile radius of his place of business where the  
6 transaction was made".

Approved March 26, 1959.

## CHAPTER 236

## MOVEMENT OF IMPLEMENTS ON HIGHWAYS

S. F. 520

AN ACT to amend Senate File 229, Acts of the Fifty-eighth General Assembly, relating to section three hundred twenty-one point four hundred fifty-three (321.453), Code 1958, concerning the movement of implements on highways.

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

- 1 SECTION 1. Senate File 229, Acts of the Fifty-eighth General As-  
2 sembly, is hereby amended by striking out everything after the enact-  
3 ing clause and inserting in lieu thereof the following:  
4 "The provisions of this chapter governing size, weight, and load  
5 shall not apply to fire apparatus, road machinery, or to implements  
6 of husbandry temporarily moved upon a highway, or to implements  
7 moved between the dealer and farm purchaser within a twenty-five  
8 (25) mile radius of his place of business where the transaction was  
9 made except on any part of the Interstate Highway System, or to a  
10 vehicle operating under the terms of a special permit issued as pro-  
11 vided in sections three hundred twenty-one point four hundred sixty-  
12 seven (321.467) to three hundred twenty-one point four hundred  
13 seventy (321.470), inclusive."

Approved April 22, 1959.

## CHAPTER 237

## HEIGHT OF VEHICLES

H. F. 188

AN ACT relating to the height of vehicles.

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

- 1 SECTION 1. Section three hundred twenty-one point four hundred  
2 fifty-six (321.456), Code 1958, is hereby amended by striking from

3 line three (3) thereof the word "twelve" and substituting in lieu  
4 thereof the word "thirteen".

1 SEC. 2. Section three hundred twenty-one point four hundred  
2 fifty-six (321.456), Code 1958, is further amended by striking all of  
3 the section following the word "inches" in line three (3), inserting a  
4 period (.) after said word "inches" and adding the following:

5 "Nothing herein contained shall be construed to require any rail-  
6 road or public authorities to provide sufficient vertical clearance to  
7 permit the operation of such vehicle upon the highways of this state.  
8 Any damage to highways, highway or railroad structures or under-  
9 passes caused by the height of any vehicle provided for by this section  
10 shall be borne by the operator or owner of such vehicle."

Approved March 19, 1959.

CHAPTER 238

WEIGHT OF VEHICLES

H. F. 312

AN ACT relating to the maximum gross weight of motor vehicles.

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

1 SECTION 1. Section three hundred twenty-one point four hundred  
2 sixty-three (321.463), Code 1958, is hereby amended by striking lines  
3 twenty-eight (28) to seventy-two (72) inclusive, and substituting in  
4 lieu thereof the following:

5 "Distance in feet between the	6 extremes of any group of axles	7 or the extreme axles of the ve-	8 hicle or combination.	9	Maximum load in pounds car-	ried on any group of axles or	10 the vehicle or combination.
9	4				32,000		
10	5				32,000		
11	6				32,000		
12	7				32,000		
13	8				32,610		
14	9				33,580		
15	10				34,930		
16	11				36,235		
17	12				38,293		
18	13				39,291		
19	14				40,278		
20	15				41,265		
21	16				42,241		
22	17				43,218		
23	18				44,184		
24	19				45,139		
25	20				46,095		
26	21				47,040		
27	22				47,985		
28	23				48,919		

29	24	49,843
30	25	50,767
31	26	51,681
32	27	52,594
33	28	53,497
34	29	54,390
35	30	55,260
36	31	56,282
37	32	57,304
38	33	58,326
39	34	59,348
40	35	60,370
41	36	61,392
42	37	62,414
43	38	63,436
44	39	64,458
45	40	65,480
46	41	66,502
47	42	67,524
48	43	68,546
49	44	69,568
50	45	70,590
51	46	71,612
52	47	72,634
53	"In no event shall the maximum gross weight, including the toler-	
54	ances hereinafter set forth, exceed seventy-three thousand two hun-	
55	dred eighty (73,280) pounds."	

Approved March 20, 1959.

## CHAPTER 239

### TRANSPORTING RAW FARM PRODUCTS

H. F. 638

AN ACT relating to the registration tolerance of vehicles transporting raw farm products.

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

1 SECTION 1. Section three hundred twenty-one point four hundred  
2 sixty-six (321.466), Code 1958, is hereby amended by adding thereto  
3 the following:

4 "For the purposes of this section cracked or ground soy beans,  
5 sargo, corn, wheat, rye, oats or other grain shall be deemed to be raw  
6 farm products, provided that such products are being directly deliv-  
7 ered to a farm, from the place where the whole grain had been deliv-  
8 ered from a farm for the purpose of cracking or grinding and imme-  
9 diate delivery to the farm to which such cracked or ground products  
10 are being delivered.

11 "The truck operator shall have in his possession a receipt showing  
12 place of processing on his return trip."

Approved April 1, 1959.

## CHAPTER 240

## TRANSPORTATION OF MOBILE HOMES

H. F. 764

AN ACT to amend House File four hundred three (403), Acts of the Fifty-eighth General Assembly, relating to special permits for the transportation of mobile homes of excess size on the highways of the state.

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

- 1 SECTION 1. Section one (1) of House File four hundred three
- 2 (403), Acts of the Fifty-eighth General Assembly, is hereby amended
- 3 by striking from line eleven (11)\* the word "completed".

Approved May 5, 1959.

\*Line ten (10) in published Act.

## CHAPTER 241

## TRANSPORTATION OF MOBILE HOMES

H. F. 403

AN ACT relating to special permits for the transportation of mobile homes of excess size on the highways of the state.

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

- 1 SECTION 1. Section three hundred twenty-one point four hundred
- 2 sixty-seven (321.467), Code 1958, is hereby amended by inserting in
- 3 line thirty-eight (38) after the word "state" the following: "Pro-
- 4 vided further, that a mobile home manufacturer, or dealer, or a car-
- 5 rier authorized by the Interstate Commerce Commission or the Iowa
- 6 state commerce commission may, upon application to the state high-
- 7 way commission, be issued a special permit, under rules and regula-
- 8 tions of the state highway commission, to transport a mobile home of
- 9 excess size not exceeding ten (10) feet nine (9) inches in width on the
- 10 highways within the state, except on any part of the completed\* inter-
- 11 state highway system. Movement of such vehicles shall be permitted
- 12 only on a truck-tractor semi-trailer combination, or by a one and one-
- 13 half (1½) ton or larger truck or tractor having dual wheels, over
- 14 specified routes, at speeds not to exceed thirty-five (35) miles per
- 15 hour or the established speed limit, whichever is lower, only during
- 16 daylight hours, and only by properly registered vehicles and licensed
- 17 drivers, provided there shall be no movement of such vehicles on
- 18 Saturdays, Sundays or holidays enumerated in section five hundred
- 19 forty-one point eighty-five (541.85), Code 1958."

This bill (House File 403), having remained with the Governor three days (Sunday excepted), the General Assembly being in session, has become a law this 29th day of April, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

\*See amendment by chapter 240.

## CHAPTER 242

## ENFORCEMENT EXPENSE BY HIGHWAY COMMISSION

H. F. 736

AN ACT to amend section three hundred twenty-one point four hundred eighty (321.480), Code 1958, relating to limitation on expense by the state highway commission for enforcement of laws on registration, size, weight and load of vehicles.

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

- 1 SECTION 1. Section three hundred twenty-one point four hundred
- 2 eighty (321.480), Code 1958, is hereby amended by striking the words
- 3 "two hundred fifty" in line eight (8) and inserting the words "three
- 4 hundred fifty" in lieu thereof.

Approved April 27, 1959.

## CHAPTER 243

## SUNDAY SALES OF MOTOR VEHICLES

H. F. 311

AN ACT to amend section three hundred twenty-two point three (322.3), Code 1958, relating to the buying or selling at retail by motor vehicle dealers of new or used motor vehicles on Sunday.

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

- 1 SECTION 1. Section three hundred twenty-two point three (322.3),
- 2 Code 1958, is hereby amended by adding thereto a new subsection as
- 3 follows:
- 4 "No person licensed under this chapter shall, either directly or
- 5 through an agent, salesman or employee, engage in this state, or
- 6 represent or advertise that he is engaged or intends to engage in this
- 7 state, in the business of buying or selling at retail new or used motor
- 8 vehicles on the first day of the week, commonly known and designated
- 9 as Sunday."

Approved April 2, 1959.

## CHAPTER 244

## MOTOR VEHICLE DEALER'S LICENSES

H. F. 760

AN ACT to amend section three hundred twenty-two point five (322.5), Code 1958, relating to motor vehicle dealer's license fees.

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

- 1 SECTION 1. Section three hundred twenty-two point five (322.5),
- 2 Code 1958, is hereby amended as follows:

- 3 1. By striking from line five (5) of such section the words "or  
 4 town" and by inserting in lieu thereof the following:  
 5 ", town, or township".  
 6 2. By striking from line seven (7) of such section the words, "or  
 7 town" and by inserting in lieu thereof the following:  
 8 ", town, or township".

Approved May 15, 1959.

---

## CHAPTER 245

### MOTOR VEHICLE DEALERS LICENSES

S. F. 485

AN ACT relating to the license fee of motor vehicle dealers.

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

- 1 SECTION 1. Section three hundred twenty-two point five (322.5),  
 2 Code 1958, is hereby amended by striking the word "twenty" in line  
 3 three (3), and substituting the words "twenty-six" in lieu thereof.

Approved April 14, 1959.

---

## CHAPTER 246

### MOTOR FUEL TAX EXEMPTIONS

H. F. 4

AN ACT to permit the refund of motor fuel tax paid on motor fuel used in corn shellers and roller mills and truck mounted feed grinders.

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

- 1 SECTION 1. Section three hundred twenty-four point seventeen  
 2 (324.17), Code 1958, is hereby amended by inserting in line four (4)  
 3 following the word, "tractors," the words, "corn shellers, roller mills,  
 4 truck mounted feed grinders,".

- 1 SEC. 2. Section three hundred twenty-four point fifty-seven  
 2 (324.57), Code 1958, subsection three (3), is hereby amended as fol-  
 3 lows:

- 4 1. By inserting in line seven (7) of said subsection following the  
 5 word, "as" the words, "corn shellers, truck mounted feed grinders,  
 6 roller mills,".

- 7 2. By striking from lines twenty-four (24) and twenty-five (25)  
 8 the words: ", corn shellers, lime spreaders or feed grinders," and  
 9 inserting in lieu thereof the following: "or lime spreaders,".

Approved April 24, 1959.



## CHAPTER 247

## AVIATION GASOLINE TAX

H. F. 244

AN ACT relating to the moneys received by the treasurer of the state of Iowa under chapter three hundred twenty-four (324), Code 1958, on account of aviation gasoline, the refund thereof and the transfer of the unrefunded portion thereof to the state aviation fund.

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

1 SECTION 1. Chapter three hundred twenty-four (324), Code 1958,  
2 is hereby amended by inserting a new section therein as follows:  
3 "The portion of the moneys collected under the provisions of this  
4 chapter received on account of aviation gasoline shall be deposited in  
5 a separate fund to be maintained by the treasurer. All moneys reim-  
6 bursed and repaid pursuant to section three hundred twenty-four  
7 point seventeen (324.17) of the Code on account of motor fuel used  
8 for the purpose of operating aircraft shall be paid from said separate  
9 fund and all moneys remaining in said separate fund after all claims  
10 for refund and the cost of administering said fund have been paid  
11 shall be credited to the state aviation fund."

1 SEC. 2. Section three hundred twenty-four point eighteen  
2 (324.18), Code 1958, is hereby amended by inserting therein follow-  
3 ing the period (.) in line four (4) thereof the following:  
4 "A special permit shall be obtained by applicants claiming a refund  
5 under the provisions of this chapter on account of motor fuel used for  
6 the purpose of operating aircraft."

Approved March 19, 1959.

## CHAPTER 248

## CHARTER PASSENGER CARRIERS

S. F. 213

AN ACT relating to certificated common carriers of passengers operating on charter.

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

1 SECTION 1. Section three hundred twenty-five point one (325.1),  
2 Code 1958, is amended by adding the following subsections:  
3 1. "The term 'charter' means the agreement whereby the owner of  
4 a motor bus lets the same to a group of persons as one party for a  
5 specified sum and for a specified act of transportation at a specified  
6 time and over an irregular route."  
7 2. "The term 'charter carrier' means a person who engages in the  
8 business of transporting the public by motor busses under charter.  
9 The term 'charter carrier' shall not be construed to include taxicabs  
10 or persons, firms or corporations having a license, contract or fran-  
11 chise with an Iowa municipality with a population of more than fif-  
12 teen thousand (15,000) people as shown by the last federal decennial

13 census, to carry or transport passengers for hire, or a municipality  
 14 with a population of more than fifteen thousand (15,000) people as  
 15 shown by the last federal decennial census, engaged in the business of  
 16 carrying or transporting passengers for hire, provided however, that  
 17 municipality or the person, firm or corporation having a license, con-  
 18 tract or franchise with an Iowa municipality comply with sections  
 19 three hundred twenty-five point twenty-six (325.26), three hundred  
 20 twenty-five point twenty-eight (325.28), three hundred twenty-five  
 21 point twenty-nine (325.29), three hundred twenty-five point thirty-  
 22 one (325.31) and three hundred twenty-five point thirty-five (325.35),  
 23 Code 1958, or school bus operators when engaged in transportation  
 24 involving any school activity or regular route common carriers of  
 25 passenger."

1 SEC. 2. Section three hundred twenty-five point six (325.6), Code  
 2 1958, is amended by adding at the end of said section the following:  
 3 "No carrier of passengers shall operate as a charter carrier in this  
 4 state unless already possessed of a certificate of convenience and neces-  
 5 sity as a common carrier of passengers and operating in this state as  
 6 such common carrier or possesses a certificate of convenience and  
 7 necessity to engage in the business of a charter carrier. Any resident  
 8 person, firm or corporation, with its principal place of business in the  
 9 state of Iowa, engaged in actual operation as a charter carrier as de-  
 10 fined in this Act, prior to March 1, 1959, or has, prior to March 1,  
 11 1959, a license, contract or franchise with an Iowa municipality with  
 12 a population in excess of fifteen thousand (15,000) people, as shown  
 13 by the last federal decennial census, to carry or transport passengers  
 14 for hire, shall be granted a certificate of convenience and necessity,  
 15 upon application therefor made within one hundred and twenty (120)  
 16 days from the effective date of this Act upon compliance with the  
 17 provisions of sections three hundred twenty-five point twenty-six  
 18 (325.26), three hundred twenty-five point twenty-eight (325.28),  
 19 three hundred twenty-five point twenty-nine (325.29), three hundred  
 20 twenty-five point thirty-one (325.31), and three hundred twenty-five  
 21 point thirty-five (325.35), Code 1958."

Approved April 10, 1959.

## CHAPTER 249

### REGULATORY FEES ON TRUCKS

S. F. 519

AN ACT relating to annual regulatory fees on motor vehicles used for the public transportation of freight.

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

1 SECTION 1. Section three hundred twenty-five point thirty-five  
 2 (325.35), Code 1958, is hereby amended by inserting following the  
 3 word "dollars" in line eight (8) the following: "provided, however,  
 4 that the fee herein provided shall not be imposed on any tractor or  
 5 truck-tractor".

1 SEC. 2. Section three hundred twenty-seven point nine (327.9),  
 2 Code 1958, is hereby amended by inserting following the word "dol-  
 3 lars" in line six (6) the following: "provided, however, that the fee  
 4 herein provided shall not be imposed on any tractor or truck-tractor".

1 SEC. 3. For the purposes of this Act the terms "tractor or truck-  
 2 tractor" shall mean every self-propelled vehicle designed and used  
 3 primarily for drawing other vehicles and not so constructed as to  
 4 carry a load other than a part of the weight of the vehicle and load  
 5 so drawn.

Approved May 6, 1959.

## CHAPTER 250

### MOTOR VEHICLE REGISTRATION RECIPROCITY

S. F. 237

AN ACT relating to reciprocity and apportionment of motor vehicle registrations and to the compensation tax on certain motor vehicles.

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

1 SECTION 1. A board, to be known as the Iowa reciprocity board, is  
 2 hereby established to be located at the seat of government. The board  
 3 shall have three members who shall be: A member of the state high-  
 4 way commission; a member of the state commerce commission; and  
 5 the commissioner of public safety. Each member of the board may  
 6 appoint from the officials of his department a deputy member who  
 7 shall, in the absence of such member, act as a member of the board  
 8 with full powers, authority and responsibility of such members. The  
 9 duties of the members of the board and their deputies shall be in addi-  
 10 tion to their regular duties; and they shall receive no additional com-  
 11 pensation except that they be allowed their actual and necessary ex-  
 12 penses incurred in the performance of their official duties. A full time  
 13 executive secretary shall be appointed by the board. The salary of  
 14 such secretary and the necessary office personnel shall be set by the  
 15 board. Adequate office space and facilities shall be provided for the  
 16 said secretary. Such secretary's salary, necessary office operating ex-  
 17 penses and, in addition, expenses incurred by the board in the ad-  
 18 ministration of their official duties shall be paid out of the moneys  
 19 credited to the general fund by subsection one (1) of section three  
 20 hundred twenty-one point one hundred forty-five (321.145) of the  
 21 Code. In addition, the board may call upon the staff, facilities, and  
 22 personnel of the public safety department, the state highway commis-  
 23 sion, and the state commerce commission for assistance in perform-  
 24 ing its functions. The attorney general or any assistant attorney gen-  
 25 eral designated by him shall give legal counsel and assistance to the  
 26 reciprocity board.

1 SEC. 2. The Iowa reciprocity board shall have authority to make  
 2 reciprocity agreements with the duly authorized representative of  
 3 any county, state, territory, federal district, foreign country, or po-  
 4 litical subdivision thereof, exempting nonresidents of this state using

5 the highways of this state from the registration requirements of chap-  
6 ter three hundred twenty-one (321) and payment of any fees to this  
7 state with such conditions, restrictions, and privileges or lack of them  
8 as such board may deem advisable. Such agreements may provide for  
9 the denial of reciprocal privileges to one or more particular non-  
10 residents at any time if in the opinion of the board such nonresidents  
11 should not be granted exemption privileges provided, however, the  
12 contracting state of such nonresident consents thereto.

13 Notwithstanding any provisions of Iowa statutes to the contrary or  
14 inconsistent herewith, such agreements may provide with respect to  
15 resident or nonresident owners of fleets of two or more (commercial)  
16 vehicles which are engaged in interstate commerce, or simultaneously  
17 engaged in interstate and intrastate commerce, that the registrations  
18 of such fleets can be apportioned between this state and other states  
19 in which such fleets operate.

20 The percentage of miles such fleets operate in this state as related  
21 to the total miles such fleets operate in all states, shall be used by the  
22 reciprocity board to determine the amount of registration computed  
23 on a dollar basis. Mileage proportions for fleets not operated in this  
24 state during the preceding year will be determined by the reciprocity  
25 board upon the sworn application of the applicant on forms to be sup-  
26 plied by the reciprocity board which will show the operations of the  
27 preceding year in other states and the estimated operation in Iowa;  
28 or, if no operations were conducted the previous year, a full state-  
29 ment of the proposed method of operation. As used in this section,  
30 the term "preceding year" shall mean a period of twelve (12) con-  
31 secutive months fixed by the reciprocity board, which period shall be  
32 within the sixteen (16) months immediately preceding the commence-  
33 ment of the registration year for which registration is sought. The  
34 apportioned registration fee computed on a dollar basis is equal to the  
35 amount obtained by applying the proportion of in-state fleet miles to  
36 total fleet miles to the fees which would otherwise be required for  
37 total fleet registration in this state and shall mean a percentage of the  
38 annual fee on each vehicle of an apportioned fleet, plus the amount of  
39 the fees due as hereinafter provided for the issuance of plates, stick-  
40 ers, or other identification for all the vehicles registered in accordance  
41 with this Act. The proportional registration provision of this Act  
42 shall apply to vehicles added to a fleet during the registration year  
43 and operated in this state in interstate commerce.

44 When a nonresident fleet owner has registered his vehicles on an  
45 apportionment basis, his vehicles shall be considered fully registered  
46 insofar as interstate commerce is concerned. The privileges granted  
47 to a nonresident pursuant to this Act shall permit the operation of a  
48 vehicle which is simultaneously engaged in interstate movements and  
49 intrastate commerce provided, as to intrastate commerce, he has  
50 intrastate authority or rights granted by the Iowa state commerce  
51 commission. Each vehicle of a fleet registered by a resident of Iowa  
52 on a dollar apportionment basis shall be considered as fully registered  
53 for interstate commerce and intrastate commerce.

54 Notwithstanding anything hereinbefore stated, the reciprocity  
55 board shall have authority to negotiate apportionment agreements on  
56 either a vehicle or a dollar basis. In apportionment on a vehicle basis,  
57 a sufficient number of vehicles shall be registered to produce total fee

58 payments not less than an amount obtained by applying the propor-  
59 tion of in-state fleet miles to total fleet miles to the fees which would  
60 otherwise be required for total fleet registration in this state.

1 SEC. 3. The board shall require fleet owners to submit under oath  
2 such information as the board deems necessary for the proper carry-  
3 ing out of the provisions of this Act, and the board's determination  
4 of the amount of dollar registration or vehicle registration apportion-  
5 ment shall be final. Information furnished under this Act shall be  
6 forwarded to the executive secretary of the board by each fleet owner  
7 not later than the September 1 preceding each registration year.

8 Registrations under any apportionment agreement or arrangement  
9 shall be issued only by the department of public safety.

10 If the fees for such apportioned registration are not paid to each  
11 contracting state, district, possession or territory of the United States  
12 or the foreign province, state, or country entitled thereto within a  
13 reasonable time as shall be determined by the board, the board shall  
14 redetermine fees due this state; and, if the additional fees due this  
15 state are not paid by the owner within twenty (20) days after the  
16 mailing to him of a notice by certified mail of the additional fees due,  
17 the registration in this state shall be canceled; and, in addition, the  
18 additional fees due for registration in this state shall be a debt due  
19 to the state of Iowa. In the event of additions to or deletions from a  
20 fleet, a supplemental report shall be filed with the board not later than  
21 thirty (30) days after such addition or deletion.

1 SEC. 4. Any owner complying with and being granted apportioned  
2 or proportional registration shall preserve the records on which the  
3 application is made for a period of four (4) full years following the  
4 year upon which said application is based. Upon request of the board,  
5 the owner agrees to make such records available to the board at the  
6 office of the executive secretary of the board for audit as to accuracy  
7 of computation and payments; or, if the owner does not produce such  
8 records when requested to do so, the owner must pay the costs of an  
9 audit by a duly appointed representative of the board at the home  
10 office of the owner. The board may enter into agreements with author-  
11 ized agencies of other contracting states for joint audits of any such  
12 owner.

1 SEC. 5. Any nonresident registered vehicle or nonresident regis-  
2 tered motor vehicle shall be subject to all laws, rules and regulations  
3 governing the operation of such vehicles on the highways of this  
4 state; and the violations of such laws, rules, or regulations shall be  
5 ground for denial of reciprocal privileges. The registration number  
6 plates, sticker, or other identification assigned and furnished to any  
7 foreign registered vehicle or motor vehicle for the current registra-  
8 tion year by another state where the same is registered shall be dis-  
9 played on such vehicle or motor vehicle substantially as provided in  
10 chapter three hundred twenty-one (321) for vehicles registered pur-  
11 suant to the provisions hereof. In addition, the department of public  
12 safety shall charge and collect an additional fee of one dollar (\$1.00)  
13 for each plate, sticker, or other identification furnished for each ve-  
14 hicle registered in accordance with the provisions of this Act. The  
15 same fee shall be charged for issuance of duplicate plates, stickers or

16 other identification as required. The fee charged for the original or  
17 duplicate plate, sticker or other identification shall be credited to the  
18 road use tax fund.

1 SEC. 6. The board may, notwithstanding any provision of the Code  
2 to the contrary, enter into reciprocity or apportionment agreements  
3 which extend the benefits thereof to leased vehicles on the basis of the  
4 residence of the lessee.

1 SEC. 7. Chapter three hundred twenty-six (326), Code 1958, is  
2 hereby repealed.

1 SEC. 8. Section three hundred twenty-one point fifty-six (321.56),  
2 Code 1958, is hereby repealed.

1 SEC. 9. Section three hundred twenty-one point fifty-three  
2 (321.53), Code 1958, is amended by striking from line two (2) the  
3 words and figures, "to 321.56, inclusive" and inserting in lieu there-  
4 of the following; "and three hundred twenty-one point fifty-five  
5 (321.55)".

1 SEC. 10. Section three hundred twenty-seven point ten (327.10),  
2 Code 1958, is amended by striking from lines one (1) and two (2)  
3 the words, "under the provisions of section 321.56" and inserting in  
4 lieu thereof the words, "by law".

1 SEC. 11. Section three hundred twelve point one (312.1), Code  
2 1958, is amended by striking all of subsection three (3).

1 SEC. 12. Section four hundred seventeen point fifty-four (417.54),  
2 Code 1958, is amended by adding to line six (6) of subsection four  
3 (4) before the figures "321.145" the word "and" and by striking all  
4 of line seven (7) of said subsection.

Approved February 26, 1959.

## CHAPTER 251

### LIQUID TRANSPORT CARRIERS

#### H. F. 363

AN ACT relating to liquid transport carriers.

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

1 SECTION 1. Section three hundred twenty-seven A point fourteen  
2 (327A.14), Code 1958, is hereby amended by inserting following the  
3 word "assigned" in line twelve (12) thereof, the following: "to any  
4 person engaged directly or indirectly in the transportation for hire of  
5 liquid products in bulk or freight in interstate commerce or in intra-  
6 state commerce, in this or any other state, or the District of Columbia,  
7 or to any person engaged in the leasing of equipment for such pur-  
8 poses".

1 SEC. 2. Section three hundred twenty-seven A point fourteen  
2 (327A.14), Code 1958, is hereby further amended by inserting follow-

3 ing the word "assignment" in line fourteen (14) thereof, the follow-  
 4 ing: ", provided however, rights so granted may be sold, leased,  
 5 transferred or assigned to any person who has not engaged directly  
 6 or indirectly in the transportation for hire of liquid products in bulk  
 7 or freight in interstate or intrastate commerce prior to the date of  
 8 such transfer, or to any person who has not prior to such date en-  
 9 gaged in the leasing of equipment for such purpose, and on hearing  
 10 it shall not be necessary for the commission to find that such sale,  
 11 lease, transfer or assignment is necessary in the public interest".

1 SEC. 3. Section three hundred twenty-seven A point fourteen  
 2 (327A.14), Code 1958, is hereby further amended by adding thereto  
 3 the following: "Rights actively being exercised may be sold, leased,  
 4 transferred or assigned to any person engaged in the transportation  
 5 for hire of liquid products in bulk or freight under the conditions  
 6 hereinafter set forth:

7 "1. Whenever an applicaion for a sale, lease, transfer, assignment,  
 8 consolidation, merger, or acquisition of control is filed with the com-  
 9 mission, if on hearing the commission finds that (a) the proposed  
 10 purchaser, lessee, transferee or assignee is fit, willing and able, and  
 11 (b) that the proposed seller, lessor, transferor or assignor has not  
 12 abandoned, suspended or discontinued operations, and (c) that the  
 13 transaction proposed will be consistent with the public interest and  
 14 that the conditions of this section have been or will be fulfilled, it may  
 15 enter an order approving and authorizing such sale, lease, transfer,  
 16 assignment, consolidation, merger or acquisition of control, upon such  
 17 terms and conditions as it shall find to be just and reasonable and  
 18 with such modifications as it may prescribe.

19 "2. Except as otherwise provided in subsection one (1), it shall be  
 20 unlawful for any person to accomplish or effectuate, or to participate  
 21 in accomplishing or effectuating, the control or management in a com-  
 22 mon interest of any two (2) or more persons engaged in the trans-  
 23 portation for hire of liquid products in bulk or freight or of one (1)  
 24 or more persons so engaged, however such result is attained, whether  
 25 directly or indirectly, by use of common directors, officers or stock-  
 26 holders, holding or investment company or companies, a voting trust  
 27 or trusts, or in any other manner whatsoever.

28 "3. The commission is hereby authorized, upon complaint, or upon  
 29 its own initiative without complaint, but after notice, and hearing, to  
 30 investigate and determine whether any person is violating the provi-  
 31 sions of this section. If the commission finds upon investigation that  
 32 any person is violating the provisions of this section, it shall, by  
 33 order, require such person to take such action consistent with the  
 34 provisions of this chapter as may be necessary, in the opinion of the  
 35 commission, to prevent continued violation of such provisions."

1 SEC. 4. Chapter three hundred twenty-seven A (327A), Code  
 2 1958, is hereby amended by adding a new section thereto:

3 "The commission shall also have power and authority by general  
 4 order or otherwise to prescribe rules and regulations applicable to  
 5 liquid transport carriers. The state department of public safety is  
 6 hereby authorized and empowered to prescribe and enforce safety  
 7 regulations in the operation of liquid transport carriers, require a  
 8 periodic inspection of the equipment of every liquid transport car-

9 rier from the standpoint of enforcement of safety regulations, and  
10 such equipment shall be at all times subject to inspection by properly  
11 authorized representatives of the department of public safety."

1 SEC. 5. Chapter three hundred twenty-seven A (327A), Code  
2 1958, is further amended by adding a new section thereto:

3 "Every owner, officer, agent or employee of any liquid transport  
4 carrier, and every other person who violates or fails to comply with,  
5 or who procures, aids, or abets in the violation of any provision of  
6 this chapter, or who fails to obey, observe, or comply with any order,  
7 decision, rule, or regulation, direction, demand, or requirement or any  
8 part or provision thereof of the commission, or who procures, aids or  
9 abets any corporation or person in his failure to obey, observe, or  
10 comply with any such order, decision, rule, direction, demand or reg-  
11 ulation or any part or provision thereof, shall be guilty of a misde-  
12 meanor and upon conviction shall be punished by a fine not exceeding  
13 one hundred dollars (\$100.00) or by imprisonment in the county jail  
14 for a period of not to exceed thirty (30) days."

1 SEC. 6. Chapter three hundred twenty-seven A (327A), Code  
2 1958, is further amended by adding a new section thereto:

3 "No certificate of convenience and necessity shall be issued nor con-  
4 tinued in force until the holder thereof shall have paid to the com-  
5 mission for the administration of this chapter an annual certificate  
6 fee for each motor vehicle operated thereunder in the amount of five  
7 dollars."

1 SEC. 7. Chapter three hundred twenty-seven A (327A), Code  
2 1958, is further amended by adding a new section thereto:

3 "All control, power and authority over railroads and railroad com-  
4 panies now vested in the commission, in so far as the same is appli-  
5 cable, are hereby specifically extended to include liquid transport car-  
6 riers."

1 SEC. 8. Chapter three hundred twenty-seven A (327A), Code  
2 1958, is further amended by adding a new section thereto:

3 "All charges made by any liquid transport carrier for any service  
4 rendered or to be rendered in the transfer of liquid products in bulk  
5 upon any highway, or in connection therewith, shall be just, reason-  
6 able and nondiscriminating, and every unjust, unreasonable or dis-  
7 criminating charge for such service or any part thereof is prohibited  
8 and declared unlawful."

Approved March 30, 1959.

## CHAPTER 252

### SUPERVISORS IN CERTAIN COUNTIES

#### H. F. 395

AN ACT relating to the election of members of the board of supervisors in certain counties, after reduction of membership of the board, and to amend chapter three hundred thirty-one (331), Code 1958.

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

1 SECTION 1. Section three hundred thirty-one point seven (331.7),  
2 Code 1958, is hereby amended by inserting in line six (6) after the  
3 period the following:



4 "In counties of over eighty thousand (80,000) population where  
 5 such proposition reduces the board to five (5) members, there shall  
 6 be elected at large the number of members required by such proposi-  
 7 tion provided, however, that not more than one (1) supervisor shall  
 8 be a resident of any one (1) township of such county".

Approved April 6, 1959.

## CHAPTER 253

### COUNTY OFFICES COMBINED

S. F. 346

AN ACT to permit the combining of the duties of certain county officers and employees.

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

1 SECTION 1. The duties of two (2) or more of the following county  
 2 officers and employees may be combined by the methods provided in  
 3 this Act:

- 4 1. County sheriff
- 5 2. County treasurer
- 6 3. County recorder
- 7 4. County auditor
- 8 5. Medical examiner
- 9 6. Clerk of the district court
- 10 7. Overseer of the poor
- 11 8. County home steward
- 12 9. Soldiers relief commission
- 13 10. Director of social welfare
- 14 11. County assessor
- 15 12. County weed commissioner.

1 SEC. 2. The board of supervisors of any county shall, upon peti-  
 2 tion of electors equal in number to twenty-five (25) per cent of the  
 3 votes cast for any county office receiving the greatest number of votes  
 4 at the last preceding general election filed with the county auditor,  
 5 call an election for the purpose of voting on a proposal or proposals  
 6 for combining the duties of any officers or employees designated in  
 7 section one (1) of this Act. If the petition contains more than one  
 8 (1) proposal for combining such duties, each proposal shall be listed  
 9 on the ballot as a separate issue. If the majority of the votes cast be  
 10 in favor of a proposal, the board of supervisors shall take all steps  
 11 necessary to combine the duties as specified in the petition.

1 SEC. 3. The petition shall state the offices and positions to be com-  
 2 bined and the office or position which is to be abolished.

1 SEC. 4. If an appointive position is abolished by a vote of the  
 2 people, the term of office of the incumbent shall terminate one (1)  
 3 month from the day the proposal is approved. If the approved pro-  
 4 posal provides for the abolishment of an elective office, the incumbent  
 5 shall hold office until the completion of the term for which he was  
 6 elected, except that if a proposal is approved at a general election

7 which fills the abolished office, the person elected thereto shall not  
8 take office.

1 SEC. 5. When the duties of any officer or employee named in sec-  
2 tion one (1) of this Act are assigned to an elective officer designated  
3 in such section, the board of supervisors may set the salary for such  
4 elective officer in lieu of the salary provided in chapter three hundred  
5 forty (340), Code 1958. When the duties of any officers or employ-  
6 ees are combined as permitted in this Act, the person who fills the  
7 combined office shall take the oath and give the bond required for  
8 each office and perform all the duties pertaining to each.

1 SEC. 6. Chapter four hundred forty-one (441), Code 1958, is  
2 hereby amended by adding thereto the following:

3 "When the duties of the county assessor are combined with the  
4 duties of another officer or employee as provided in this Act, the  
5 person named to perform the combined duties shall be appointed  
6 as provided in sections four hundred forty-one point two (441.2) and  
7 four hundred forty-one point three (441.3), Code 1958."

1 SEC. 7. Section two hundred thirty-four point twelve (234.12),  
2 Code 1958, is hereby amended by adding thereto the following:

3 "When the duties of the director of social welfare are combined  
4 with the duties of another officer or employee as provided in this Act,  
5 the person named to perform the combined duties shall be employed  
6 as herein provided."

1 SEC. 8. Duties that have been combined under the provisions of  
2 sections one (1) through seven (7) of this Act may be subsequently  
3 separated to provide again for separate offices by petition and a vote  
4 in the manner provided in section two (2) of this Act.

Approved April 28, 1959.

## CHAPTER 254

### COUNTY BUSINESS LICENSES

S. F. 326

AN ACT relating to the authority of the county board of supervisors to regulate and license certain business establishments.

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

1 Chapter three hundred thirty-two (332), Code 1958, is hereby  
2 amended by adding thereto the following eight (8) new sections:

1 SECTION 1. For the purpose of promoting the health, safety,  
2 recreation, and general welfare of the people of the county, the  
3 county board of supervisors shall have the power to regulate and  
4 license outside the limits of an incorporated city or town any theatre,  
5 moving picture show, pool or billiard room or table, dance hall,  
6 skating rink, amusement park, bowling alley, restaurant or other  
7 business establishment open to the public and located on or acces-  
8 sible to a road or highway outside the limits of an incorporated city

9 or town where entertainment, foodstuffs, prepared food or drink is  
10 furnished to the general public for hire, sale or profit.

1 SEC. 2. No person shall engage in the business activities specified  
2 in section one (1) of this Act without first obtaining a license from  
3 the county board of supervisors. Upon application being made as  
4 herein provided and upon the payment of a fee prescribed by the  
5 county board of supervisors, not to exceed ten (10) dollars per  
6 license, the board shall issue a license to the applicant for a period  
7 of not less than six (6) months nor more than one (1) year. The  
8 application shall be in writing and shall state under oath:

9 1. The name and address of all owners of such business.

10 2. The business or trade name, if any, and the address of such  
11 business.

12 3. The type of business activity to be engaged in.

13 4. A certification that such applicant will not permit any of the  
14 activities specified in section five (5) of this Act to be engaged in on  
15 the premises of such business establishment.

16 5. Such additional information as the county board of supervisors  
17 may require.

1 SEC. 3. When a license is granted, the terms and conditions on  
2 which the business establishment may be operated, as specified in this  
3 Act, shall be entered of record in the minutes of the board of super-  
4 visors and the licensee shall stand charged with notice thereof and  
5 shall, on demand, be furnished with a copy of such terms and condi-  
6 tions upon the payment of the cost of furnishing such copy to the  
7 licensee.

1 SEC. 4. All license fees shall be credited to the county general  
2 fund and all necessary expenses incurred in licensing and regulating  
3 the business establishments specified in this Act shall be paid out of  
4 the county general fund.

1 SEC. 5. The county board of supervisors may revoke a license  
2 whenever any licensee, or agent, employee or servant of any licensee,  
3 permits any intoxicated person to be in or remain upon the premises,  
4 or permits any profane or obscene language, lewd or lascivious acts,  
5 indecent or suggestive dancing or fighting or quarreling, to be ut-  
6 tered, done or engaged in upon the premises, or whenever necessary  
7 to promote the health, safety, recreation or general welfare of the  
8 people of the county. In the event any license is revoked the licensee  
9 shall be repaid a pro rata part of the license fee.

1 SEC. 6. The county board of supervisors shall have the power by  
2 order of the district court to abate, restrain, or prohibit any business  
3 establishment where drunkenness, quarreling, fighting, or breaches  
4 of the peace are carried on or permitted to the disturbance of others,  
5 or where any other nuisance, public or private, is maintained.

1 SEC. 7. Any person whose license has been revoked or whose busi-  
2 ness establishment has been restrained or prohibited by the action of  
3 the county board of supervisors may appeal therefrom to the district  
4 court of that county by serving a notice on the chairman of the county  
5 board of supervisors within twenty (20) days after the final decision

6 of the board. Such appeal shall be tried by the district court de novo  
7 and in equity.

1 SEC. 8. Any person who violates any of the provisions of this Act,  
2 or who violates any of the terms or conditions under which he is per-  
3 mitted to engage in the business activity for which he was licensed,  
4 shall be fined a sum not to exceed twenty-five (25) dollars.

1 SEC. 9. Chapter three hundred sixty-one (361), Code 1958, is  
2 hereby repealed.

Approved May 6, 1959.

## CHAPTER 255

### RECORDING OF INSTRUMENTS

#### H. F. 19

AN ACT relating to the recording of instruments.

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

1 SECTION 1. Section three hundred thirty-five point two (335.2),  
2 Code 1958, is hereby amended by adding thereto the following:  
3 "All instruments filed for recordation with the recorder shall have  
4 typed or legibly printed the names of all signers thereon, excluding  
5 those of the acknowledging officers and witnesses, beneath the orig-  
6 inal signatures; provided, however, that in the event that such instru-  
7 ment does not contain such typed or printed names, the recorder shall  
8 accept such instrument for recordation if accompanied by an affidavit,  
9 for record with the instrument, correctly spelling in legible print or  
10 type the signatures appearing on said instrument. This requirement  
11 shall not apply to military discharges or military instruments, nor to  
12 wills or court records, or to any other instrument dated prior to the  
13 effective date of this Act. Failure to print or type signatures as herein  
14 designated shall not invalidate the instrument."

1 SEC. 2. Section three hundred thirty-five point fourteen (335.14),  
2 subsection two (2), Code 1958, is hereby amended by striking the  
3 period (.) at the end thereof and inserting a semicolon (;) in lieu  
4 thereof and adding thereto the following: "provided in those count-  
5 ties where photostatic, photographic or other similar processes are  
6 in use, the fees shall not exceed one dollar fifty cents (\$1.50) for the  
7 first page or fraction thereof of any instrument and one dollar (\$1.00)  
8 for each additional page."

Approved March 19, 1959.

## CHAPTER 256

## BOARDING PRISONERS

H. F. 65

AN ACT relating to the boarding of prisoners by sheriffs.

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

1 SECTION 1. Section three hundred thirty-seven point eleven  
2 (337.11), Code 1958, is hereby amended by striking from line two (2)  
3 of subsection eleven (11) the words, "fifty cents for each meal" and  
4 by inserting in lieu thereof the following: "seventy (70) cents for  
5 each meal in counties having a population of thirty thousand (30,000)  
6 or less; sixty (60) cents for each meal in counties having a population  
7 of over thirty thousand (30,000) and less than forty thousand  
8 (40,000); fifty-five (55) cents for each meal in counties having a  
9 population of more than forty thousand (40,000) and less than fifty  
10 thousand (50,000) and fifty (50) cents for each meal in counties  
11 having a population of more than fifty thousand (50,000) and of not  
12 more than one hundred fifty thousand (150,000)".

1 SEC. 2. Section three hundred thirty-eight point one (338.1),  
2 Code 1958, is hereby amended by striking in line five (5) the words,  
3 "eighty thousand" and inserting in lieu thereof the words, "one hun-  
4 dred fifty thousand (150,000)".

1 SEC. 3. The provisions of this Act shall become effective on Jan-  
2 uary 1, 1960.

Approved April 24, 1959.

## CHAPTER 257

## INDIAN RESERVATION OFFICER

H. F. 556

AN ACT relating to assistance by the state to the county of Tama in providing a law-enforcement officer for the Sac and Fox Indian Reservation in such county and making an appropriation therefor.

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

1 SECTION 1. There is hereby appropriated from the general fund of  
2 the state to Tama County, Iowa, the sum of two thousand five hundred  
3 (2,500) dollars per year for each year of each biennium commencing  
4 July 1, 1959, said money to be expended by said county only for the  
5 payment of the salary and expenses of an additional deputy sheriff of  
6 said county, the principal duties of which deputy shall be to provide  
7 law enforcement upon the Sac and Fox Indian reservation in said  
8 county. Said deputy shall if possible reside on said Indian reserva-  
9 tion. All additional sums necessary to pay the salary and expenses of  
10 said deputy shall be paid by the county of Tama. The expenditure of  
11 such funds from any moneys of said county which may be available  
12 for such purpose is hereby authorized.

Approved April 24, 1959.

## CHAPTER 258

## COUNTY MEDICAL EXAMINERS

## H. F. 260

AN ACT to repeal chapter three hundred thirty-nine (339), Code 1958, and to amend various other sections of the Code relating to coroners, and to enact in lieu thereof a substitute creating a board on post-mortem examinations and to prescribe the board's duties, powers and functions; to provide for the appointment of a chief medical examiner, his qualifications, powers, duties and functions and a central office and laboratory; to provide for the appointment of county medical examiners, their qualifications, powers, duties and functions.

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

1 SECTION 1. Chapter three hundred thirty-nine (339), Code 1958,  
2 is hereby repealed, effective January 1, 1961, and the following  
3 enacted in lieu thereof:

4 "1. The board of supervisors of each county of the state shall  
5 appoint a medical examiner for its respective county who shall take  
6 office on the second secular day of January, 1961, and each two years  
7 thereafter, to hold office for a term of two years and until his suc-  
8 cessor has been appointed and qualifies. Vacancies for any unex-  
9 pired term shall be filled by the appropriate board of supervisors.

10 "2. Each county medical examiner shall be licensed in Iowa as a  
11 doctor of medicine and surgery, or licensed in Iowa as an osteo-  
12 pathic physician or osteopathic physician and surgeon as defined by  
13 law. He shall be appointed by the board of supervisors from lists of  
14 two or more names submitted by the component medical society and  
15 the osteopathic society of the county in which he is a resident. If  
16 no list of names is submitted by either society, the board of super-  
17 visors shall appoint a county medical examiner from the licensed  
18 doctors of medicine, or licensed osteopathic physicians or osteo-  
19 pathic physicians and surgeons of the county. If no qualified ap-  
20 pointee can be found in the county, the board of supervisors shall  
21 appoint the medical examiner from another county.

22 "If, for good cause, a county medical examiner is unable to serve  
23 in any particular case or for any period of time, he shall promptly  
24 notify the chairman of the board of supervisors who shall then desig-  
25 nate some other qualified person to serve in his place.

26 "3. The county medical examiner shall take the oath of office  
27 prescribed by section five (5), of Article eleven (XI), of the Con-  
28 stitution of the state of Iowa and shall enter into bond with the  
29 county auditor in an amount to be fixed by the board of supervisors.

30 "4. On or after the second secular day of January, 1961, the death  
31 of any person shall be reported to the county medical examiner by  
32 the physician in attendance, by any law-enforcement officer having  
33 knowledge of such death, by the embalmer, or by any other person  
34 present, if the deceased shall have died:

- 35 a. From violence.
- 36 b. Suddenly, when in apparent health.
- 37 c. When unattended by a physician during the period of thirty-six  
38 (36) hours immediately preceding his death.
- 39 d. As a result of or following an abortion.
- 40 e. While in custody of the law.

41 f. In an accident in a gypsum or coal mine.

42 g. In a suspicious, unusual or unnatural manner.

43 h. From a disease which might constitute a threat to public health.

44 "5. Upon receipt of such notice the county medical examiner shall  
45 take charge of the dead body, make inquiries regarding the cause and  
46 manner of death, reduce his findings to writing on forms provided  
47 by the commissioner of public health for such purpose, and deliver  
48 the original of such form to the county attorney, retaining one copy  
49 for his own use, and forwarding another copy to the criminal invest-  
50 gation division of the state department of public safety.

51 "For each such preliminary investigation, including the making of  
52 the required reports, the county medical examiner shall receive a fee  
53 of fifteen dollars (\$15.00), plus his actual expenses, to be paid by the  
54 county for which he is appointed.

55 "6. If, in the opinion of the county medical examiner, an autopsy  
56 examination is advisable and in the public interest, such autopsy shall  
57 be performed. The autopsy may be made by the county medical  
58 examiner or by such competent pathologist as he may designate.

59 "A full record and report of the facts developed by the autopsy  
60 and findings of the person making such autopsy shall be made  
61 promptly and filed with the county medical examiner and in the office  
62 of the county attorney. Pertinent information embodied therein shall  
63 be furnished forthwith to the appropriate state department or agency  
64 by the county medical examiner.

65 "7. In any case of sudden, violent or suspicious death after which  
66 the body was buried without any investigation or autopsy, it shall  
67 be the duty of the county medical examiner, upon being advised of  
68 such facts, to notify the county attorney. The county attorney shall  
69 thereupon apply for a court order requiring the body to be exhumed,  
70 in accordance with chapter one hundred forty-one (141), Code 1958.  
71 Upon receipt of the court order an autopsy shall be performed by  
72 the county medical examiner or by a pathologist designated by him  
73 and the pertinent facts disclosed communicated to the court order-  
74 ing the disinterment for such action as it deems proper.

75 "8. Each county board of supervisors is hereby authorized to pro-  
76 vide or arrange, and pay for, such laboratory facilities, such deputy  
77 medical examiner or examiners and such other professional, techni-  
78 cal, and clerical assistance as may be recommended and required  
79 by the county medical examiner in the performance of the duties  
80 imposed by this chapter.

81 "9. Reports of investigations made by the county medical exam-  
82 iner or his assistants, and records and reports of autopsies made  
83 under the authority of this chapter, shall be received as evidence in  
84 any court or other proceedings, except that statements by witnesses  
85 or other persons and conclusions upon extraneous matters are not  
86 hereby made admissible. The person preparing a report or record  
87 given in evidence hereunder may be subpoenaed as a witness, in any  
88 civil or criminal case, by any party to the cause. Copies of records,  
89 photographs, laboratory findings, and records in the office of the  
90 county medical examiner, when duly attested by the examiner in  
91 whose office they are filed, shall be received as evidence in any court  
92 or other proceedings for any purpose for which the original could be

93 received without proof of the official character of the person whose  
94 name is signed thereto.

95 "10. After an investigation has been completed, including an  
96 autopsy if one is made, the dead body shall be delivered to the rela-  
97 tives or friends of the deceased person for burial. In no case shall  
98 the county medical examiner use his influence in favor of any par-  
99 ticular funeral director but should assist the family or friends to the  
100 end that their wishes are respected. If no person claims the body, it  
101 shall be disposed of in accordance with chapter one hundred forty-  
102 two (142), Code 1958.

103 "11. Any property or money found with, or upon the person of  
104 the deceased, if there be no person entitled by law to such money or  
105 property, shall be turned over by the county medical examiner to the  
106 clerk of the district court, to be held until disposed of according to  
107 law.

108 "12. It shall be unlawful to embalm a human body when any fact  
109 within the knowledge, or brought to the attention of, the embalmer,  
110 is sufficient to arouse suspicion of crime in connection with the cause  
111 of death of the deceased, until the permission of the county medical  
112 examiner has been first obtained. In any case where it is the duty of  
113 the county medical examiner to view the body and investigate the  
114 death of a deceased person under the applicable provisions of this  
115 Act, it shall be unlawful to embalm the said body until the permission  
116 of the county medical examiner has first been obtained.

117 "It shall be unlawful to cremate the dead body of any person until  
118 the county medical examiner shall have certified in writing that he  
119 has made personal inquiry into the cause and manner of death and is  
120 of the opinion that no further examination or judicial inquiry con-  
121 cerning the same is necessary. A fee of ten dollars (\$10.00) shall be  
122 paid the county medical examiner for such certificate by the person  
123 making application therefor, and a copy of such certificate shall be  
124 promptly filed by the county medical examiner in his office. This  
125 certificate by the county medical examiner shall not be required in  
126 case of stillborn infants if a physician was present at the stillbirth  
127 and the cause of stillbirth as certified by him according to the pro-  
128 visions of chapters one hundred forty-one (141) and one hundred  
129 forty-four (144), Code 1958, is not such as to require an investiga-  
130 tion by the county medical examiner as provided by law.

131 "Any person violating any of the provisions of this section shall be  
132 deemed guilty of a misdemeanor, and, upon conviction thereof, shall  
133 be fined not less than twenty-five dollars (\$25.00), nor more than one  
134 hundred dollars (\$100.00)."

1 SEC. 2. Section thirty-nine point seventeen (39.17), Code 1958,  
2 is amended by striking from lines four (4) and five (5) the follow-  
3 ing: "a county attorney, and a coroner," and substituting in lieu  
4 thereof "and a county attorney,".

1 SEC. 3. Section sixty-four point eight (64.8), Code 1958, is  
2 amended by striking from lines three (3) and four (4) the follow-  
3 ing: "coroners,".

1 SEC. 4. Section eighty-two point one hundred sixteen (82.116),  
2 Code 1958, is amended by striking from line five (5) the word  
3 "coroner" and substituting the words "medical examiner".



1 SEC. 5. Section eighty-three point thirteen (83.13), Code 1958,  
2 is amended by striking from line six (6) the word "coroner" and  
3 substituting in lieu thereof the words "medical examiner".

1 SEC. 6. Section one hundred forty-one point five (141.5), Code  
2 1958, is amended by striking from line seven (7) the word "coroner"  
3 and substituting the words "county medical examiner".

1 SEC. 7. Section one hundred forty-one point six (141.6), Code  
2 1958, is amended by striking from line four (4) the word "coroner"  
3 twice appearing, and substituting in lieu thereof in both places the  
4 words "county medical examiner".

1 SEC. 8. Section one hundred forty-one point fifteen (141.15),  
2 Code 1958, is amended by striking from line five (5) the word  
3 "coroner's" and substituting the words "county medical examiner's".

1 SEC. 9. Section one hundred forty-one point twenty-four  
2 (141.24), Code 1958, is amended by striking from line four (4) the  
3 following: "coroner".

1 SEC. 10. Section one hundred forty-two point three (142.3), Code  
2 1958, is amended by striking from line one (1) the word "coroner"  
3 and substituting the words "county medical examiner".

1 SEC. 11. Section two hundred twenty-two point thirty-seven  
2 (222.37), Code 1958, is amended by striking from lines three (3)  
3 and four (4) the words "a coroner's inquest" and substituting the  
4 words "an investigation by the county medical examiner".

1 SEC. 12. Section two hundred twenty-six point thirty-four  
2 (226.34), Code 1958, is amended by striking from line one (1) the  
3 words "A coroner's inquest" and substituting the\* the words "An in-  
4 vestigation by the county medical examiner".

1 SEC. 13. Section two hundred thirty-eight point twenty-four  
2 (238.24), Code 1958, is amended by striking from line ten (10) the  
3 following: "in a coroner's inquest," and inserting after the word  
4 and comma "assembly," in line twelve (12) the following: "medical  
5 examiners,".

1 SEC. 14. Section three hundred twenty-one point two hundred  
2 seventy (321.270), Code 1958, is hereby repealed.

1 SEC. 15. Section three hundred thirty-three point eleven (333.11),  
2 Code 1958, is amended by striking subsection five (5) from the sec-  
3 tion and substituting the following subsection:

4 "5. The expenses of the county medical examiner."

1 SEC. 16. Section three hundred forty point nineteen (340.19),  
2 Code 1958, is hereby repealed.

1 SEC. 17. Section three hundred forty-one point one (341.1), Code  
2 1958, is amended by striking from line three (3) the following:  
3 "coroner,".

\*According to enrolled Act.

1 SEC. 18. Section three hundred forty-three point three (343.3),  
2 Code 1958, is amended by striking from line two (2) the following:  
3 "coroner,".

1 SEC. 19. Section three hundred forty-three point four (343.4),  
2 Code 1958, is amended by striking from line two (2) the following:  
3 "coroner,".

1 SEC. 20. Section three hundred sixty-eight point six (368.6),  
2 Code 1958, is amended by striking from line seven (7) of subsection  
3 five (5) the following: "coroners,".

1 SEC. 21. Section six hundred twenty-two point sixty-three  
2 (622.63), Code 1958, is amended by striking from line eight (8) the  
3 following: "coroner,".

1 SEC. 22. Section seven hundred nine point nine (709.9), Code  
2 1958, is amended by striking from line five (5) the following:  
3 "coroner," and substituting in lieu thereof the following: "county  
4 medical examiner,".

1 SEC. 23. Section seven hundred thirty-nine point nine (739.9),  
2 Code 1958, is amended by striking from line one (1) the following:  
3 "coroner,".

1 SEC. 24. Section seven hundred forty point five (740.5), Code  
2 1958, is amended by striking from line six (6) the following:  
3 "coroner,".

1 SEC. 25. Section seven hundred forty point six (740.6), Code  
2 1958, is amended by striking from line three (3) the following:  
3 "coroner,".

1 SEC. 26. Section seven hundred forty-two point three (742.3),  
2 Code 1958, is amended by striking from line three (3) the following:  
3 "coroner,".

1 SEC. 27. Section eighty-five A point nineteen (85A.19), Code  
2 1958, is amended by striking from line eight (8) the word "coroner"  
3 and substituting in lieu thereof the words "medical examiner".

1 SEC. 28. The coroners elected for the terms of January 1, 1959,  
2 to January 1, 1961, shall complete their terms and duties as pre-  
3 scribed by law and commencing January 1, 1961, the provisions of  
4 this Act shall govern.

1 SEC. 29. All acts and parts of acts, both general and special, in-  
2 cluding charters of cities and towns, inconsistent with the provisions  
3 of this Act, are hereby repealed to the extent of the inconsistency.

Approved April 23, 1959.

## CHAPTER 259

## DEPUTY COUNTY OFFICERS

S. F. 112

AN ACT to amend section three hundred forty point two (340.2), Code 1958, to increase the maximum salaries of certain deputy county officers.

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

1 SECTION 1. Section three hundred forty point two (340.2), Code  
2 1958, is hereby amended by striking from paragraph two (2), lines  
3 four (4), eleven (11) and twelve (12) the word "sixty-five" and in-  
4 serting in lieu thereof the word "seventy (70)".

Approved April 8, 1959.

## CHAPTER 260

## COUNTY ATTORNEYS' SALARIES

H. F. 136

AN ACT relating to the salary of county attorneys in certain counties.

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

1 SECTION 1. Section three hundred forty point nine (340.9), Code  
2 1958, is hereby amended by striking from subsection fifteen (15) line  
3 two (2) the words "seven thousand six hundred" and inserting in lieu  
4 thereof "nine thousand".

1 SEC. 2. Section three hundred forty point nine (340.9), subsection  
2 fourteen (14), Code 1958, is hereby amended by striking from lines  
3 two (2) and three (3) of said subsection the following words: "seven  
4 thousand two hundred" and inserting in lieu thereof "eight thousand".

Approved April 23, 1959.

## CHAPTER 261

## CERTAIN COUNTY EXPENDITURES

H. F. 92

AN ACT relating to certain expenditures by county boards of supervisors without prior submission to voters of the county.

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

1 SECTION 1. Section three hundred forty-five point one (345.1),  
2 Code 1958, is hereby amended by adding at the end thereof the fol-  
3 lowing:  
4 "Except, however, such proposition need not be submitted to the  
5 voters if any such erection, construction, remodeling, reconstruction,  
6 or purchase of real estate may be accomplished without the levy of

7 additional taxes and the probable cost will not exceed twenty thou-  
8 sand dollars.”

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 Man-  
3 chester Press, a newspaper published in Manchester, Iowa, and in the  
4 Manchester Democrat-Radio, a newspaper published in Manchester,  
5 Iowa.

Approved April 15, 1959.

I hereby certify that the foregoing Act, House File 92, was published in the Man-  
chester Press, Manchester, Iowa, April 23, 1959, and in the Manchester Democrat-  
Radio, Manchester, Iowa, April 21, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 262

### COUNTY HOSPITALS

#### S. F. 118

AN ACT to amend chapter three hundred forty-seven (347), Code 1958, relating to  
county hospitals.

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

1 SECTION 1. Section three hundred forty-seven point one (347.1),  
2 Code 1958, is hereby amended by striking the words “two hundred  
3 thousand dollars” in lines fourteen (14) and fifteen (15) thereof, and  
4 inserting in lieu thereof the words “five hundred thousand (500,000)  
5 dollars”; and by adding at the end of said section the following:  
6 “This section shall also be applicable when an existing hospital is in  
7 such poor condition that the electors of the county feel that the same  
8 should be abandoned or dedicated to some other use, when a proposi-  
9 tion for such abandonment is included in the petition above referred  
10 to in the aforesaid petitions and propositions submitted to the voters.”

1 SEC. 2. Section three hundred forty-seven point eight (347.8),  
2 Code 1958, is hereby amended by striking the “period (.)” at the end  
3 of said section and adding to said section the following: “or in the  
4 case of an addition to an already existing hospital until such time in  
5 the judgment of the board of hospital trustees it is deemed advisable  
6 to commence the construction of such addition.”

1 SEC. 3. Section three hundred forty-seven point ten (347.10),  
2 Code 1958, is hereby repealed and the following inserted in lieu there-  
3 of:  
4 “Vacancies in the board of trustees shall be filled by an appoint-  
5 ment to fill the vacancy by the remaining members of the board of  
6 trustees. In the event that fewer than four (4) trustees remain on  
7 the board, the vacancies shall be filled by the board of supervisors.  
8 Should any board member be absent for four consecutive regular  
9 board meetings, without prior excuse, his position shall be declared  
10 vacant and filled as set out above.”

1 SEC. 4. Section three hundred forty-seven point twelve (347.12),  
 2 Code 1958, is hereby amended by striking from lines five (5) and six  
 3 (6) thereof the following: "county auditor by direction of the board  
 4 of supervisors" and inserting in lieu thereof the following: "secre-  
 5 tary of the board of trustees and countersigned by the chairman of  
 6 the board of trustees".

1 SEC. 5. Section three hundred forty-seven point thirteen (347.13),  
 2 subsection four (4), Code 1958, is hereby amended by striking from  
 3 line one (1) thereof the following: "a superintendent, a matron" and  
 4 inserting in lieu thereof the following: "an administrator".

5 Said section is further amended by striking the word "first" in line  
 6 two (2) of subsection ten (10) and inserting in lieu thereof the word  
 7 "fourth".

1 SEC. 6. Section three hundred forty-seven point fourteen (347.14),  
 2 Code 1958, is hereby amended by adding the following new subsec-  
 3 tion:

4 "Do all things necessary for the management, control and govern-  
 5 ment of said hospital and exercise all the rights and duties pertain-  
 6 ing to hospital trustees generally, unless such rights of hospital trust-  
 7 ees generally are specifically denied by this chapter, or unless such  
 8 duties are expressly charged by this chapter."

9 Said section is further amended by adding the following new sub-  
 10 section:

11 "The said trustees may in their discretion establish a fund for de-  
 12 preciation as a separate fund. Said funds may be invested in United  
 13 States Government bonds and when so invested the accumulation of  
 14 interest on the bonds so purchased shall be used for the purposes of  
 15 said depreciation fund; such investment when so made shall remain  
 16 in said United States Government bonds until such time as in the  
 17 judgment of the board of trustees it is deemed advisable to use said  
 18 funds for hospital purposes."

1 SEC. 7. Section three hundred forty-seven point twenty-one  
 2 (347.21), Code 1958, is hereby repealed and the following inserted in  
 3 lieu thereof:

4 "The board of supervisors of any county in which no county hos-  
 5 pital has been established may in its discretion enter into a contract  
 6 not to exceed one year with any hospital situated in the county for  
 7 the hospital care of indigent persons, or others who may be the re-  
 8 sponsibility of said board of supervisors."

1 SEC. 8. Chapter three hundred forty-seven (347), Code 1958, is  
 2 hereby further amended by adding the following new section:

3 "Any hospital organized and existing as a city or town hospital  
 4 under the provisions of chapter three hundred eighty (380), Code  
 5 1958, may become a county hospital organized and managed as pro-  
 6 vided for in this chapter, upon a proposition for such purpose being  
 7 submitted to and approved by a majority of the electors of both the  
 8 town or city in which such hospital is located, and of the county under  
 9 whose management it is proposed that such hospital be placed, at  
 10 any general or special election called for such purpose. Upon the  
 11 approval of said proposition as aforesaid the hospital, its assets and

12 liabilities, will become the property of the county and this chapter  
 13 will govern its future management. The question shall be submitted  
 14 in substantially the following form: 'Shall the municipal hospital of  
 15 ....., Iowa be transferred to and become the property of, and be  
 16 managed by the County of ....., Iowa?'

1 SEC. 9. Chapter three hundred forty-seven (347), Code 1958, is  
 2 further amended by adding the following new section:

3 "Hospitals organized under chapter thirty-seven (37) or chapter  
 4 three hundred forty-seven A (347A) may be operated as provided for  
 5 in this chapter in any way not clearly inconsistent with the specific  
 6 provisions of their chapters."

1 SEC. 10. Section three hundred forty-seven point twenty-two  
 2 (347.22), Code 1958, is hereby repealed and the following inserted in  
 3 lieu thereof:

4 "In those counties in which the board of supervisors has entered  
 5 into a contract with a hospital other than a county hospital for the  
 6 hospital care of indigent persons the board of supervisors shall deter-  
 7 mine those persons entitled to care at the county's expense."

Approved April 1, 1959.

## CHAPTER 263

### COUNTY HOSPITALS

#### S. F. 40

AN ACT to amend section three hundred forty-seven point seven (347.7), Code 1958, relating to county hospitals.

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

1 SECTION 1. Section three hundred forty-seven point seven (347.7),  
 2 Code 1958, is hereby amended by striking from line five (5) thereof  
 3 the word "twelve" and inserting in lieu thereof the word "seventeen".

Approved February 23, 1959.

## CHAPTER 264

### BOUNTY ON RATTLESNAKES

#### H. F. 40

AN ACT relating to the bounty on rattlesnakes.

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

1 SECTION 1. Section three hundred fifty point two (350.2), Code  
 2 1958, is hereby amended by striking from line six (6) the words,  
 3 "fifty cents." and inserting in lieu thereof the words, "one (1) dol-  
 4 lar."

Approved February 11, 1959.

## CHAPTER 265

## GUIDE DOGS IN PUBLIC PLACES

H. F. 183

AN ACT to permit blind persons using a dog guide to take said dog guide into public buildings, public conveyances, and for other purposes.

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

1 SECTION 1. It shall be lawful for any blind person to take a dog  
2 guide into any and all public buildings, eating places, public convey-  
3 ances, hotels, tourist cabins, public inns, public elevators or similar  
4 places when said dog guide is properly harnessed, so that said blind  
5 person may maintain control of said dog.

1 SEC. 2. No blind person shall be required to make any extra pay-  
2 ment or pay any additional charge for said dog when taken into any  
3 of the places mentioned in section one (1) hereof.

1 SEC. 3. Any person or any representative of any firm or corpora-  
2 tion who shall deprive any blind person of his rights herein set forth  
3 shall be deemed guilty of a misdemeanor and, upon conviction thereof,  
4 shall be fined in any sum not less than fifty dollars (\$50.00) nor more  
5 than two hundred dollars (\$200.00).

Approved April 23, 1959.

## CHAPTER 266

## COUNTY ZONING

H. F. 264

AN ACT relating to the authority of county boards of supervisors with regard to county zoning and to authorize the board to charge a building permit fee.

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

1 SECTION 1. Section three hundred fifty-eight A point three  
2 (358A.3), Code 1958, is hereby amended by striking all of such sec-  
3 tion after the word, "town" in line eighteen (18) and by inserting in  
4 lieu thereof the words, ". The board of supervisors of any county may  
5 prescribe and charge a reasonable building permit fee, and upon re-  
6 ceipt of an application containing all required information, in due  
7 form and properly executed, showing that the proposed structure will  
8 comply with all applicable regulations of the political subdivision in  
9 which it is to be located and upon payment of the required permit fee,  
10 the board of supervisors shall, within seven (7) days, issue a permit  
11 to the applicant".

Approved May 4, 1959.

## CHAPTER 267

## TOWNSHIP FIRE PROTECTION

H. F. 126

AN ACT to increase the maximum millage rate which may be levied by certain townships for fire-fighting equipment and 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 1958, is hereby amended by inserting the following at  
 3 the end thereof: "However, in any township having a fire protection  
 4 agreement with a special charter city having a paid fire department,  
 5 the township trustees may levy an annual tax not exceeding two (2)  
 6 mills on such taxable property for such purpose, when so authorized  
 7 by an affirmative vote equal to at least sixty (60) percent of the total  
 8 vote cast for and against a proposal therefor at an election held pur-  
 9 suant to section three hundred fifty-nine point forty-four (359.44);  
 10 provided, however, that if the levy of an annual tax not exceeding one  
 11 and one-half (1½) mills has been authorized in such township pur-  
 12 suant to this section prior to January 1, 1959, no new or additional  
 13 election shall be required in order to authorize the township trustees  
 14 of such township to levy an annual tax not exceeding two (2) mills  
 15 pursuant to this section."

Approved May 15, 1959.

## CHAPTER 268

## MUNICIPAL GOVERNMENT CHANGE

S. F. 394

AN ACT to amend section three hundred sixty-three point thirty-four (363.34), Code 1958, relating to the adoption of change in the form of municipal government.

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

1 SECTION 1. Section three hundred sixty-three point thirty-four  
 2 (363.34), Code 1958, is hereby amended by striking from line seven  
 3 (7) the word "two" and inserting in lieu thereof the word "four (4)".

Approved April 22, 1959.

## CHAPTER 269

## COMPENSATION OF CITY COUNCILMEN

H. F. 117

AN ACT relating to compensation of councilmen and for the mayor pro tempore.

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

1 SECTION 1. Section three hundred sixty-three point thirty-nine  
 2 (363.39), Code 1958, is hereby repealed and the following enacted in  
 3 lieu thereof:



4 "The following subsections fix the limits for the compensation of  
5 councilmen in cities and towns which are not under the commission  
6 form of municipal government or the council-manager form of munic-  
7 ipal government by election, except as provided in section two (2) of  
8 this Act. The compensations shall be fixed by ordinance and shall be  
9 paid in full compensation for all services of such councilmen of every  
10 character connected with their official duties.

11 "1. In towns having by the last preceding federal census a popula-  
12 tion of nine hundred ninety-nine (999) or less, not to exceed three (3)  
13 dollars per regular or special meeting, and not to exceed one hundred  
14 twenty-five (125) dollars per annum;

15 "2. In towns having by such census a population of one thousand  
16 (1,000) or more, not to exceed four (4) dollars per such meeting, and  
17 not to exceed one hundred fifty (150) dollars per annum;

18 "3. In cities having by such census a population of less than five  
19 thousand (5,000), not to exceed five (5) dollars per such meeting, and  
20 not to exceed two hundred fifty (250) dollars per annum;

21 "4. In cities having by such census a population of five thousand  
22 (5,000) or more and less than ten thousand (10,000), not to exceed  
23 six (6) dollars per such meeting, and not to exceed three hundred  
24 (300) dollars per annum;

25 "5. In cities having by such census a population of ten thousand  
26 (10,000) or more and less than fifteen thousand (15,000), not to  
27 exceed seven (7) dollars per such meeting, and not to exceed three  
28 hundred fifty (350) dollars per annum;

29 "6. In cities having by such census a population of fifteen thousand  
30 (15,000) or more and less than twenty-five thousand (25,000), not to  
31 exceed seven hundred (700) dollars per annum;

32 "7. In cities having by such census a population of twenty-five thou-  
33 sand (25,000) or more and less than fifty thousand (50,000), not to  
34 exceed nine hundred (900) dollars per annum;

35 "8. In cities having by such census a population of fifty thousand  
36 (50,000) or more, not to exceed one thousand two hundred (1,200)  
37 dollars per annum."

1 SEC. 2. Section three hundred sixty-three A point four (363A.4),  
2 Code 1958, is hereby amended by adding the following at the end  
3 thereof:

4 "If the mayor pro tempore in any city or town performs the duties  
5 of the mayor for a continuous period of fifteen (15) days or more, he  
6 shall be paid for such period an adequate compensation as determined  
7 by the council based on his performance of the duties and on the  
8 mayor's salary."

1 SEC. 3. Section three hundred sixty-three C point two (363C.2),  
2 Code 1958, is hereby amended as follows:

3 1. By striking from line six (6) the words, "one hundred" and in-  
4 serting in lieu thereof the words, "two hundred fifty (250)".

5 2. By striking from line ten (10) the words, "two hundred fifty"  
6 and inserting in lieu thereof the words, "three hundred fifty (350)".

7 3. By striking from line fourteen (14) the words, "two hundred  
8 fifty" and inserting in lieu thereof the words, "five hundred (500)".

9 4. By striking all after the word, "more" in line sixteen (16) and  
10 by inserting in lieu thereof the following:

11 "but less than one hundred thousand (100,000), the annual com-  
 12 pensation of each member of the council shall not exceed twelve hun-  
 13 dred (1,200) dollars. In cities having a population of one hundred  
 14 thousand (100,000) or more, the annual compensation of each member  
 15 of the council shall not exceed twenty-four hundred (2,400) dollars."

1 SEC. 4. The salaries of the councilmen and mayor pro tempore  
 2 may be increased in accordance with this Act immediately upon the  
 3 effective date hereof, anything in section three hundred sixty-eight A  
 4 point twenty-one (368A.21) of the Code or any other statute to the  
 5 contrary notwithstanding.

Approved April 24, 1959.

---

## CHAPTER 270

### LEAGUE OF MUNICIPALITIES

S. F. 496

AN ACT to amend section three hundred sixty-three point forty-one (363.41), Code 1958, pertaining to the league of Iowa municipalities in regard to annual dues.

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

1 SECTION 1. Section three hundred sixty-three point forty-one  
 2 (363.41), Code 1958, is hereby amended by striking the word "forty-  
 3 five" in line six (6) and inserting in lieu thereof the word "sixty  
 4 (60)".

Approved May 5, 1959.

---

## CHAPTER 271

### LEAGUE OF MUNICIPALITIES

S. F. 195

AN ACT to amend section three hundred sixty-three point forty-two (363.42), Code 1958, relating to expense of delegates to annual convention of league of Iowa municipalities.

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

1 SECTION 1. Section three hundred sixty-three point forty-two  
 2 (363.42), Code 1958, is hereby amended by striking from line two (2)  
 3 the word "five" and inserting in lieu thereof the word "seven (7)".

Approved April 1, 1959.

## CHAPTER 272

## COMPENSATION OF CITY COUNCILMEN

## H. F. 271

AN ACT to amend section three hundred sixty-three B point nine (363B.9), Code 1958, relating to compensation of mayor and councilmen in certain cities with a population in excess of fifteen thousand (15,000).

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

1 SECTION 1. Section three hundred sixty-three B point nine  
2 (363B.9), Code 1958, is hereby amended as follows:

3 1. By striking the words "eighty-three hundred" from line four (4)  
4 in subsection five (5) and inserting in lieu thereof the words "ten  
5 thousand eight hundred"; and further amending said subsection by  
6 striking from line five (5) the words "seven thousand" and inserting  
7 in lieu thereof the words "nine thousand five hundred".

8 2. By striking the words "nine thousand" from line three (3) of  
9 subsection six (6) and inserting in lieu thereof the words "eleven  
10 thousand three hundred"; and further amending said subsection by  
11 striking from lines four (4) and five (5) the words "seventy-eight  
12 hundred" and inserting in lieu thereof the words "ten thousand".

1 SEC. 2. Section three hundred sixty-three B point nine (363B.9),  
2 Code 1958, is further amended by striking the words "six thousand"  
3 in lines three (3) and four (4) of subsection two (2) and inserting  
4 in lieu thereof the words "seventy-five hundred"; also by striking the  
5 words "five thousand" in line five (5) of said subsection and inserting  
6 in lieu thereof the words "sixty-five hundred".

1 SEC. 3. Section three hundred sixty-three B point nine (363B.9),  
2 Code 1958, is further amended by striking the words "seven thousand"  
3 in line four (4) of subsection three (3) and inserting in lieu thereof  
4 the words "eighty-five hundred"; also by striking the words "six thou-  
5 sand" in line five (5) of said subsection and inserting in lieu thereof  
6 the words "seventy-five hundred".

1 SEC. 4. The salaries of the mayor and councilmen may be increased  
2 in accordance with this Act immediately upon the effective date hereof,  
3 anything in section three hundred sixty-eight A point twenty-one  
4 (368A.21) of the Code or any other statute to the contrary notwith-  
5 standing.

1 SEC. 5. This Act being deemed of immediate importance shall be  
2 in force and effect immediately upon its passage and publication in the  
3 Cedar Rapids Gazette, a newspaper published at Cedar Rapids, Iowa,  
4 and in the Marion Sentinel, a newspaper published at Marion, Iowa.

Approved April 27, 1959.

I hereby certify that the foregoing Act, House File 271, was published in the Cedar Rapids Gazette, Cedar Rapids, Iowa, April 29, 1959, and in the Marion Sentinel, Marion, Iowa, May 6, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 273

## MUNICIPAL BOARDS AND COMMISSIONS

## H. F. 56

AN ACT relating to the abolishment of certain boards and commissions created by cities or towns.

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

1 SECTION 1. Section three hundred sixty-five point three (365.3),  
2 Code 1958, is hereby amended by adding thereto the following para-  
3 graph:  
4 "Whenever the city council appoints a commission, it may, by  
5 ordinance, abolish it, and the commission shall stand abolished sixty  
6 (60) days from the date of the ordinance and the powers and duties  
7 of the commission shall revert to the city council except whenever a  
8 city having a population of less than eight thousand (8000) provides  
9 for the appointment of a civil service commission, it may by ordinance  
10 abolish such office, but said ordinance shall not take effect until it has  
11 been submitted to the voters at a regular municipal election and ap-  
12 proved by a majority of the voters at such election. The ordinance  
13 shall be published once each week for two (2) consecutive weeks pre-  
14 ceding the date of said election in a newspaper published in and hav-  
15 ing a general circulation in said city or town. In the event there is no  
16 newspaper published in such city, publication may be made in any  
17 newspaper having general circulation in the county."

1 SEC. 2. Section three hundred seventy point one (370.1), Code  
2 1958, is hereby amended by adding thereto the following paragraph:  
3 "Whenever a city or town having a population under thirty thou-  
4 sand (30,000) provides for the election of park commissioners, it may  
5 by ordinance provide for the abolishment of such commission, but  
6 such ordinance shall not take effect until it has been submitted to the  
7 voters at a special or regular municipal election and approved by a  
8 majority of the votes cast at such election. The ordinance shall be  
9 published once each week for two (2) consecutive weeks preceding  
10 the date of said election in a newspaper published in and having gen-  
11 eral circulation in such city or town. In the event there is no news-  
12 paper published in such city or town, publication may be made in any  
13 newspaper having general circulation in the county."

1 SEC. 3. Section three hundred seventy-three point one (373.1),  
2 Code 1958, is hereby amended by adding thereto the following para-  
3 graph:  
4 "Whenever the city council provides for a city plan commission, it  
5 may, by ordinance, abolish it and the commission shall stand abolished  
6 sixty (60) days from the date of the ordinance and the powers and  
7 duties of the commission shall revert to the city council."

1 SEC. 4. Section three hundred seventy-four point three (374.3),  
2 Code 1958, is hereby amended by adding thereto the following para-  
3 graph:

4 "Whenever the city council appoints a community center board, it  
5 may at its pleasure abolish it and the powers and duties of the board  
6 shall revert to the city council."

1 SEC. 5. Section three hundred seventy-seven point two (377.2),  
2 Code 1958, is hereby amended by adding thereto the following para-  
3 graph:

4 "Whenever the city council provides for a playground and recrea-  
5 tion commission, it may, by ordinance, abolish it and the commission  
6 shall stand abolished sixty (60) days from the date of the ordinance  
7 and the powers and duties of the commission shall revert to the city  
8 council."

Approved March 18, 1959.

## CHAPTER 274

### CIVIL SERVICE VETERANS' PREFERENCE

H. F. 455

AN ACT to amend section three hundred sixty-five point ten (365.10), Code 1958, to provide that the civil service veterans' preference shall not apply to promotions.

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

1 SECTION 1. Section three hundred sixty-five point ten (365.10),  
2 Code 1958, is hereby amended by inserting after the word "chapter,"  
3 in line three (3) the words "other than promotions,".

Approved May 5, 1959.

## CHAPTER 275

### ELECTRICIANS REGULATED

S. F. 266

AN ACT to amend section three hundred sixty-eight point six (368.6), Code 1958, to provide cities and towns with the power to regulate, license, and examine electricians and electrical contractors.

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

1 SECTION 1. Section three hundred sixty-eight point six (368.6),  
2 Code 1958, is hereby amended by adding thereto the following sub-  
3 section:

4 "Electricians and electrical contractors and provide for their exam-  
5 ination. But licenses issued shall be valid only in the municipal cor-  
6 porations where issued. Provided, however, that any such license shall  
7 be issued without examination in the case of any electrician or elec-  
8 trical contractor holding a license from another municipal corporation  
9 recognized as having similar licensing standards.

10 "A regular employee of a manufacturing, industrial, or public util-  
11 ity establishment, who does electrical work for that establishment  
12 only, shall not be required to obtain a regular license, but (except in

13 the case of a public utility employee) may be required to obtain a  
 14 maintenance permit authorizing him to do electrical work solely for  
 15 said establishment.

16 "The provisions of this section shall not apply to, nor be deemed to  
 17 include, the electrical work of a telephone or telegraph company, nor  
 18 the persons, firms or corporations performing electrical work for such  
 19 a company, where such electrical work is an integral part of the plant  
 20 used by such telephone or telegraph company in rendering its duly  
 21 authorized service to the public."

1 SEC. 2. This Act shall not apply to a regular employee of any  
 2 railroad who does electrical work only as a part of that employment.

Approved April 28, 1959.

## CHAPTER 276

### MUNICIPAL CONTRACTS WITH FEDERAL GOVERNMENT

#### H. F. 515

AN ACT to amend section three hundred sixty-eight point forty-seven (368.47), Code 1958, relating to the authority of a municipal corporation to enter into a contract with the federal government relating to certain types of municipal improvement projects.

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

1 SECTION 1. Section three hundred sixty-eight point forty-seven  
 2 (368.47), Code 1958, is hereby amended by inserting in line fourteen  
 3 (14) after the word "authorized" the words "by a resolution passed  
 4 by a two-thirds vote of the city council or".

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 Davenport Democrat-Times, a newspaper published at Davenport,  
 4 Iowa, and in the Bettendorf Press, a newspaper published at Bettendorf, Iowa.  
 5

Approved April 7, 1959.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3-9, Code of Iowa, 1958, there being no newspaper by the name of Davenport Democrat-Times, the Daily Times, a newspaper published at Davenport, Iowa, is designated to publish the foregoing Act, House File 515.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, House File 515, was published in the Daily Times, Davenport, Iowa, April 11, 1959, and in the Bettendorf Press, Bettendorf, Iowa, April 16, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 277

## MAYOR PRO TEMPORE

S. F. 200

AN ACT to provide the mayor pro tempore with the power to hold the mayor's court in cases of ordinance violations if the mayor is absent or unable to act.

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

1 SECTION 1. Section three hundred sixty-eight A point two  
2 (368A.2), Code 1958, is hereby amended by inserting in line nine (9)  
3 of subsection seven (7) after the period (.) the following: "In case  
4 of the absence or inability of the mayor to act, the mayor pro tempore  
5 may hold mayor's court in cases of ordinance violations."

1 SEC. 2. Section three hundred sixty-seven point five (367.5), Code  
2 1958, is hereby amended as follows:

3 1. By inserting in line two (2) after the word "mayor" the words  
4 ", or mayor pro tempore when authorized to hold mayor's court,".

5 2. By inserting in line four (4) after the word "and" the words  
6 "the mayor".

1 SEC. 3. Section three hundred sixty-seven point eight (367.8),  
2 Code 1958, is hereby amended by striking from lines one (1) and nine  
3 (9) the word "mayor" and inserting in lieu thereof the words  
4 "mayor's court".

Approved April 1, 1959.

## CHAPTER 278

## MUNICIPAL PARKS

S. F. 533

AN ACT to amend section three hundred seventy point thirteen (370.13), Code 1958, relating to the leasing of property by park boards of cities and towns.

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

1 SECTION 1. Section three hundred seventy point thirteen (370.13),  
2 Code 1958, is amended by inserting after line nineteen (19) the fol-  
3 lowing:

4 "Said board shall further have the authority to lease any portion  
5 of any park or recreation ground under their jurisdiction, provided  
6 that the ground comprising the park or recreation area is wholly  
7 located outside the corporate limits and is in a county where there  
8 is located a federal reservoir, in furtherance of the park or recrea-  
9 tional activities, after receiving competitive bids, for such period, not  
10 in excess of twenty years, as may be necessary to enable the lessee to  
11 reasonably amortize the cost of facilities which he warrants to con-  
12 struct on the leased property."

Approved May 6, 1959.

## CHAPTER 279

## RIVER-FRONT COMMISSIONS

S. F. 380

AN ACT to amend chapter three hundred seventy-two (372), Code 1958, relating to river-front improvement commissions of cities.

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

- 1 SECTION 1. Chapter three hundred seventy-two (372), Code 1958,  
2 is amended by adding thereto the following new section:
- 3 "Transfer of powers in certain cities. All cities may have and  
4 exercise all the rights and powers conferred by this chapter on a  
5 river-front improvement commission, and all such rights and powers  
6 are hereby transferred to and vested in such city or cities. The city  
7 council of such city or cities shall have the power to establish a com-  
8 mission and appoint and elect commissioners to advise the council in  
9 the council's carrying out the powers and duties herein conferred  
10 upon said city or cities.
- 11 "Cities having elective river-front commissions organized under  
12 the previous provisions of this chapter shall continue to have said  
13 commissions and nothing contained in this section shall abridge the  
14 powers and duties of said commissions in said cities, nor prevent the  
15 future establishment of said elective commissions under the provi-  
16 sions of this chapter.
- 17 "Such city or cities are hereby authorized to contract indebtedness  
18 and to issue general obligation bonds to provide funds to pay the cost  
19 of paying for real estate, including the channel or bed of any stream  
20 acquired by the city pursuant to section three hundred seventy-two  
21 point seven (372.7), and improvements and accomplishing the pur-  
22 poses of this chapter.
- 23 "Taxes for the payment of said bonds shall be levied in accord-  
24 ance with chapter seventy-six (76) and said bonds shall be payable  
25 through the debt service fund in not more than twenty (20) years,  
26 and bear interest at a rate not exceeding five (5) per cent per annum,  
27 and shall be of such form as the city or town council shall by resolu-  
28 tion provide, but no city or town shall become indebted in excess of  
29 five (5) per cent of the actual value of the taxable property within  
30 said city or town, as shown by the last preceding state and county  
31 tax lists. The indebtedness incurred for the purpose provided in this  
32 section shall be not considered an indebtedness incurred for general  
33 or ordinary purposes. This section shall be construed as granting  
34 additional power without limiting the power already existing in  
35 cities and towns.
- 36 "Such city or cities shall be liable for any indebtedness incurred  
37 by such city for the purposes of this chapter."

Approved May 4, 1959.



## CHAPTER 280

## MUNICIPAL PLANNING ASSISTANCE

S. F. 489

AN ACT relating to planning assistance for cities and towns under twenty-five thousand (25,000) population and to provide an appropriation therefor.

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

1 SECTION 1. To insure the economic and orderly development of  
2 the state through the encouragement of sound community planning,  
3 the Iowa development commission is authorized to (a) provide plan-  
4 ning assistance to cities and towns that now or hereafter have a pop-  
5 ulation of less than twenty-five thousand (25,000) in the solution of  
6 their local planning problems; (b) apply for, receive, and expend  
7 federal funds under section seven hundred one (701) of the Federal  
8 Housing Act of 1954, as amended, or under any other federal act for  
9 local and regional planning and administer the funds in accordance  
10 with any such federal law.

1 SEC. 2. The plan commission, zoning commission, or plan and  
2 zoning commission of any city or town that now or hereafter has a  
3 population of less than twenty-five thousand (25,000), may contract  
4 with professional consultants, the Iowa development commission and  
5 the federal government, or with any one or more of them, for local  
6 planning assistance, and may agree with each or all of them as to the  
7 amount, if any, to be paid for such planning assistance.

1 SEC. 3. There is hereby appropriated to the Iowa development  
2 commission from the general fund fifty thousand (50,000) dollars for  
3 the purposes specified in section one (1) of this Act.

Approved April 28, 1959.

## CHAPTER 281

## AUDITORIUM TRUSTEES

H. F. 330

AN ACT relating to auditorium trustees in certain cities.

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

1 SECTION 1. Section three hundred seventy-four A point one  
2 (374A.1), Code 1958, is hereby amended by striking from line two (2)  
3 the word "eighty" (80) and inserting in lieu thereof the word "fifty"  
4 (50).

1 SEC. 2. Section three hundred seventy-four A point one (374A.1),  
2 Code 1958, is further amended by striking from lines five (5) and six  
3 (6) the words "under the provisions of section 368.56".

1 SEC. 3. Section three hundred seventy-four A point one (374A.1),  
2 Code 1958, is further amended by striking from line six (6) the word  
3 "shall" and inserting in lieu thereof the word "may".

Approved April 24, 1959.

## CHAPTER 282

## MUNICIPAL RECREATION BUILDINGS

S. F. 502

AN ACT authorizing the incurring of indebtedness and issuance of bonds by cities for the purpose of constructing and equipping a recreation building.

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

1 SECTION 1. Section three hundred seventy-seven point one (377.1),  
2 Code 1958, is hereby amended by inserting after the "comma (,)" in  
3 line three (3) thereof the words "and may construct and equip a  
4 recreation building".

1 SEC. 2. Section three hundred seventy-seven point two (377.2),  
2 Code 1958, is hereby amended by inserting after the word "of" in line  
3 fifteen (15) thereof the words "any recreation building,".

1 SEC. 3. Section four hundred seven point three (407.3), Code  
2 1958, is hereby amended by inserting after the word "establishing"  
3 in line one (1) of subsection four (4) thereof a "comma (,)" and the  
4 words "constructing and equipping a recreation building,".

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 New  
3 Hampton Tribune, a newspaper published at New Hampton, Iowa,  
4 and in the Waterloo Daily Courier, a newspaper published at Water-  
5 loo, Iowa.

Approved April 7, 1959.

I hereby certify that the foregoing Act, Senate File 502, was published in the New Hampton Tribune, New Hampton, Iowa, April 9, 1959, and in the Waterloo Daily Courier, Waterloo, Iowa, April 8, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 283

## MUNICIPAL CULTURAL FACILITIES

S. F. 103

AN ACT to authorize a tax levy in cities and towns having a population between seventy-five thousand (75,000) and one hundred twenty-five thousand (125,000) for the purpose of providing a fund for cultural and scientific facilities.

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

1 SECTION 1. Cities and towns having a population between seventy-  
2 five thousand (75,000) and one hundred twenty-five thousand (125-  
3 000), other than special charter cities, may levy each year a tax of not  
4 to exceed one (1) mill for the purpose of providing a fund for the  
5 acquisition, development, maintenance, and payment of appropriate  
6 salaries and wages for the operation of cultural and scientific facil-  
7 ities.

1 SEC. 2. Such action may be taken by the city council or commis-  
 2 sion only after a majority of the people have voted in favor at a gen-  
 3 eral election on the question, "Shall a one (1) mill levy be spread for  
 4 the purpose of providing a fund for the acquisition, development,  
 5 maintenance, and payment of appropriate salaries and wages for the  
 6 operation of cultural and scientific facilities?".

1 SEC. 3. Funds derived from said levy and from private donations  
 2 may be invested and reinvested in interest-bearing securities pending  
 3 acquisition of such facilities and the expenditures of such funds. All  
 4 funds derived from said levy shall be expended for the purposes set  
 5 forth in section one (1) hereof by the council or commission.

Approved April 22, 1959.

## CHAPTER 284

### CITY HOSPITALS

#### S. F. 119

AN ACT to amend chapter three hundred eighty (380), Code 1958, relating to city hospitals.

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

1 SECTION 1. Section three hundred eighty-point six (380.6), Code  
 2 1958, is hereby amended by adding thereto the following:

3 "As a part of said board of trustees authority they may accept prop-  
 4 erty by gift, devise, bequest or otherwise; and, if said board deems  
 5 it advisable, may, at public sale, sell or exchange any property so ac-  
 6 cepted upon a concurring vote of a majority of all members of the  
 7 board of hospital trustees, and apply the proceeds thereof, or property  
 8 received in exchange therefor, to any legitimate hospital purpose.

9 "The said trustees may in their discretion establish a fund for de-  
 10 preciation as a separate fund. Said funds may be invested in United  
 11 States Government bonds and when so invested the accumulation of  
 12 interest on the bonds so purchased shall be used for the purposes of  
 13 said depreciation fund; such investment when so made shall remain  
 14 in said United States Government bonds until such time as in the  
 15 judgment of the board of trustees it is deemed advisable to use said  
 16 funds for hospital purposes."

1 SEC. 2. Chapter three hundred eighty (380), Code 1958, is hereby  
 2 amended by adding the following new section:

3 "Any hospital organized and existing as a city or town hospital  
 4 under the provisions of this chapter may become a county hospital  
 5 organized and managed as provided for in chapter three hundred  
 6 forty-seven (347), Code 1958, upon a proposition for such purpose  
 7 being submitted to and approved by a majority of the electors of both  
 8 the town or city in which such hospital is located, and of the county  
 9 under whose management it is proposed that such hospital be placed,  
 10 at any general or special election called for such purpose. Upon the  
 11 approval of said proposition as aforesaid the hospital, its assets and  
 12 liabilities, will become the property of the county and chapter three

13 hundred forty-seven (347), Code 1958, will govern its future manage-  
 14 ment. The question shall be submitted in substantially the following  
 15 form: 'Shall the municipal hospital of ....., Iowa be transferred  
 16 to and become the property of, and be managed by the County of  
 17 ....., Iowa?'

Approved April 1, 1959.

## CHAPTER 285

### MUNICIPAL TRANSIT SYSTEMS

H. F. 51

AN ACT relating to municipal transit systems.

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

1 SECTION 1. Chapter three hundred eighty-six B (386B), Code  
 2 1958, is amended by adding thereto a new section as follows:  
 3 "Any municipal corporation which establishes or acquires a transit  
 4 system under the provisions of this chapter may contract for the oper-  
 5 ation thereof upon such terms and conditions as shall be determined  
 6 by the transit board. Such contract shall be entered into and awarded  
 7 subject to the following terms and conditions:  
 8 "a. Such contract shall be opened to competitive bids and the con-  
 9 tract shall be awarded to the lowest responsible bidder.  
 10 "b. No contract shall be awarded for a period longer than five (5)  
 11 years.  
 12 "c. Once each year the party having the contract for the operation  
 13 of said transit system shall be required to publish in a newspaper,  
 14 published and having general circulation in the community, a detailed  
 15 statement of expenditures and receipts and showing the amount of  
 16 profit or loss on the contract."

Approved April 7, 1959.

## CHAPTER 286

### SIDEWALK IMPROVEMENTS

H. F. 522

AN ACT to repeal sections three hundred eighty-nine point thirty-one (389.31), to  
 three hundred eighty-nine point thirty-six (389.36), Code 1958, inclusive and to  
 amend sections three hundred eighty-nine point thirty-seven (389.37), three hun-  
 dred eighty-nine point thirty-eight (389.38), three hundred ninety-one point one  
 (391.1) subsection three (3), three hundred ninety-one point two (391.2) sub-  
 section one (1) and three hundred ninety-one point thirty-nine (391.39), Code 1958,  
 all relating to permanent sidewalk improvement in cities and towns and special  
 assessments therefor, and providing a method for the payment of said permanent  
 sidewalk improvements and relating to the collection costs of sidewalk repair.

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

1 SECTION 1. Sections three hundred eighty-nine point thirty-one  
 2 (389.31) to three hundred eighty-nine point thirty-six (389.36), Code  
 3 1958, are hereby repealed.

1 SEC. 2. Section three hundred eighty-nine point thirty-seven  
 2 (389.37), Code 1958, is amended by striking from line one (1) the  
 3 word "They" and inserting in lieu thereof the words "Cities and  
 4 towns".

1 SEC. 3. Section three hundred ninety-one point one (391.1) sub-  
 2 section three (3), Code 1958, is amended by inserting after the word  
 3 "include" in line one (1) thereof the following: "sidewalks,".

1 SEC. 4. Section three hundred ninety-one point two (391.2), sub-  
 2 section one (1), Code 1958, is amended by inserting after the word  
 3 "same," in line six (6) thereof the following "or by constructing or  
 4 reconstructing permanent sidewalks upon any street, highway, ave-  
 5 nue, public ground, wharf, landing or market place within the limits  
 6 of said city,".

1 SEC. 5. Section three hundred ninety-one point thirty-nine  
 2 (391.39), Code 1958, is amended by adding at the end thereof the  
 3 following: "Such assessment for permanent sidewalk improvements  
 4 shall be confined to privately owned property in front of which same  
 5 shall be constructed."

1 SEC. 6. Section three hundred eighty-nine point thirty-eight  
 2 (389.38), Code 1958, is amended by adding thereto the following:  
 3 "If the repair cost exceeds fifty (50) dollars the same shall be cer-  
 4 tified for payment in three (3) equal annual installments with inter-  
 5 est from date of certification on each installment at six (6) percent  
 6 per annum until paid and shall be collected as other taxes with the  
 7 March semiannual payment thereof."

Approved May 15, 1959.

## CHAPTER 287

### OFF-STREET PARKING

H. F. 410

AN ACT to amend section three hundred ninety point one (390.1), Code 1958, relating to off-street parking areas.

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

1 SECTION 1. Section three hundred ninety point one (390.1), Code  
 2 1958, is hereby amended by adding after the word "areas" in line  
 3 seven (7) the words "including areas below or above the surface of  
 4 streets".

Approved April 27, 1959.

## CHAPTER 288

## INTERCITY BUS SERVICE

H. F. 571

AN ACT relating to expenditures from the municipal enterprises fund to obtain intercity bus service for the inhabitants of the municipal corporation or to continue or establish intracity routes of an urban transit system.

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

1 SECTION 1. Section four hundred four point ten (404.10), Code  
2 1958, is hereby amended by striking from line two (2) of subsection  
3 fourteen (14) the period (.) and by inserting in lieu thereof the  
4 words, "or to contract (for a period of not in excess of two years)  
5 with any privately owned and operated intercity transit company or  
6 urban transit system for the purpose of obtaining regularly scheduled  
7 intercity bus service for the inhabitants of the municipal corporation  
8 or the continuation or establishment of intracity routes of an urban  
9 transit system. Such contract shall not be effective unless approved  
10 by the voters of the municipal corporation at the next general or  
11 municipal election following the making of such contract."

Approved May 15, 1959.

## CHAPTER 289

## MUNICIPAL RECREATION FUND

H. F. 748

AN ACT to amend section four hundred four point eleven (404.11), Code 1958, relating to the recreation fund of municipal corporations.

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

1 SECTION 1. Section four hundred four point eleven (404.11), Code  
2 1958, is hereby amended by striking the period at the end of subsection  
3 five (5) and inserting in lieu thereof the following: "or natural  
4 lakes adjacent thereto."

Approved May 15, 1959.

## CHAPTER 290\*

## APPRAISERS IN CERTAIN CITIES

S. F. 92

AN ACT to amend section four hundred five point nineteen (405.19), Code 1958, to provide for employment and payment of appraisers in cities having more than one hundred twenty-five thousand (125,000) population.

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

1 SECTION 1. Section four hundred five point nineteen (405.19),  
2 Code 1958, is amended by adding the following thereto: "The provi-

\*See chapter 291.

3 sions of section four hundred five A point six (405A.6), Code 1958,  
 4 relating to the employment and payment of appraisers or other tech-  
 5 nical or expert help to assist in valuation of property shall also apply  
 6 to cities having a population of more than one hundred twenty-five  
 7 thousand (125,000), and by majority vote of the taxing bodies the  
 8 cost thereof may be paid in installments not to exceed one-half of one  
 9 mill each year upon all taxable property, to be placed in a "special  
 10 appraiser fund" to be used for payment of such contract to be trans-  
 11 ferred to the City Assessment Expense Fund."

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 West Des Moines Express, a newspaper published at West Des  
 4 Moines, Iowa, and the Kossuth County Advance, published at Algona,  
 5 Iowa.

Approved April 8, 1959.

I hereby certify that the foregoing Act, Senate File 92, was published in the West Des Moines Express, West Des Moines, Iowa, April 16, 1959, and in the Kossuth County Advance, Algona, Iowa, April 14, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 291

### ASSESSMENT AND VALUATION OF PROPERTY

#### H. F. 709

AN ACT relating to the assessment and valuation of property for purposes of taxation, the qualifications and duties of assessors and boards of review, and assessment appeals.

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

1 Chapters four hundred five (405), four hundred five A (405A), four  
 2 hundred forty-one (441)\* and four hundred forty-two (442), Code  
 3 1958, are hereby repealed and the following fifty-four (54) sections  
 4 are enacted in lieu thereof:

1 SECTION 1. **Office created.** In every city in the state of Iowa hav-  
 2 ing more than one hundred twenty-five thousand (125,000) population  
 3 and in every county in the state of Iowa the office of assessor is here-  
 4 by created.

1 SEC. 2. **Conference board.** In each county and each city having an  
 2 assessor there shall be established a conference board. In counties  
 3 the conference board shall consist of the mayors of all incorporated  
 4 cities and towns in the county whose property is assessed by the  
 5 county assessor, members of the county boards of education as now  
 6 or hereafter constituted, and members of the board of supervisors.  
 7 In cities having an assessor the conference board shall consist of the  
 8 members of the city council, school board and county board of super-  
 9 visors. In the counties the chairman of the board of supervisors shall  
 10 act as chairman of the conference board, in cities having an assessor

\*See section 66 of this Act.

11 the mayor of the city council shall act as chairman of the conference  
12 board. In any action taken by the conference board, the mayors of all  
13 incorporated cities and towns in the county whose property is as-  
14 sessed by the county assessor shall constitute one (1) voting unit, the  
15 members of the county or city board of education shall constitute one  
16 (1) voting unit, the members of the city council shall constitute one  
17 (1) voting unit, and the county board of supervisors shall constitute  
18 one (1) voting unit, each unit having a single vote and no action  
19 shall be valid except by the vote of not less than two (2) out of the  
20 three (3) units. The majority vote of the members present of each  
21 unit shall determine the vote of the unit. The assessor shall be clerk  
22 of the conference board.

1 **SEC. 3. Examining board.** At a regular meeting of the conference  
2 board each voting unit of the conference board shall appoint one (1)  
3 qualified person to serve as a member of an examining board to hold  
4 an examination for the positions of assessor or deputy assessor. This  
5 examining board shall organize as soon as possible after its appoint-  
6 ment with a chairman and secretary. All its necessary expenditures  
7 shall be paid as hereinafter provided. Members of the board shall  
8 serve without compensation. The terms of each shall be for six (6)  
9 years.

1 **SEC. 4. Removal of member.** A member of this examining board  
2 may be removed by the voting unit of the conference board by which  
3 he was appointed but only after specific charges have been filed and  
4 a public hearing held, if requested by the discharged member of the  
5 board. Subsequent appointments and an appointment to fill a va-  
6 cancy, shall be made in the same way as the original appointment.

1 **SEC. 5. Examination of applicants.** The examining board shall  
2 give notice of holding an examination for assessor by posting a writ-  
3 ten notice in a conspicuous place in the county courthouse in the case  
4 of county assessors or in the city hall in the case of city assessors,  
5 stating that at a specified date, not more than sixty (60) days nor  
6 less than thirty (30) days from the posting of said notice, an exami-  
7 nation for the position of assessor will be held at a specified place.  
8 Similar notice shall be given at the same time by mailing one (1)  
9 copy of the notice by certified mail to the state tax commission and  
10 by one (1) publication of said notice in three (3) newspapers of gen-  
11 eral circulation in the case of a county assessor, or in case there be no  
12 three (3) such newspapers in a county, then in such newspapers as  
13 are available, or in one (1) newspaper of general circulation in the  
14 city in the case of city assessor.

15 A written examination shall be prepared by the state tax commis-  
16 sion. This examination shall be conducted by the state tax commis-  
17 sion as other similar examinations, including secrecy regarding ques-  
18 tions prior to the examination and in accordance with such other  
19 rules as may be prescribed by the state tax commission. The exami-  
20 nation shall cover the following and related subjects:

- 21 1. Laws pertaining to the assessment of property for taxation.
- 22 2. Laws on tax exemption.
- 23 3. Assessment of real estate, including fundamental principles and  
24 practices of real estate appraisal and valuation.



25 4. Assessment of personal property and moneys and credits.

26 5. The duties of the assessor.

27 Only qualified electors of the county shall be eligible to take this  
28 examination.

29 The state tax commission shall grade the examinations taken and  
30 certify the results thereof to the examining board within ten (10)  
31 days from the date of examination. To be eligible for appointment  
32 an applicant shall achieve a grade of not less than seventy (70) per-  
33 cent. Those so qualified by the state tax commission shall remain  
34 eligible for appointment for a period of two (2) years from the date  
35 of certification by the state tax commission. The examining board  
36 shall conduct such further examination either written or oral, nec-  
37 essary to determine the executive ability, experience, general reputa-  
38 tion and physical condition of each applicant and make written report  
39 thereof and submit such report together with the results certified by  
40 the state tax commission to the conference board within fifteen (15)  
41 days from the date of the written examination.

1 **SEC. 6. Appointment of assessor.** Not later than seven (7) days  
2 after receipt of the report of the examining board the chairman of  
3 the conference board shall by written notice call a meeting of the con-  
4 ference board to appoint an assessor. The physical condition, general  
5 reputation of the applicants and their fitness for the position as  
6 determined by the examining board shall be taken into consideration  
7 in making such appointment. The chairman of the conference board  
8 shall give written notice to the state tax commission of such appoint-  
9 ment and the effective date thereof.

1 **SEC. 7. Disagreement—new examination.** If the conference board  
2 fails to appoint an assessor from the list of applicants at said meeting  
3 or at an adjourned meeting, the examining board shall hold another  
4 examination within sixty (60) days with notices of same, under the  
5 same rules as the original examination, to provide a new list of eligible  
6 candidates.

1 **SEC. 8. Term—filling vacancy.** The term of office of an assessor  
2 appointed under this chapter shall be for six (6) years. Appoint-  
3 ments for each succeeding term shall be made in the same manner as  
4 the original appointment except that not less than ninety (90) days  
5 before the expiration of the term of the assessor the conference board  
6 may hold a meeting to determine whether or not it desires to reap-  
7 point the incumbent assessor to a new term. The conference board  
8 shall have the power to reappoint the incumbent assessor without re-  
9 examination if it sees fit to do so. If the incumbent assessor is not  
10 reappointed as above provided, then not less than sixty (60) days  
11 before the expiration of the term of said assessor, the examining  
12 board shall hold a new examination for the position.

13 In the event of the removal, resignation, death, or removal from  
14 the county of the said assessor, the conference board shall within  
15 thirty (30) days at a meeting as provided in section six (6) of this  
16 Act, select from the list provided in section five (5) of this Act an  
17 assessor to serve out the unexpired term; or in case of inability to  
18 agree upon a selection from this list, the new selection shall be made  
19 as provided in section five (5) of this Act. In case no list is in effect,

20 a new one shall be prepared as provided in section five (5) of this  
21 Act. Until the vacancy is filled, the chief deputy shall act as assessor,  
22 and in the event there be no deputy, in the case of counties the auditor  
23 shall act as assessor and in the case of cities having an assessor the  
24 city clerk shall act as assessor.

1     **SEC. 9. Removal of assessor.** The assessor may be removed by a  
2 majority vote of the conference board, after charges of misconduct,  
3 nonfeasance, malfeasance, or misfeasance in office shall have been  
4 substantiated at a public hearing, if same is demanded by the asses-  
5 sor by written notice served upon the chairman of the conference  
6 board.

1     **SEC. 10. Examination of deputies.** Immediately after the appoint-  
2 ment of the assessor, and at such other times as the conference board  
3 may direct, the examining board shall cause to be given an examina-  
4 tion for the position of deputy assessor in accordance with the pro-  
5 cedure used for conducting the examination for the office of assessor.  
6 The state tax commission shall prepare an examination relating to  
7 the qualifications for the duties of the position of deputy assessor. It  
8 may prepare separate examinations relating to the assessing of real  
9 and personal property. The examining board shall indicate to the  
10 state tax commission whether the examination to be given shall relate  
11 to the assessing of real property or personal property or both.

12     The examining board shall conduct such further examination and  
13 prepare a written report thereof in the same manner as that pre-  
14 scribed for the examination for the office of assessor. Within fifteen  
15 (15) days from the holding of such examination, the examining board  
16 shall certify to the assessor the results of the examination and indicate  
17 thereon those persons it has determined are qualified. No applicant  
18 shall qualify unless he shall achieve a grade of not less than seventy  
19 (70) percent on the examination prepared by the state tax commis-  
20 sion. The applicants certified as qualified shall remain eligible for  
21 appointment for a period of two (2) years from the date of certifica-  
22 tion by the state tax commission.

1     **SEC. 11. Appointment of deputy assessors.** The assessor shall ap-  
2 point from the qualified applicants certified by the examining board  
3 such number of deputy assessors as shall have been previously author-  
4 ized by the conference board. If for any reason the assessor is unable  
5 to appoint from this list some or all of the deputy assessors author-  
6 ized, or in case the list contains fewer names than the number of  
7 deputy assessors authorized, the assessor shall so notify the exam-  
8 ining board and the examining board shall forthwith hold another  
9 examination.

10     The assessor may peremptorily suspend or discharge any deputy  
11 assessor under his direction, upon written charges for neglect of duty,  
12 disobedience of orders, misconduct, or failure to properly perform his  
13 duties. Within five (5) days after delivery of said written charges  
14 to such employee, he may appeal by written notice to the secretary  
15 or chairman of the examining board. Such board shall grant him  
16 a hearing within fifteen (15) days, and a decision by a majority of  
17 said examining board shall be final.

18 The assessor shall designate one (1) of said deputies as chief deputy,  
19 and the assessor shall assign to each deputy such duties, responsibilities,  
20 and authority, from time to time, as may be proper for the  
21 efficient conduct of his office.

1 SEC. 12. **Dog fee.** The dog listing fee provided in section three  
2 hundred fifty-one point fifteen (351.15) of the Code, shall not be  
3 retained by the assessor but shall be a part of the assessment expense  
4 fund.

1 SEC. 13. **Office personnel.** Other office personnel shall be appointed  
2 by the assessor subject to the limitations of the annual budget as hereinafter  
3 provided. The assessor shall select field men, so far as possible, from the  
4 eligible list of deputy assessors. Their compensation shall be fixed as  
5 provided in section sixteen (16) of this Act. They shall serve at the  
6 pleasure of the assessor.

1 SEC. 14. **Office space.** The county board of supervisors shall provide  
2 adequate office space for the office of the county assessor, and for the  
3 office of the city assessor, if any, including such services as are ordinarily  
4 afforded in any county office.

1 SEC. 15. **Bond.** Assessors and deputy assessors shall be required  
2 to furnish bond for the performance of their duties in such amount as  
3 the conference board may require and the cost thereof shall be provided  
4 for in the budget of the assessor and paid out of the assessment  
5 expense fund.

1 SEC. 16. **Budget.** All expenditures under this chapter shall be paid  
2 as hereinafter provided.

3 Not later than July 1 of each year the assessor, the examining  
4 board, and the board of review, shall each prepare a proposed budget  
5 of all expenses for the ensuing year. The assessor shall include in  
6 his proposed budget the probable expenses for defending assessment  
7 appeals. Said budgets shall be combined by the assessor and copies  
8 thereof forthwith filed by him in triplicate with the chairman of the  
9 conference board.

10 Such combined budgets shall contain an itemized list of the proposed  
11 salaries of the assessor and each deputy, the amount required for field  
12 men and other personnel, their number and their compensation; the  
13 estimated amount needed for expenses, printing, mileage and other  
14 expenses necessary to operate the assessor's office, the estimated  
15 expenses of the examining board and the salaries and expenses of the  
16 local board of review.

17 Each year the chairman of the conference board shall, by written  
18 notice, call a meeting to consider such proposed budget and shall fix  
19 and adopt a consolidated budget for the ensuing year not later than  
20 July 15.

21 At such meeting the conference board shall authorize:

22 1. The number of deputies, field men, and other personnel of the  
23 assessor's office.

24 2. The salaries and compensation of members of the board of review,  
25 the assessor, chief deputy, other deputies, field men, and other  
26 personnel, and determine the time and manner of payment.

27 3. The miscellaneous expenses of the assessor's office, the board of  
28 review and the examining board, including office equipment, records,  
29 supplies, and other required items.

30 4. The estimated expense of assessment appeals. All such expense  
31 items shall be included in the budget adopted for the ensuing year.

32 All tax levies and expenditures provided for herein shall be sub-  
33 ject to the provisions of chapter twenty-four (24) of the Code and the  
34 conference board is hereby declared to be the certifying board.

35 Any tax for the maintenance of the office of assessor and other  
36 assessment procedure shall be levied only upon the property in the  
37 area assessed by said assessor and such tax levy shall not exceed one  
38 and one-half ( $1\frac{1}{2}$ ) mills in assessing areas where the valuation upon  
39 which the tax is levied does not exceed twenty-five million (25,000,-  
40 000) dollars; one and one-quarter ( $1\frac{1}{4}$ ) mills in assessing areas  
41 where the valuation upon which the tax is levied exceeds twenty-five  
42 million (25,000,000) dollars and does not exceed thirty million (30,-  
43 000,000) dollars; one (1) mill in assessing areas where the valuation  
44 upon which the tax is levied exceeds thirty million (30,000,000) dol-  
45 lars. The county treasurer shall credit the sums received from such  
46 levy to a separate fund to be known as the "assessment expense fund"  
47 and from which fund all expenses incurred under this chapter shall  
48 be paid. In the case of a county where there is more than one (1)  
49 assessor the treasurer shall maintain separate assessment expense  
50 funds for each assessor.

51 The county auditor shall keep a complete record of said funds and  
52 shall issue warrants thereon only on requisition of the assessor.

53 The assessor shall not issue requisitions so as to increase the total  
54 expenditures budgeted for the operation of the assessor's office. How-  
55 ever, for purposes of promoting operational efficiency, the assessor  
56 shall have authority to transfer funds budgeted for specific items  
57 for the operation of the assessor's office from one unexpended balance  
58 to another; such transfer shall not be made so as to increase the  
59 total amount budgeted for the operation of the office of assessor, and  
60 no funds shall be used to increase the salary of the assessor or the  
61 salaries of permanent deputy assessors. He shall issue requisitions  
62 for the examining board and for the board of review on order of the  
63 chairman of each board and for costs and expenses incident to assess-  
64 ment appeals, only on order of the city legal department, in the case  
65 of cities and of the county attorney in the case of counties.

66 Unexpended funds remaining in the assessment expense fund at  
67 the end of a year shall be carried forward into the next year.

1 **SEC. 17. Duties of assessor.** The assessor shall:

2 1. Devote his entire time to the duties of his office and shall not  
3 engage in any occupation or business interfering or inconsistent with  
4 such duties.

5 2. Cause to be assessed, in accordance with section twenty-one (21)  
6 of this Act, all the property, personal and real, in his county or city  
7 as the case may be, except such as is exempt from taxation, or the  
8 assessment of which is otherwise provided for by law.

9 3. Have access to all public records of the county and, so far as  
10 practicable, make or cause to be made a careful examination of all such  
11 records and files in order to obtain all available information which

12 may contribute to the accurate listing at its taxable value, and to  
13 the proper persons, of all property subject to assessment by him.

14 4. Co-operate with the state tax commission as may be necessary  
15 or required, and he shall obey and execute all orders, directions, and  
16 instructions of the state tax commission, insofar as the same may be  
17 required by law.

18 5. Have power to apply to the district court of the county for an  
19 order to examine witnesses and requiring the production of books  
20 and records of any person, firm, association or corporation within the  
21 county, whenever he has reason to believe that such person, firm,  
22 association or corporation has not listed his or its property as pro-  
23 vided by law. The proceeding for the examination of witnesses and  
24 examination of the books and records of any such taxpayer, to deter-  
25 mine the existence of taxable property, shall be instituted and con-  
26 ducted in the manner provided for the discovery of property under the  
27 provisions of chapter six hundred thirty (630) of the Code. The  
28 court shall make an appropriate finding as to the existence of taxable  
29 property not listed. All taxable property discovered thereby shall  
30 thereupon be assessed by the assessor in the manner provided by law.

31 In all cases where the court finds that the taxpayer has not listed its  
32 or his property, as provided by law, and in all hearings where the court  
33 decides a matter against the taxpayer, the cost shall be paid by the  
34 taxpayer, otherwise they shall be paid out of the assessment expense  
35 fund. The fees and mileage to be paid witnesses shall be the same as  
36 prescribed by law in proceedings in the district courts of this state  
37 in civil cases. Where the costs are taxed to the taxpayer they shall  
38 be added to the taxes assessed against said taxpayer and his property  
39 and shall be collected in the same manner as are other taxes.

40 6. Make up all assessor's books and records as prescribed by the  
41 state tax commission, turn the completed assessor's books and records  
42 required for the preparation of the tax list over to the county auditor  
43 when the board of review has concluded its hearings and co-operate  
44 with the auditor in the preparation of the tax lists.

45 7. Submit on or before May 1 of each year completed assessment  
46 rolls to the board of review.

47 8. Lay before the board of review such information as he may  
48 possess which will aid said board in performing its duties in adjust-  
49 ing the assessments to the valuations required by law.

50 9. Furnish to the state tax commission any information which he  
51 may have relative to the ownership of any property that may be as-  
52 sessable within this state, but not assessable or subject to being listed  
53 for taxation by him.

1 **SEC. 18. Listing and valuation.** Each assessor shall, with the as-  
2 sistance of each person assessed, or who may be required by law to  
3 list property belonging to another, enter upon the assessment rolls  
4 the several items of property required to be entered for assessment.  
5 He shall personally affix values to all property assessed by him.

1 **SEC. 19. Owner to assist.** The assessor shall list every person in  
2 his county or city as the case may be and assess all the property  
3 therein, personal and real, except such as is heretofore exempted or  
4 otherwise assessed. Any person who shall refuse to assist in making  
5 out a list of his property, or of any property which he is by law

6 required to assist in listing, or who shall refuse to make either of  
7 the oaths or affirmations or combinations thereof required by section  
8 twenty (20) of this Act, shall be guilty of a misdemeanor and, upon  
9 conviction thereof, shall be fined in a sum not to exceed five hundred  
10 (500) dollars.

1     **SEC. 20. Oath.** The assessor shall administer the oath or affirma-  
2 tion printed on the assessment rolls hereinafter prescribed, or combi-  
3 nation thereof, to each person assessed, and require the person tak-  
4 ing such oath to subscribe the same, and, in case anyone refuses so  
5 to do, he shall note the fact in the column of remarks opposite such  
6 person's name.

1     **SEC. 21. Actual, assessed, and taxable value.** All property subject  
2 to taxation shall be valued at its actual value which shall be entered  
3 opposite each item, and shall be assessed at sixty (60) percent of such  
4 actual value. Such assessed value shall be taken and considered as  
5 the taxable value of such property upon which the levy shall be made.  
6 the actual value in such cases shall be one and two-thirds ( $1\frac{2}{3}$ ) times  
7 the assessed value as shown by the assessment rolls and may be so  
8 determined and ascertained.

9     In arriving at said actual value the assessor shall take into con-  
10 sideration its productive and earning capacity, if any, past, present,  
11 and prospective, its market value, if any, and all other matters that  
12 affect the actual value of the property; and the burden of proof shall  
13 be upon any complainant attacking such valuation as excessive, in-  
14 adequate or inequitable.

1     **SEC. 22. Forest and fruit-tree reservations.** Forest reservations  
2 fulfilling the conditions of sections one hundred sixty-one point one  
3 (161.1) to one hundred sixty-one point thirteen (161.13) of the Code,  
4 inclusive, shall be assessed on a taxable valuation of four (4) dollars  
5 per acre. Fruit-tree reservations shall be assessed on a taxable valu-  
6 ation of four (4) dollars per acre for a period of eight (8) years  
7 from the time of planting. In all other cases where trees are planted  
8 upon any tract of land, without regard to area, for forest, fruit, shade,  
9 or ornamental purposes, or for windbreaks, the assessor shall not  
10 increase the valuation of such property because of such improvements.

1     **SEC. 23. Notice of valuation.** The assessor shall, at the time of  
2 making the assessment, inform the person assessed, in writing, of the  
3 valuation put upon his property, and notify him, if he feels aggrieved,  
4 to appear before the board of review and show why the assessment  
5 should be changed.

1     **SEC. 24. Refusal to furnish statement.** If any corporation or per-  
2 son refuse to furnish the verified statements required in connection  
3 with the assessment of property by the assessor, or to list his prop-  
4 erty, or to take or subscribe the oath required, the state tax commis-  
5 sion, or assessor, as the case may be, shall proceed to list and assess  
6 such property according to the best information obtainable, and shall  
7 add to the taxable valuation one hundred (100) percent thereof, which  
8 valuation and penalty shall be separately shown, and shall constitute  
9 the assessment; and if the valuation of such property shall be changed

10 by any board of review, or on appeal therefrom, a like penalty shall  
11 be added to the valuation thus fixed.

1 **SEC. 25. False statement.** Any person making any verified state-  
2 ment or return, or taking any oath required by this title, who know-  
3 ingly makes a false statement therein, shall be guilty of perjury.

1 **SEC. 26. Assessment rolls and books.** The state tax commission  
2 shall each year prescribe the form of assessment roll to be used by all  
3 assessors in assessing real and personal property, including moneys  
4 and credits, in this state, also the form of pages of the assessor's  
5 assessment book. Such assessment rolls shall be in such form as  
6 will permit entering thereon, separately, the names of all persons,  
7 partnerships, corporations, or associations assessed; shall contain a  
8 form of oath or affirmation to be administered to each person assessed,  
9 and shall also contain a notice in the following form:

10 "If you are not satisfied that the foregoing assessment is correct,  
11 you may file a protest against such assessment with the board of  
12 review on or after May 1, to and including May 20, of the year of  
13 the assessment, such protest to be confined to the grounds specified in  
14 section thirty-seven (37) of this Act. Dated ..... day of  
15 ....., 19....., ....., County/City Assessor."

16 Such assessment rolls shall be used in listing the property and show-  
17 ing the values affixed to such property of all persons, partnerships,  
18 corporations, or associations assessed, which rolls shall be made in  
19 duplicate. Said duplicate roll shall be signed by the assessor, de-  
20 tached from the original and delivered to the person assessed. It shall  
21 be lawful to combine the affidavit or form of oath or affirmation with  
22 reference to real and personal property, and the affidavit or form of  
23 oath or affirmation as to moneys and credits, into one (1) affidavit  
24 or form of oath or affirmation, and only the one (1) such affidavit  
25 or form of oath or affirmation shall be sufficient on the assessment  
26 roll. The pages of the assessor's assessment book shall contain col-  
27 umns ruled and headed for the information required by this chapter  
28 and that which the state tax commission may deem essential in the  
29 equalization work of the state board of review. The assessor shall  
30 return all assessment rolls and any schedules therewith to the county  
31 auditor, along with the completed assessment book, as provided in  
32 this chapter, and the county auditor shall carefully keep and preserve  
33 all such rolls, schedules and book for a period of five (5) years from  
34 time of filing of the same in his office.

1 **SEC. 27. Uniform assessment rolls.** The state tax commission shall  
2 from time to time prepare and certify to each assessor such instruc-  
3 tions as to a uniform method of making up the assessment rolls as  
4 it thinks necessary to secure a compliance with the law and uniform  
5 returns, which shall be printed upon each assessment roll, and also  
6 prepare instructions for the same purpose as to making up the assess-  
7 ment book, which shall be printed therein.

1 **SEC. 28. Assessment rolls.** The assessment shall be completed not  
2 later than April 30. If the assessor makes any change in an assess-  
3 ment after it has been entered on the assessor's rolls, he shall note  
4 on said roll, together with the original assessment, the new assess-

5 ment and the reason for the change, together with his signature and  
 6 the date of the change: provided, however, in the event the assessor  
 7 increases any assessment he shall give notice in writing thereof to the  
 8 taxpayer by certified mail prior to the meeting of the board of re-  
 9 view. No changes shall be made on the assessment rolls after May  
 10 1 except by order of the board of review or by decree of court.

1 SEC. 29. **Plat book.** The county auditor shall furnish to each as-  
 2 sessor a plat book on which shall be platted the lands and lots in his  
 3 assessment district, showing on each subdivision or part thereof,  
 4 written in ink or pencil, the name of the owner, the number of acres,  
 5 or the boundary lines and distances in each, and showing as to each  
 6 tract the number of acres to be deducted for railway right of way  
 7 and for roads and for rights of way for public levees and open public  
 8 drainage improvements.

1 SEC. 30. **Completion of assessment—oath.** The assessment shall  
 2 be completed by the first (1st) day of May, and the assessor shall  
 3 attach to the assessment rolls his oath in the following form:

4 "I, (A.....B.....), assessor of city/county of .....  
 5 state of Iowa, do solemnly swear (or affirm) that the taxable values  
 6 of all property, money, and credits, of which a statement has been  
 7 made and verified by the oath of the person required to list the same,  
 8 is herein set forth in such statement; that in every case, where I  
 9 have been required to ascertain the amount or value of any property,  
 10 I have diligently, and by the best means in my power, endeavored to  
 11 ascertain the true amount and value, and as I verily believe the tax-  
 12 able values thereof are set forth in the annexed return; in no case  
 13 have I knowingly omitted to demand of any person, of whom I was  
 14 required to do so, a statement of the items of his property which he  
 15 was required by law to list, nor to administer the oath to him, unless  
 16 he refused to take it, nor in any way connive at any violation or eva-  
 17 sion of any of the requirements of the law in relation to the assess-  
 18 ment of property for taxation.

19 .....  
 20 Assessor.  
 21 Subscribed and sworn to (or affirmed) this ..... day of  
 22 .....A.D....., before me.  
 23 .....  
 24 Notary Public/Clerk of Court"

1 SEC. 31. **Board of review.** The chairman of the conference board  
 2 shall call a meeting by written notice to all of the members thereof  
 3 for the purpose of appointing a board of review for all assessments  
 4 made by the assessor. Such board of review may consist of either  
 5 three (3) members or five (5) members. As nearly as possible this  
 6 board shall include one (1) licensed real estate broker and one (1)  
 7 registered architect or person experienced in the building and con-  
 8 struction field. In the case of a county, at least one (1) member of  
 9 the board shall be a farmer. Not more than two (2) members of  
 10 the board of review shall be of the same profession or occupation and  
 11 no two (2) members of the board of review shall be citizens of the  
 12 same town or township except in the case of cities having their own  
 13 assessor in which case the members shall be selected so as to give each



14 of the townships included within the city the highest possible numeri-  
 15 cal representation. The terms of the members of the board of re-  
 16 view shall be for six (6) years, beginning with January 1 of the year  
 17 following their selection. In boards of review having three (3) mem-  
 18 bers the term of one (1) member of the first board to be appointed  
 19 shall be for two (2) years, one (1) member for four (4) years and  
 20 one (1) member for six (6) years. In the case of boards of review  
 21 having five (5) members, the term of one (1) member of the first  
 22 board to be appointed shall be for one (1) year, one (1) member for  
 23 two (2) years, one (1) member for three (3) years, one (1) member  
 24 for four (4) years and one (1) member for six (6) years.

1 **SEC. 32. Terms—vacancies.** The terms of the members of the  
 2 board of review shall be for six (6) years each. Members of this  
 3 board may be removed by the conference board but only after a pub-  
 4 lic hearing upon specified charges, if requested by such member. Sub-  
 5 sequent appointments, and an appointment to fill a vacancy, shall be  
 6 made in the same way as the original selection. The board shall have  
 7 the power to subpoena witnesses and administer oaths.

1 **SEC. 33. Sessions of board of review.** The board of review shall be  
 2 in session from May 1 to May 31, both inclusive, each year and shall  
 3 hold as many meetings as are necessary to discharge its duties. On  
 4 June 1 said board shall return all books, records and papers to the  
 5 assessor except undisposed of protests and records pertaining thereto.  
 6 If it has not completed its work prior to June 1, the state tax com-  
 7 mission may authorize the board of review to continue in session for  
 8 such period as is necessary to complete its work, but in no event  
 9 shall the state tax commission approve a continuance extending be-  
 10 yond August 1. On June 1 or on the final day of any extended session  
 11 authorized by the state tax commission as herein provided the board  
 12 of review shall be adjourned until May 1 of the following year. It  
 13 shall adopt its own rules of procedure, elect its own chairman from  
 14 its membership, and keep minutes of its meetings. The assessor shall  
 15 be clerk of said board. It may be reconvened by the state tax com-  
 16 mission. All undisposed protests in its hands on August 1 shall be  
 17 automatically overruled and returned to the assessor together with  
 18 its other records.

1 **SEC. 34. Quarters—hours—expenses.** The board of review of as-  
 2 sessments shall hold meetings in quarters provided by the board of  
 3 supervisors. Said board shall be in session such hours each day and  
 4 shall devote such time to its duties as may be necessary to the dis-  
 5 charge of its duties and to accomplish substantial justice. The ex-  
 6 penses of the board shall be included in the assessor's annual budget  
 7 as provided hereafter.

1 **SEC. 35. Powers of review board.** The board of review shall have  
 2 the power:

3 1. To equalize assessments by raising or lowering the individual  
 4 assessments of real property, including new buildings, personal prop-  
 5 erty or moneys and credits made by the assessor.

6 2. To add to the assessment rolls any taxable property which has  
 7 been omitted by the assessor.

8 In any year after the year in which an assessment has been made,  
9 all of the real estate in any taxing district, it shall be the duty of  
10 the board of review to meet as provided in section thirty-three (33)  
11 of this Act, and where it finds the same has changed in value, to  
12 revalue and reassess any part or all of the real estate contained in  
13 such taxing district, and in such case, it shall determine the actual  
14 value and compute the taxable value thereof, and any aggrieved tax-  
15 payer may petition for a revaluation of his property, but no reduction  
16 or increase shall be made for prior years. If the assessment of any  
17 such property is raised, or any property is added to the tax list by  
18 the board, the clerk shall give notice in the manner provided in section  
19 thirty-six (36) of this Act, provided, however, that if the assessment  
20 of all property in any taxing district is raised the board may instruct  
21 the clerk to give immediate notice by one (1) publication in one (1)  
22 of the official newspapers located in the taxing district, and such pub-  
23 lished notice shall take the place of the mailed notice provided for in  
24 section thirty-six (36) of this Act, but all other provisions of said  
25 section shall apply. The decision of the board as to the foregoing  
26 matters shall be subject to appeal to the district court within the same  
27 time and in the same manner as provided in section thirty-eight (38)  
28 of this Act.

1 **SEC. 36. Change of assessment—notice.** All changes in assess-  
2 ments authorized by the board of review, and reasons therefor, shall  
3 be entered in the minute book kept by said board and on the assess-  
4 ment roll. Said minute book shall be filed with the assessor after the  
5 adjournment of the board of review and shall at all times be open  
6 to public inspection. In case the value of any specific property or  
7 the entire assessment of any person, partnership, or association is  
8 increased, or new property is added by the board, the clerk shall give  
9 immediate notice thereof by mail to each at the post-office address  
10 shown on the assessment rolls, and at the conclusion of the action  
11 of the board therein the clerk shall post an alphabetical list of those  
12 whose assessments are thus raised and added, in a conspicuous place  
13 in the office or place of meeting of the board, and enter upon the  
14 records a statement that such posting has been made, which entry  
15 shall be conclusive evidence of the giving of the notice required. The  
16 board shall hold an adjourned meeting, with at least five (5) days  
17 intervening after the posting of said notices, before final action with  
18 reference to the raising of assessments or the adding of property to  
19 the rolls is taken, and the posted notices shall state the time and  
20 place of holding such adjourned meeting, which time and place shall  
21 also be stated in the proceedings of the board.

1 **SEC. 37. Protest of assessment—grounds.** Any property owner or  
2 aggrieved taxpayer who is dissatisfied with his assessment may file  
3 a protest against such assessment with the board of review on or after  
4 May 1, to and including May 20, of the year of the assessment. Said  
5 protest shall be in writing and signed by the one protesting or by his  
6 duly authorized agent. Taxpayer may have an oral hearing thereon  
7 if request therefor in writing is made at the time of filing the protest.  
8 Said protest must be confined to one (1) or more of the following  
9 grounds:

10 1. That said assessment is not equitable as compared with assess-  
11 ments of other like property in the taxing district. When this ground  
12 is relied upon as the basis of a protest the legal description and assess-  
13 ments of a representative number of comparable properties, as de-  
14 scribed by the aggrieved taxpayer shall be listed on the protest, other-  
15 wise said protest shall not be considered on this ground.

16 2. That his property is assessed for more than the value authorized  
17 by law, stating the specific amount which the protesting party be-  
18 lieves his property to be overassessed, and the amount which he con-  
19 siders to be its actual value and the amount he considers a fair assess-  
20 ment.

21 3. That his property is not assessable and stating the reasons there-  
22 for.

23 4. That there is an error in the assessment and state the specific  
24 alleged error.

25 5. That there is fraud in the assessment which shall be specifically  
26 stated.

27 In addition to the above, the property owner may protest annually  
28 to the board of review under the provisions of section thirty-five (35)  
29 of this Act, but such protest shall be in the same manner and upon  
30 the same terms as heretofore prescribed in this section.

1 **SEC. 38. Appeal to district court.** Appeals may be taken from the  
2 action of the board of review with reference to protests of assess-  
3 ment, to the district court of the county in which such board holds its  
4 sessions within twenty (20) days after its adjournment. No new  
5 grounds in addition to those set out in the protest to the board of  
6 review as provided in section thirty-seven (37) of this Act can be  
7 pleaded, but additional evidence to sustain said grounds may be in-  
8 troduced. The assessor shall have the same right to appeal and in the  
9 same manner as an individual taxpayer, public body or other public  
10 officer as provided in section forty-two (42) of this Act. Appeals  
11 shall be taken by a written notice to that effect to the chairman or  
12 presiding officer of the board of review and served as an original  
13 notice.

1 **SEC. 39. Trial on appeal.** The court shall hear the appeal in equity  
2 and determine anew all questions arising before the board which re-  
3 late to the liability of the property to assessment or the amount  
4 thereof. The court shall consider all of the evidence and there shall  
5 be no presumption as to the correctness of the valuation or assess-  
6 ment appealed from. Its decision shall be certified by the clerk of the  
7 court to the county auditor, and the assessor, who shall correct the  
8 assessment books accordingly.

1 **SEC. 40. Costs, fees and expenses apportioned.** The clerk of the  
2 court shall likewise certify to the county treasurer the costs assessed  
3 by the court on any appeal from a board of review to the district  
4 court, in all cases where said costs are taxed against the board of  
5 review or any taxing body. Thereupon the county treasurer shall  
6 compute and apportion the said costs between the various taxing  
7 bodies participating in the proceeds of the collection of the taxes in-  
8 volved in any such appeal, and said treasurer shall so compute and  
9 apportion the various amounts which said taxing bodies are required

10 to pay in proportion to the amount of taxes each of said taxing bodies  
11 is entitled to receive from the whole amount of taxes involved in each  
12 of such appeals. The said county treasurer shall deduct from the  
13 proceeds of all general taxes collected the amount of costs so com-  
14 puted and apportioned by him from the moneys due to each taxing body  
15 from general taxes collected. The amount so deducted shall be cer-  
16 tified to each taxing body in lieu of moneys collected. Said county  
17 treasurer shall pay to the clerk of the district court the amount of  
18 said costs so computed, apportioned and collected by him in all cases  
19 now on file or hereafter filed in which said costs have not been paid.

1 **SEC. 41. Legal counsel.** In the case of cities having an assessor,  
2 the city legal department shall represent the assessor and board of  
3 review in all litigation dealing with assessments. In the case of  
4 counties, the county attorney shall represent the assessor and board  
5 of review in all litigation dealing with assessments. Any taxing body  
6 interested in the taxes received from such assessments may be rep-  
7 resented by an attorney and shall be required to appear by attorney  
8 upon written request of the assessor to the presiding officer of any  
9 such taxing body. The conference board may employ special counsel  
10 to assist the city legal department or county attorney as the case  
11 may be.

1 **SEC. 42. Appeal on behalf of public.** Any officer of a county, city,  
2 town, township or school district interested or a taxpayer thereof  
3 may in like manner make complaint before said board of review in  
4 respect to the assessment of any property in the township, city, or  
5 town and an appeal from the action of the board of review in fixing  
6 the amount of assessment on any property concerning which such  
7 complaint is made, may be taken by any of such aforementioned  
8 officers.

9 Such appeal is in addition to the appeal allowed to the person whose  
10 property is assessed and shall be taken in the name of the county,  
11 city, town, township, or school district interested, and tried in the  
12 same manner, except that the notice of appeal shall also be served  
13 upon the owner of the property concerning which the complaint is  
14 made and affected thereby or person required to return said property  
15 for assessment.

1 **SEC. 43. Power of court.** Upon trial of any appeal from the action  
2 of the board of review fixing the amount of assessment upon any  
3 property concerning which complaint is made, the court may increase,  
4 decrease, or affirm the amount of the assessment appealed from.

1 **SEC. 44. Notice of voluntary settlement.** No voluntary court set-  
2 tlement of an assessment appeal shall be valid unless written notice  
3 thereof shall first be served upon each of the taxing bodies interested  
4 in the taxes derived from such assessment.

1 **SEC. 45. Abstract to state tax commission.** Each auditor shall, on  
2 or before the third Monday in June, make out and transmit to the  
3 state tax commission an abstract of the real and personal property in  
4 his county, in which he shall set forth:

5 1. The number of acres of land and the aggregate taxable values of  
6 the same, exclusive of town lots, returned by the assessors, as cor-  
7 rected by the board of review.

8 2. The aggregate taxable values of real estate in each township, city,  
9 and town in the county, returned as corrected by the board of review.

10 3. The aggregate taxable values of personal property.

11 4. An abstract as to the number and value of all animals as the  
12 same are returned by the assessor, showing the aggregate taxable  
13 values and number of each kind or class, and such other facts as may  
14 be required by the state tax commission.

1 SEC. 46. **State board of review.** The state tax commission shall  
2 constitute the state board of review, and shall meet at the seat of  
3 government on the second Monday of July in each year.

1 SEC. 47. **Adjusted valuations.** The state board of review shall ad-  
2 just the valuation of property in the several counties adding to or  
3 deducting from the valuation of each kind or class of property such  
4 percentage in each case as will bring the same to its taxable value as  
5 fixed in this chapter and chapters four hundred twenty-seven (427)  
6 to four hundred forty-three (443) of the Code inclusive. It shall  
7 also adjust the valuations as between each kind or class of property  
8 in any city assessed by a city assessor and each kind or class of  
9 property in the same county assessed by the county assessor.

1 SEC. 48. **Notice of increase.** Before such state board of review  
2 shall add to the valuation of any kind or class of property any such  
3 percentage, it shall serve ten (10) days notice by mail, on the audi-  
4 tor of the county whose valuation is proposed to be raised and shall  
5 hold an adjourned meeting after such ten (10) days notice, at which  
6 time such county may appear by its board of supervisors, county attor-  
7 ney, or otherwise, and make written or oral protest against such pro-  
8 posed raise, which protest shall consist simply of a statement of the  
9 error, or errors, complained of with such facts as may lead to their  
10 correction, and at such adjourned meeting final action may be taken  
11 in reference thereto.

1 SEC. 49. **Adjustment by county auditor.** The commission shall  
2 keep a record of its proceedings and finish its review and adjustment  
3 on or before the third Monday of August. The county auditor shall  
4 thereupon add to or deduct from the valuation of each kind or class  
5 of property in his county the required percentage, rejecting all frac-  
6 tions of fifty (50) cents or less in the result, and counting all over  
7 fifty (50) cents as one (1) dollar.

1 SEC. 50. **Appraisers employed.** The conference board shall have  
2 power to employ appraisers or other technical or expert help to assist  
3 in the valuation of property, the cost thereof to be paid in the same  
4 manner as other expenses of the assessor's office. The conference  
5 board may certify for levy annually an amount not to exceed one and  
6 one-half (1½) mills upon all taxable property for the purpose of  
7 establishing a special appraiser's fund, to be used only for such pur-  
8 poses. From time to time the conference board may direct the trans-  
9 fer of any unexpended balance in the special appraiser's fund to the  
10 assessment expense fund.

1 SEC. 51. **Optional procedure for cities from ten thousand (10,000)  
2 to one hundred twenty-five thousand (125,000) population.** Any city

3 having a population of ten thousand (10,000) or more, according to  
4 the latest federal census, or which shall attain such population in the  
5 future but shall not have a population in excess of one hundred  
6 twenty-five thousand (125,000), may by ordinance provide for the  
7 selection of a city assessor and for the assessment of property in such  
8 cities under the provisions of this chapter.

9 Any city desiring to provide for such assessment under the provi-  
10 sions of this chapter shall, not less than sixty (60) days before the  
11 expiration of the term of the assessor in office, notify the taxing  
12 bodies affected and proceed to establish a conference board, examin-  
13 ing board and board of review and select an assessor, all as provided  
14 in this chapter.

1 **SEC. 52. Failure to perform duty.** If any assessor or member of  
2 any board of review shall knowingly fail or neglect to make or require  
3 the assessment of property for taxation to be of and for its taxable  
4 value as provided by law or to perform any of the duties required of  
5 him by law, at the time and in the manner specified, he shall forfeit  
6 and pay the sum of five hundred (500) dollars to be recovered in an  
7 action in the district court in the name of the county or in the name  
8 of the city as the case may be, and for its use, and the action against  
9 the assessor shall be against him and his bondsmen.

1 **SEC. 53. Political activity prohibited.** Neither the assessor nor any  
2 employee of the assessor's office shall directly or indirectly contribute  
3 any money or anything of value to any candidate, his agent or per-  
4 sonal representative, for nomination or election to any office, or to  
5 any campaign or political committee, or take an active part in any  
6 political campaign, except to cast his vote, or to express his personal  
7 opinion, nor shall any such candidate, person, representative, agent, or  
8 committee, solicit such contribution or active political support from  
9 any such officer or employee. Any person convicted of violating any  
10 provision of this chapter shall immediately be dismissed from office  
11 or may be punished as for an indictable misdemeanor.

1 **SEC. 54. Construction.** Whenever in the laws of this state, the  
2 words "assessor" or "assessors" appear, singly or in combination with  
3 other words, they shall be deemed to mean and refer to the county or  
4 city assessor, as the case may be.

1 **SEC. 55.** Section four hundred twenty point two hundred seven  
2 (420.207), Code 1958, is hereby amended by striking from line five  
3 (5) the figures, "441.13" and by inserting in lieu thereof the words,  
4 "twenty-one (21) of this Act".

1 **SEC. 56.** Section four hundred twenty-five point eleven (425.11),  
2 subsection three (3), Code 1958, is hereby amended by striking from  
3 line four (4) the figures, "441.13" and by inserting in lieu thereof  
4 the words, "twenty-one (21) of this Act".

1 **SEC. 57.** Section four hundred twenty-eight point seventeen  
2 (428.17), Code 1958, is hereby amended by striking from line thirteen  
3 (13) the figures, "441.13" and by inserting in lieu thereof the words,  
4 "twenty-one (21) of this Act".

1 SEC. 58. Section four hundred twenty-eight point twenty-one  
2 (428.21), Code 1958, is hereby amended by striking from line four  
3 (4) the figures, "441.13" and by inserting in lieu thereof the words,  
4 "twenty-one (21) of this Act".

1 SEC. 59. Section four hundred thirty-two point seven (432.7),  
2 Code 1958, is hereby amended by striking from line thirteen (13) the  
3 figures, "441.13" and by inserting in lieu thereof the words "twenty-  
4 one (21) of this Act".

1 SEC. 60. Section four hundred thirty-three point six (433.6), Code  
2 1958, is hereby amended by striking from line four (4) the figures,  
3 "441.13" and by inserting in lieu thereof the words, "twenty-one (21)  
4 of this Act".

1 SEC. 61. Section four hundred thirty-six point eight (436.8), Code  
2 1958, is hereby amended by striking from line twelve (12) the figures,  
3 "441.13" and by inserting in lieu thereof the words, "twenty-one (21)  
4 of this Act".

1 SEC. 62. Section four hundred thirty-seven point seven (437.7),  
2 Code 1958, is hereby amended by striking from line six (6) the figures,  
3 "441.13" and by inserting in lieu thereof the words, "twenty-one (21)  
4 of this Act".

1 SEC. 63. Section four hundred thirty-eight point thirteen (438.13),  
2 Code 1958, is hereby amended by striking from line eight (8) the fig-  
3 ures, "441.13" and by inserting in lieu thereof the words, "twenty-one  
4 (21) of this Act".

1 SEC. 64. Section four hundred twenty-eight point thirty-five  
2 (428.35), subsection three (3), Code 1958, is hereby amended by  
3 striking from line fifteen (15) the figures, "441.16" and by inserting  
4 in lieu thereof the words, "twenty-four (24) of this Act".

1 SEC. 65. Section four hundred forty-three point eleven (443.11),  
2 Code 1958, is hereby amended by striking from line ten (10) the word  
3 and figures, "442.7 and 442.11" and by inserting in lieu thereof the  
4 words, "thirty-nine (39) and forty-three (43) of this Act".

1 SEC. 66. Section four hundred forty-one point thirteen (441.13),\*  
2 Code 1958, is hereby amended by striking the period (.) in line four  
3 (4) and inserting in lieu thereof the following: "; except that in the  
4 case of merchandise inventories of retailers, such actual value shall  
5 be reduced, to reflect abnormal obsolescence, by one percent (1%) for  
6 each number (or major fraction thereof) of annual turnovers of  
7 merchandise less than twelve (12) as disclosed by the books and rec-  
8 ords of the business concerned, or as determined by the assessor in  
9 the absence of such books and records."

1 SEC. 67. Nothing herein contained shall be construed as invali-  
2 dating the acts of any assessor or deputy assessor now in office, nor  
3 of any examining board or board of review as now constituted; nor  
4 shall any action, protest or appeal pending prior to the effective date

---

\*See repeal at beginning of this Act.

5 of this Act be affected hereby. All assessors and members of boards  
6 of review and examining boards shall continue in office subject to the  
7 provisions of this Act until their present terms expire, at which time  
8 reappointments or new appointments shall be made in the manner  
9 and for the terms prescribed in this Act, provided, however, that  
10 any assessor or deputy assessor now in office shall be deemed to be  
11 qualified for reappointment to the same office without further exami-  
12 nation.

1 SEC. 68. Nothing herein contained shall be construed as invali-  
2 dating any assessment made prior to the effective date of this Act  
3 nor any tax previously certified or levied by any taxing body pursuant  
4 to chapters four hundred five (405), four hundred five A (405A),  
5 four hundred forty-one (441), or four hundred forty-two (442),  
6 Code 1958.

1 SEC. 69. Nothing herein contained shall be construed as invalidat-  
2 ing the selection of an assessor in any city previously providing there-  
3 for by ordinance pursuant to chapter four hundred five A (405A),  
4 Code 1958, provided, however, that the provisions of this chapter  
5 shall apply to all such cities.

1 SEC. 70. If any of the provisions of this Act shall be in conflict  
2 with any of the laws of this state, then the provisions of this Act shall  
3 prevail.

1 SEC. 71. Section four hundred forty-three point two (443.2), Code  
2 1958, is hereby amended by adding thereto the following: "In any  
3 case where in transcribing such assessments any county auditor has  
4 heretofore failed or hereafter fails to enter the actual value opposite  
5 each item of taxable property on the tax list, then the aggregate  
6 actual value, as well as the aggregate taxable value, of all such tax-  
7 able property within such county and each political or municipal cor-  
8 poration therein shall be transcribed from such books and records of  
9 assessment onto such tax list in order that the actual value of the  
10 taxable property within each county or other political or municipal  
11 corporation therein may be ascertained and shown by the tax list  
12 for the purpose of computing the debt-incurring capacity of such  
13 county or other political or municipal corporation therein."

1 SEC. 72. If any provision of this Act is declared unconstitutional  
2 or the applicability thereof is invalid, the constitutionality of the  
3 remainder of the Act shall not be affected thereby.

Approved May 5, 1959.



## CHAPTER 292

## MUNICIPAL AUDITORIUMS

S. F. 498

AN ACT to amend chapter four hundred seven (407), Code 1958, by adding thereto an additional section authorizing acquisition and construction by cities and towns of improvements and betterments to municipal auditoriums, including installation of air conditioning facilities, and issuance of bonds in connection therewith.

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

1 SECTION 1. Chapter four hundred seven (407), Code 1958, is  
2 hereby amended by adding thereto the following new section:

3 "Any city or town that has heretofore established or hereafter  
4 establishes a municipal auditorium may thereafter acquire and con-  
5 struct improvements and betterments thereto, including the installa-  
6 tion of air conditioning facilities, and in order to pay the cost thereof  
7 may incur indebtedness and issue and sell its bonds when authorized  
8 at an election called by the council and held in the manner prescribed  
9 by chapter four hundred seven (407) of the Code."

Approved April 22, 1959.

## CHAPTER 293

## POLICEMEN AND FIREMEN RETIREMENT

S. F. 264

AN ACT to amend chapter four hundred eleven (411), Code 1958, relating to retirement systems for policemen and firemen.

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

1 SECTION 1. Amend section four hundred eleven point six (411.6),  
2 Code 1958, subsection five (5), by striking the words "accident or  
3 exposure occurring while in" in lines six (6) and seven (7) and in-  
4 serting in lieu thereof the following: "injury or disease incurred in  
5 or aggravated by".

6 Further amend said subsection five (5) by striking the word "occur-  
7 ring" in lines eight (8) and nine (9).

8 Further amend said subsection five (5) by adding the following:

9 "Should a member in service or the chief of the police or fire de-  
10 partments become incapacitated for duty as a natural or proximate  
11 result of an injury or disease incurred in or aggravated by the actual  
12 performance of duty at some definite time or place or while acting,  
13 pursuant to order, outside the city or town by which he is regularly  
14 employed, he shall, upon being found to be temporarily incapacitated  
15 following an examination by the board of trustees, be entitled to re-  
16 ceive his full pay and allowances until re-examined by said board and  
17 found to be fully recovered or permanently disabled."

18 "Disease under this section shall mean heart disease or any disease  
19 of the lungs or respiratory tract and shall be presumed to have been  
20 contracted while on active duty as a result of strain or the inhalation  
21 of noxious fumes, poison or gases."

Approved April 8, 1959.

## CHAPTER 294

## SPECIAL CHARTER CITIES

S. F. 273

AN ACT to amend section four hundred twenty point forty-one (420.41), Code 1958, relating to general powers and provisions of cities under special charter.

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

1 SECTION 1. Section four hundred twenty point forty-one (420.41),  
2 Code 1958, is hereby amended by inserting at the end of such section  
3 the following subsections:

4 "Notwithstanding the provisions of subsection one (1) of this sec-  
5 tion, the fiscal year for special charter cities, which prior to and con-  
6 currently with the taking effect of this Act collect general city taxes  
7 directly through their own officers, and for all departments, boards  
8 and commissions thereof, shall be as established by city ordinance.

9 "Notwithstanding the provisions of subsection one (1) of this sec-  
10 tion, special charter cities which prior to and concurrently with the  
11 taking effect of this Act collect general city taxes directly through  
12 their own officers, shall, within the applicable provisions of chapter  
13 four hundred and four (404), make the appropriations for the neces-  
14 sary expenditures for the next ensuing fiscal year by ordinance. The  
15 proposed ordinance shall, upon first reading, be placed on file with the  
16 clerk for public inspection, and, upon second reading, if and as amend-  
17 ed, forthwith be published in a newspaper of general circulation, to-  
18 gether with the time and place for a public hearing on said proposed  
19 ordinance, which hearing shall be not less than ten (10) days prior  
20 to the council meeting at which it shall be placed upon its passage."

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

Approved April 10, 1959.

I hereby certify that the foregoing Act, Senate File 273, was published in The Daily Times, Davenport, Iowa, April 16, 1959, and in the Burlington Hawk-Eye Gazette, Burlington, Iowa, April 16, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 295

## STATE INCOME TAXES

S. F. 51

AN ACT to amend chapter four hundred twenty-two (422), Code 1958, relating to state income taxes, to provide for the adoption of amendments to the Internal Revenue Code of 1954.

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

1 SECTION 1. Section four hundred twenty-two point four (422.4),  
2 Code 1958, is hereby amended by striking all in line four (4) of para-

3 graph fourteen (14) thereof and inserting in lieu thereof the follow-  
4 ing: "nineteen fifty-eight (1958)".

1 SEC. 2. Section four hundred twenty-two point thirty-two (422.32),  
2 Code 1958, is hereby amended by striking "1956" in line three (3) of  
3 paragraph four (4) thereof and inserting in lieu thereof the follow-  
4 ing: "nineteen fifty-eight (1958)".

1 SEC. 3. Where a corporation is not subject to income tax and the  
2 stockholders of such corporation are taxed on the corporation's in-  
3 come under the provisions of the Internal Revenue Code of 1954, the  
4 same tax treatment shall apply to such corporation and such stock-  
5 holders for Iowa income tax purposes.

1 SEC. 4. The provisions of this Act shall have the same retroactive  
2 effect as the amendments to the Internal Revenue Code of 1954  
3 adopted hereby have for federal income tax purposes.

1 SEC. 5. If any provision of this Act or the application of such  
2 provision to any person or circumstance shall be held invalid, the re-  
3 mainder of this Act or the application of such provision to persons or  
4 circumstances other than those to which it is held invalid shall not be  
5 affected thereby.

1 SEC. 6. This Act being deemed of immediate importance shall be  
2 in force and effect immediately upon its passage and publication in the  
3 Sioux City Journal-Tribune, a newspaper published at Sioux City,  
4 Iowa, and in the Iowa City Press-Citizen, a newspaper published at  
5 Iowa City, Iowa.

This bill (Senate File 51), having remained with the Governor three days (Sunday excepted), the General Assembly being in session, has become a law this 2nd day of February, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, Senate File 51, was published in the Sioux City Journal-Tribune, Sioux City, Iowa, February 6, 1959, and in the Iowa City Press-Citizen, Iowa City, Iowa, February 5, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 296

### NONRESIDENT INCOME TAX

S. F. 535

AN ACT to amend section four hundred twenty-two point sixteen (422.16), Code 1958, relating to the percentage of withholdings on gross personal income of nonresidents by withholding agents.

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

1 SECTION 1. Section four hundred twenty-two point sixteen  
2 (422.16), subsection one (1), Code 1958, is hereby amended by strik-  
3 ing the word "five" at the end of line three (3) and inserting in lieu  
4 thereof the word "four (4)"; by striking the word "five" in line six  
5 (6) and inserting in lieu thereof the word "four (4)", and by adding

6 a new sentence after the period (.) in line eleven (11) as follows:  
 7 "The commission is hereby authorized to prepare wage bracket sched-  
 8 ules of withholding not in excess of the above maximum percentage."

Approved May 6, 1959.

---

## CHAPTER 297

### INCOME TAX INSTALLMENTS

H. F. 539

AN ACT to amend section four hundred twenty-two point twenty-four (422.24), Code 1958, relating to installment payments of income tax.

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

1 SECTION 1. Section four hundred twenty-two point twenty-four  
 2 (422.24), Code 1958, is amended by striking the word "ten" in line  
 3 eight (8) and inserting in lieu thereof the word "fifty".

Approved April 27, 1959.

---

## CHAPTER 298

### INCOME TAX VIOLATIONS

H. F. 397

AN ACT relating to violations of income tax laws, unauthorized disclosure of information, and penalties therefor.

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

1 SECTION 1. Section four hundred twenty-two point twenty-five  
 2 (422.25), subsection five (5), Code 1958, is hereby repealed and the  
 3 following enacted in lieu thereof:  
 4 "Any person required to supply any information, to pay any tax,  
 5 or to make, sign, or file any return or supplemental return, who will-  
 6 fully makes any false or fraudulent return, or willfully fails to pay  
 7 such tax, supply such information, or make, sign, or file such return,  
 8 at the time or times required by law, shall upon conviction for each  
 9 such offense be punished by imprisonment in the county jail for a  
 10 term not exceeding one (1) year, or by a fine not exceeding twenty-  
 11 five hundred (2500) dollars, or both such fine and imprisonment."

1 SEC. 2. Further amend section four hundred twenty-two point  
 2 twenty-five (422.25), Code 1958, by adding the following new sub-  
 3 section:

4 "Any person who willfully attempts in any manner to defeat or  
 5 evade any tax imposed by this division or the payment thereof, shall  
 6 upon conviction for each such offense be punished by imprisonment  
 7 in the county jail for a term not exceeding one (1) year or in the  
 8 state penitentiary for a term not exceeding five (5) years or by a  
 9 fine not exceeding five thousand (5000) dollars, or both such fine and  
 10 imprisonment."

1 SEC. 3. Further amend section four hundred twenty-two point  
2 twenty-five (422.25), Code 1958, by adding the following new sub-  
3 section:

4 "The jurisdiction of any offense as defined in section four hundred  
5 twenty-two point twenty-five (422.25), Code 1958, is in the county  
6 of the residence of the person so charged, unless such person be a non-  
7 resident of this state or his residence in this state is not established,  
8 in either of which events jurisdiction of such offense is in the county  
9 of the seat of government of the state of Iowa."

1 SEC. 4. Further amend section four hundred twenty-two point  
2 twenty-five (422.25), Code 1958, by adding the following new sub-  
3 section:

4 "A prosecution for any offense defined in this section must be com-  
5 menced within six (6) years after the commission thereof, and not  
6 after."

1 SEC. 5. It shall be unlawful for any officer or employee of the  
2 state of Iowa to divulge or to make known in any manner whatever  
3 not provided by law to any person the amount or source of income,  
4 profits, losses, expenditures, or any particular thereof, set forth or  
5 disclosed in any income return, or to permit any income return or  
6 copy thereof or any book containing any abstract or particulars  
7 thereof to be seen or examined by any person except as provided by  
8 law; and it shall be unlawful for any person to print or publish in  
9 any manner whatever not provided by law any income return, or any  
10 part thereof or source of income, profits, losses, or expenditures  
11 appearing in any income return; and any person committing an  
12 offense against the foregoing provision shall, upon conviction for  
13 each such offense, be punished by imprisonment in the county jail  
14 for a term not exceeding one (1) year, or by a fine of not more than  
15 one thousand (1,000) dollars, or both; and if the offender be an  
16 officer or employee of the state of Iowa he shall also be dismissed  
17 from office or discharged from employment. Nothing herein shall  
18 prohibit turning over to duly authorized officers of the United States  
19 information and income returns pursuant to agreement between the  
20 state tax commission and the Secretary of the Treasury of the United  
21 States or his delegate.

1 SEC. 6. This Act being deemed of immediate importance shall  
2 take effect and be in force from and after its publication in the Mus-  
3 catine Journal and News-Tribune, a newspaper published in Musca-  
4 tine, Iowa, and in the Marshalltown Times-Republican, a newspaper  
5 published in Marshalltown, Iowa.

Approved May 5, 1959.

I hereby certify that the foregoing Act, House File 397, was published in the Musca-  
tine Journal and News-Tribune, Muscatine, Iowa, May 8, 1959, and in the Marshalltown  
Times-Republican, Marshalltown, Iowa, May 9, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 299

## TAX LIEN AND COLLECTION

H. F. 667

AN ACT to amend section four hundred twenty-two point twenty-six (422.26), Code 1958, relating to lien of tax, collection, and action authorized.

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

1 SECTION 1. Section four hundred twenty-two point twenty-six  
2 (422.26), Code 1958, is hereby amended by inserting in line fifty-six  
3 (56) after the period (.) the following: "In the event service has  
4 not been made on a distress warrant by the officer to whom addressed  
5 within five (5) days from the date the distress warrant was received  
6 by him, the authorized revenue agents of the state tax commission  
7 are hereby empowered to serve and make return of such warrant to  
8 the clerk of the district court of the county named in the distress  
9 warrant, and all subsequent procedure shall be in compliance with  
10 chapter six hundred twenty-six (626)."

Approved May 15, 1959.

## CHAPTER 300

## CORPORATE INCOME TAX

H. F. 706

AN ACT to amend section four hundred twenty-two point thirty-three (422.33), Code 1958, to provide for an increase of the corporate income tax rate from two to three percent.

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

1 . SECTION 1. Section four hundred twenty-two point thirty-three  
2 (422.33), Code 1958, is hereby amended by striking the word "two"  
3 in line six (6) and inserting in lieu thereof the word "three".  
1 SEC. 2. The provisions of this Act shall become effective as to  
2 returns made upon income earned during the calendar year 1959, or  
3 as to any returns made for a fiscal year beginning after January 1.  
4 1959.

Approved May 7, 1959.

## CHAPTER 301

## HOMESTEAD TAX CREDITS

H. F. 699

AN ACT to amend section four hundred twenty-five point eleven (425.11), Code 1958, relating to homestead tax credits.

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

1 SECTION 1. Section four hundred twenty-five point eleven  
2 (425.11), Code 1958, is hereby amended as follows:

3 By striking all of subsection two (2) after the word, "by" in line  
 4 fourteen (14) and substituting in lieu thereof the following:  
 5 "persons related or formerly related to each other by blood, mar-  
 6 riage or adoption, or the person occupying the homestead under a deed  
 7 which conveys a divided interest where the divided interest is shared  
 8 only by persons related or formerly related to each other by blood,  
 9 marriage or adoption."

Approved April 27, 1959.

## CHAPTER 302

### TAXATION OF STORED GOODS

#### S. F. 212

AN ACT to amend chapter four hundred twenty-seven (427), Code 1958, to provide for tax exemption of goods held for sale or resale stored in a public warehouse.

*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 1958, is hereby amended by adding a new subsection thereto as  
 3 follows:  
 4 "All personal property intended for ultimate sale or resale, with or  
 5 without additional processing, manufacturing, fabricating, compound-  
 6 ing or servicing, stored in a warehouse of any person, co-partnership  
 7 or corporation engaged in the business of storing goods for profit as  
 8 defined in section five hundred forty-two point fifty-eight (542.58),  
 9 Code 1958, provided such personal property is not offered for sale or  
 10 sold by the owner at retail directly from the public warehouse."

This bill (Senate File 212), having remained with the Governor three days (Sunday excepted), the General Assembly being in session, has become a law this 13th day of April, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 303

### COURT EXPENSE FUND

#### S. F. 104

AN ACT relating to court expense fund.

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

1 SECTION 1. Section four hundred forty-four point ten (444.10),  
 2 Code 1958, is hereby amended by striking from line fifteen (15) the  
 3 words "Provided, further, that", and all of lines sixteen (16), seven-  
 4 teen (17), and eighteen (18).

Approved April 10, 1959.

## CHAPTER 304

## STATE INSTITUTION FUND

H. F. 672

AN ACT relating to the state institution fund.

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

- 1 SECTION 1. Section four hundred forty-four point twelve (444.12),  
 2 Code 1958, is hereby amended by striking the period in line twenty-  
 3 seven (27), and by inserting in lieu thereof the following:  
 4 "except that if patients are returned to a county from any of the  
 5 four (4) state mental health institutes under the provisions of sec-  
 6 tion two hundred twenty-six point thirty-two (226.32) of the Code,  
 7 cost of the care for such patients may be paid from the state institu-  
 8 tion fund in an amount commensurate with the cost of patients in the  
 9 county hospital or county home and not to exceed the amount of cost  
 10 per patient in the state institution."

Approved April 24, 1959.

I hereby certify that the foregoing Act, House File 672, was published in the Eldora Herald-Ledger, Eldora, Iowa, June 2, 1959, and in the Daily Times, Davenport, Iowa, May 30, 1959, pursuant to the provisions of House File 761, Acts of the Fifty-eighth General Assembly.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 305

## STATE INSTITUTION FUND

H. F. 761

AN ACT relating to the state institution fund.

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

- 1 SECTION 1. House File six hundred seventy-two (672)\*, Acts of  
 2 the Fifty-eighth General Assembly, now on file in the office of the  
 3 secretary of state, shall be in full force and effect from and after its  
 4 publication together with this Act as hereinafter provided and the  
 5 secretary of state is directed to so publish said Acts.
- 1 SEC. 2. This Act and House File six hundred seventy-two (672),  
 2 being deemed of immediate importance, shall be effective from and  
 3 after publication in the Eldora Herald-Ledger, a newspaper published  
 4 at Eldora, Iowa and in The Daily Times, a newspaper published at  
 5 Davenport, Iowa.

Approved April 29, 1959.

I hereby certify that the foregoing Act, House File 761, was published in the Eldora Herald-Ledger, Eldora, Iowa, May 5, 1959, and in The Daily Times, Davenport, Iowa, May 4, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, House File 761, together with House File 672, was published in the Eldora Herald-Ledger, Eldora, Iowa, June 2, 1959, and in The Daily Times, Davenport, Iowa, May 30, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

\*See chapter 304.



## CHAPTER 306

## DISTRESS LIEN FOR PERSONAL TAXES

H. F. 81

AN ACT to provide for the immediate collection of personal property taxes when the owner is a resident of the state of Iowa, and is about to remove from the county or is about to dispose of his taxable personal property, and relating to the lien of personal taxes.

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

1 SECTION 1. Chapter four hundred forty-five (445), Code 1958, is  
2 hereby amended by adding the following section:  
3 "Whenever the county treasurer shall have reason to believe that  
4 any owner of taxable personal property, who is a resident of the state  
5 of Iowa and against whom personal property taxes have been assessed,  
6 is about to remove from the county or is about to dispose of his per-  
7 sonal property, he shall immediately regard and declare the taxes due  
8 and payable, shall file a notice of such lien with the county recorder,  
9 and shall proceed immediately to collect such taxes, together with costs  
10 and any interest and penalty that may be due, by distress and sale of  
11 the personal property so assessed which is not exempt from taxation.  
12 In the event the county treasurer proceeds to collect such taxes prior  
13 to date of levy, the amount of such taxes shall be presumed to be the  
14 taxable value of such property multiplied by the tax rate established  
15 at the date of levy next preceding."

1 SEC. 2. Section four hundred forty-five point twenty-nine  
2 (445.29), Code 1958, is amended by striking from lines twenty-three  
3 (23) and twenty-four (24) thereof the words, "whose personal prop-  
4 erty tax is delinquent." and inserting in lieu thereof the following:  
5 ", such lien to relate back to and exist from the first day of January  
6 of the year in which such personal property is assessed. Such a lien  
7 shall not be effective or applicable, however, as against the rights of  
8 purchasers or mortgagees who acquired an interest in or lien against  
9 real estate owned by the resident against whom such tax is assessed  
10 before the date that the treasurer files notice of such lien."

Approved April 29, 1959.

## CHAPTER 307

## DELINQUENT TAX NOTICES

H. F. 364

AN ACT relating to publication of delinquent tax notices.

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

1 SECTION 1. Section four hundred forty-six point ten (446.10),  
2 Code 1958, is hereby amended by striking from line two (2) the word,  
3 "forty-five" and by inserting in lieu thereof the word, "sixty (60)".

Approved February 25, 1959.

## CHAPTER 308

## STATE SINKING FUND

S. F. 512

AN ACT to provide for the transfer of funds from "the state sinking fund for public deposits" to the state general fund, and to eliminate payment of assessments, unless needed.

WHEREAS, the legislature caused to be placed in the state sinking fund for public deposits in the years 1933 and 1940, the sum of seven million, eight hundred one thousand, five hundred forty-two dollars, eighty-nine cents (\$7,801,542.89) of state license fees and taxes received from beer in order to hurry up payment of claims against such fund; and

WHEREAS, the Fiftieth General Assembly approved a transfer of two million dollars (\$2,000,000.00) from the state sinking fund to the general fund of the state of Iowa; and

WHEREAS, the Fifty-fifth General Assembly approved a transfer of one and one-half million dollars (\$1,500,000.00) from the state sinking fund to the general fund of the state of Iowa; and

WHEREAS, there is now a balance in said fund of six hundred forty-one thousand six hundred eighty-one dollars, nine cents (\$641,681.09) with no outstanding claims; and

WHEREAS, the taxpayers of Iowa would welcome all possible relief from taxes, therefore

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

1 SECTION 1. The state treasurer is hereby ordered to transfer the  
2 sum of five hundred forty-one thousand six hundred eighty-one dol-  
3 lars and nine cents (\$541,681.09) from the state sinking fund for  
4 public deposits to the state general fund.

1 SEC. 2. Amend section four hundred fifty-four point nine (454.9),  
2 Code 1958, by striking from line eighteen (18) thereof the words  
3 "two hundred fifty" and inserting in lieu thereof the words "one  
4 hundred"; further amend said section by striking from line twenty-  
5 seven (27) thereof the words "two hundred fifty" and inserting in  
6 lieu thereof the words "one hundred"; further amend said section  
7 by striking from line thirty-nine (39) thereof the words "two hun-  
8 dred fifty" and inserting in lieu thereof the words "one hundred".

Approved April 28, 1959.

## CHAPTER 309

## DRAINAGE AND LEVEE DISTRICTS

S. F. 397

AN ACT relating to powers and duties of governing boards in drainage and levee districts.

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

1 SECTION 1. Section four hundred fifty-five point one hundred sixty  
2 (455.160), Code 1958, is hereby amended as follows:

- 3 1. By striking the period (.) after the word "accordingly" in line  
 4 sixteen (16) and inserting in lieu thereof the following:  
 5 "and any such unlawful act as above described is hereby declared  
 6 to be a nuisance and may be abated as such."  
 7 2. By adding thereto the following:  
 8 "Said governing body shall also have the power to repair any ditch,  
 9 drain or watercourse, or any levee or bank of any settling basin dam-  
 10 aged by any person or persons in violation of the resolution of said  
 11 governing body, after three (3) days notice to such person or persons  
 12 to make such repair, in the event that there is a failure to do so, and  
 13 the expense thereof shall be assessed to such person or persons and  
 14 shall be certified and collected as other taxes."

Approved April 14, 1959.

## CHAPTER 310

### WATER PERMIT FEES

H. F. 175

AN ACT relating to filing fees for water permits.

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

- 1 SECTION 1. Subsection five (5), section four hundred fifty-five A  
 2 point nineteen (455A.19), Code 1958, is amended by striking from  
 3 line two (2) the words, "ten dollars" and inserting in lieu thereof the  
 4 words, "fifteen dollars".  
 1 SEC. 2. Subsection five (5), section four hundred fifty-five A point  
 2 nineteen (455A.19), Code 1958, is further amended by adding the fol-  
 3 lowing sentence: "Such fee shall be used by the council for admin-  
 4 istering this chapter, including the payment of expenses incurred in  
 5 publishing legal notice."

Approved March 16, 1959.

## CHAPTER 311

### NATURAL RESOURCES COUNCIL

S. F. 80

AN ACT relating to powers of the Iowa natural resources council.

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

- 1 SECTION 1. Section four hundred fifty-five A point thirty-three  
 2 (455A.33), Code of Iowa 1958, is amended by striking from line  
 3 twenty-four (24) the word "on" and inserting in lieu thereof the  
 4 words "after an investigation or".  
 1 SEC. 2. Section four hundred fifty-five A point thirty-three  
 2 (455A.33), Code of Iowa 1958, is further amended by striking from  
 3 line twenty-six (26) the period (.) and inserting in lieu thereof the  
 4 words ", upon such terms and conditions as it may prescribe."

1 SEC. 3. Section four hundred fifty-five A point thirty-six  
 2 (455A.36), Code 1958, is amended by striking from line thirteen (13)  
 3 the word, "on" and inserting in lieu thereof the words, "after an in-  
 4 vestigation or".

Approved February 12, 1959.

## CHAPTER 312

### DRAINAGE AND LEVEE DISTRICTS

S. F. 398

AN ACT relating to powers and duties of the board, or boards of supervisors, or trustees in drainage and levee districts with pumping stations to prevent injury to the levees maintained by said districts, and providing penalties for the violation thereof.

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

1 Chapter four hundred sixty-one (461), Code 1958, is hereby amend-  
 2 ed by adding thereto the following new sections:

1 SECTION 1. No person, firm or corporation shall hereafter erect,  
 2 alter, or maintain any building or other structure, except necessary  
 3 public utility structures, or construct, alter, or maintain any ditch, or  
 4 remove any earth within three hundred (300) feet of the centerline  
 5 of any levee maintained by a drainage or levee district with pumping  
 6 stations without first securing permission to so do from the govern-  
 7 ing board of said drainage or levee district with pumping stations.  
 8 Such permission may be granted at any regular meeting thereof, and  
 9 after written application is made therefor upon the form prescribed  
 10 by said governing board.

1 SEC. 2. Every person who shall violate any provisions of this  
 2 chapter shall be guilty of a misdemeanor punishable by a fine of not  
 3 more than one hundred (100) dollars, and in default of payment  
 4 thereof, by imprisonment in the county jail for not more than thirty  
 5 (30) days.

1 SEC. 3. In the event that any building or other structure, or any  
 2 ditch is constructed, altered or maintained, or any earth removed in  
 3 violation of any provisions of this chapter, the governing board of  
 4 said drainage or levee district with pumping stations maintaining said  
 5 levee, may institute an appropriate action or proceeding to prevent  
 6 such unlawful construction, alteration, or maintenance, or earth re-  
 7 moval and to restrain, correct, or abate such violation, and may by  
 8 petition duly verified, setting forth the facts, apply to the district  
 9 court, or to any judge thereof in termtime, or in vacation, for an  
 10 order enjoining all persons, firms or corporations from such construc-  
 11 tion, alteration, maintenance, or earth removal, until the entry of the  
 12 final judgment or order.

1 SEC. 4. In addition to all other penalties contained herein, any  
 2 person, firm or corporation who shall construct, alter or maintain any  
 3 building, other structure, or any ditch, or remove earth, in violation

4 of this chapter, shall be liable to the drainage or levee district with  
 5 pumping stations maintaining said levee, for all damage sustained by  
 6 the drainage or levee district resulting from the violation, and in the  
 7 event of flood, or other emergency so declared by resolution of the gov-  
 8 erning body any building or other structure, or ditch so constructed  
 9 without permission of the governing board, as required herein, and  
 10 within three hundred (300) feet of the center line of any levee, may  
 11 be removed, or the ditch filled in, without prior notice thereof to the  
 12 owner.

Approved April 14, 1959.

---

### CHAPTER 313

#### DRAINAGE TO HIGHWAY

S. F. 52

AN ACT relating to drainage that runs to a public highway.

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

1 SECTION 1. Section four hundred sixty-five point twenty-three  
 2 (465.23), Code 1958, is hereby amended as follows:

3 1. By inserting in line fifteen (15) of such section after the word,  
 4 "line" the words, "or drainage ditch".

5 2. By striking from line eighteen (18) of such section the word,  
 6 "drain" and by inserting in lieu thereof the words, "line or drainage  
 7 ditch".

Approved March 23, 1959.

---

### CHAPTER 314

#### SOIL CONSERVATION SUBDISTRICTS

H. F. 452

AN ACT to provide for the powers and duties of subdistricts of soil conservation dis-  
 tricts.

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

1 SECTION 1. Chapter four hundred sixty-seven A (467A), Code  
 2 1958, is hereby amended by adding thereto the following new section:  
 3 "A subdistrict organized under the provisions of this chapter shall  
 4 have all of the powers of a soil conservation district in addition to  
 5 other powers granted to the subdistrict in other sections of this chap-  
 6 ter."

Approved April 27, 1959.

## CHAPTER 315

## SOIL CONSERVATION DISTRICTS

H. F. 348

AN ACT to amend the provisions of the soil conservation districts law relating to the discontinuance of districts.

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

1 SECTION 1. Section four hundred sixty-seven A point ten  
2 (467A.10), Code 1958, is hereby amended by inserting in line five (5)  
3 after the word, "district" the following: ", but in no case less than  
4 twenty percent of the owners of land lying within such district,".

Approved April 23, 1959.

## CHAPTER 316

## SOIL CONSERVATION

H. F. 347

AN ACT to pay for expenses in the organization of a subdistrict of a soil conservation district.

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

1 SECTION 1. Section four hundred sixty-seven A point twenty  
2 (467A.20), Code 1958, is hereby amended by striking from lines five  
3 and six (5 and 6) the word, "district" and inserting in lieu thereof the  
4 word, "subdistrict".

1 SEC. 2. Four hundred sixty-seven A point twenty (467A.20) is  
2 further amended by striking from line eight (8) the word "organiza-  
3 tion," and inserting in lieu thereof the following: "the repayment of  
4 actual and necessary expenses incurred to organize the subdistrict,".

Approved April 10, 1959.

## CHAPTER 317

## SOIL CONSERVATION SUBDISTRICTS

H. F. 429

AN ACT to provide subdistricts of soil conservation districts with the right of eminent domain.

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

1 SECTION 1. Section four hundred seventy-one point four (471.4),  
2 Code 1958, is hereby amended by adding to the end thereof the fol-  
3 lowing paragraph:

4 "7. Subdistricts of soil conservation districts. Upon a subdistrict  
5 of a soil conservation district for such land or rights or interests  
6 therein as are reasonable and necessary to carry out the purposes of  
7 the subdistrict".

1 SEC. 2. Section four hundred sixty-seven A point twenty  
2 (467A.20), Code 1958, is hereby amended by inserting in line eight  
3 (8) immediately preceding the word "repair," the following words:  
4 "to acquire land or rights or interests therein by purchase or con-  
5 demnation,".

1 SEC. 3. Chapter four hundred sixty-seven A (467A), Code 1958,  
2 is hereby amended by adding the following new section: "A sub-  
3 district of a soil conservation district may condemn land or rights  
4 or interests therein to carry out the authorized purposes of the sub-  
5 district."

Approved May 5, 1959.

## CHAPTER 318

### EMINENT DOMAIN

S. F. 296

AN ACT relating to damages under eminent domain.

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

1 SECTION 1. Amend section four hundred seventy-two point  
2 twenty-five (472.25), Code 1958, by adding thereto the following:  
3 "Upon appeal from the commissioner's award of damages the dis-  
4 trict court, wherein said appeal is pending, may direct that such part  
5 of the amount of damages deposited with the sheriff, as it finds just  
6 and proper, be paid to persons entitled thereto. If upon trial of said  
7 appeal a lesser amount is awarded the difference between the amount  
8 so awarded and the amount paid as above provided shall be repaid  
9 by the person or persons to whom the same was paid and upon failure  
10 to make such repayment the party entitled thereto shall have judge-  
11 ment entered against the person or persons who received such excess  
12 payment."

1 SEC. 2. Sections four hundred seventy-two point twenty-eight  
2 (472.28) and four hundred seventy-two point twenty-nine (472.29),  
3 Code 1958, are hereby repealed.

1 SEC. 3. Section four hundred seventy-two point fourteen (472.14),  
2 Code 1958, is hereby amended by adding the following words:  
3 "In assessing the damages the owner or tenant will sustain, the  
4 commissioners shall consider and make allowance for personal prop-  
5 erty which is damaged or destroyed or reduced in value."

Approved May 4, 1959.

## CHAPTER 319

## COMMERCE COMMISSION

H. F. 123

AN ACT to create an appointive commerce commission.

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

1 SECTION 1. Section thirty-nine point thirteen (39.13), Code 1958,  
2 is hereby repealed. The terms of the presently elected commerce  
3 commissioners and their successors to fill vacancies, if any, are hereby  
4 extended through June 30, 1963. Within sixty (60) days after the  
5 convening of the regular session of the general assembly in 1963 the  
6 governor shall appoint, with approval of two-thirds ( $\frac{2}{3}$ ) of the sen-  
7 ate in executive session, successors for the commerce commissioners.  
8 One (1) shall be appointed for a term beginning July 1, 1963 and  
9 ending June 30, 1965, one (1) for a term beginning July 1, 1963 and  
10 ending June 30, 1967, and one (1) for a term beginning July 1, 1963  
11 and ending June 30, 1969.

1 SEC. 2. Section four hundred seventy-four point two (474.2),  
2 Code 1958, is hereby repealed and the following enacted in lieu there-  
3 of:

4 "The Iowa state commerce commission shall be composed of three  
5 (3) members, not more than two (2) of whom shall be from the same  
6 political party, and each commissioner appointed in or after 1965 shall  
7 serve for six (6) years from July 1 of the year of his appointment.  
8 Within sixty (60) days after the convening of each regular session of  
9 the general assembly, beginning with the regular session in 1965, the  
10 governor shall appoint, with the approval of two-thirds ( $\frac{2}{3}$ ) of the  
11 senate in executive session, a successor to the member of said com-  
12 mission whose term will expire on July 1 following. Vacancies oc-  
13 ccurring while the general assembly is in session shall be filled for the  
14 unexpired portion of the term as full-term appointments are filled.  
15 Vacancies occurring while the general assembly is not in session shall  
16 be filled by the governor, but such appointments shall terminate at the  
17 end of thirty (30) days after the convening of the next regular ses-  
18 sion of the general assembly and the vacancy shall be filled for the  
19 unexpired portion of the term as full-term appointments are filled.

20 "On the second Tuesday of July of each year, the commission shall  
21 organize by electing one (1) of its members as chairman, and appoint-  
22 ing a secretary, who shall take the same oath as the commissioners.  
23 The commission may employ such additional clerical help as it may  
24 find necessary."

Approved March 19, 1959.



## CHAPTER 320

## HIGHWAY-RAILROAD GRADE CROSSINGS

H. F. 157

AN ACT relating to the creation of a highway grade crossing safety fund and to amend chapter four hundred seventy-eight (478), Code 1958, relating to cattle guards, fences, crossings, and interlocking switches and the authority of the state commerce commission to allocate funds for the protection of the public in the use of highway railroad grade crossings.

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

1 SECTION 1. There is hereby created a fund which shall be known  
2 as the highway grade crossing safety fund and shall be made up of  
3 the amount allocated by the state treasurer from the road use tax  
4 fund.

1 SEC. 2. Section four hundred seventy-eight point twenty-three  
2 (478.23), Code 1958, is hereby amended by inserting after the period  
3 in line fourteen (14) the following:  
4 "In determining what portion of the expense shall be paid by each  
5 party to such controversy the commission may consider the ratio of  
6 the benefits accruing to the railroad and/or the governmental unit as  
7 it bears to the general public use and benefit and such benefits shall  
8 be consistent with the standards adopted for similar purposes by the  
9 United States Bureau of Public Roads under the Federal Aid High-  
10 way Act of 1944 as amended."

1 SEC. 3. Chapter four hundred seventy-eight (478), Code 1958, is  
2 hereby amended by adding hereto a new section as follows:  
3 "When application is before the state commerce commission, as  
4 provided in section four hundred seventy-eight point twenty-two  
5 (478.22) of the Code, and after hearing has been held, and deter-  
6 mination as to allocation of costs as provided in section four hundred  
7 seventy-eight point twenty-three (478.23) of the Code, the state com-  
8 merce commission is hereby empowered to allocate proceeds from the  
9 highway grading crossing safety fund for the protection of the public  
10 in the use of the highway railroad grade crossings involved in the  
11 application, in addition to any portion of the cost to be paid by the  
12 railroad company or other public authority. Upon reaching a decision  
13 as to the amount to be allocated from the highway grade crossing  
14 safety fund, the commission shall forthwith direct the treasurer of  
15 state to distribute said amount from the funds then available in the  
16 highway grade crossing safety fund. Provided, however, the state  
17 commerce commission may not allocate any part of the proceeds of  
18 the highway grade crossing safety fund for improvement or construc-  
19 tion of highway-railroad grade crossings located on federal or federal-  
20 aid highways."

Approved April 7, 1959.

## CHAPTER 321

## CORPORATIONS

## H. F. 368

AN ACT relating to certain types of corporations and the formation, merger, consolidation, dissolution, liquidation, admission to do business in this state and withdrawal therefrom, authority, powers and rights thereof, and requirements therefor, and the regulation and conduct of affairs thereof.

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

1 SECTION 1. Short title. This Act shall be known and may be cited  
2 as the "Iowa Business Corporation Act".

1 SEC. 2. Definitions. As used in this Act, unless the context other-  
2 wise requires, the term:

3 1. "Person" means an individual, a corporation (domestic or for-  
4 eign), a partnership, an association, a trust or a fiduciary.

5 2. "Corporation" or "domestic corporation" means a corporation  
6 for profit subject to the provisions of this Act, except a foreign cor-  
7 poration.

8 3. "Foreign corporation" means a corporation for profit organized  
9 under laws other than the laws of this state for a purpose or purposes  
10 for which a corporation may be organized under this Act.

11 4. "Articles of incorporation" means the original or restated ar-  
12 ticles of incorporation and all amendments thereto and includes ar-  
13 ticles of merger.

14 5. "Shares" means the units into which the proprietary interests  
15 in a corporation are divided.

16 6. "Subscriber" means one who subscribes for shares in a corpora-  
17 tion, whether before or after incorporation.

18 7. "Shareholder" means one who is a holder of record of shares in  
19 a corporation.

20 8. "Authorized shares" means the shares of all classes which the  
21 corporation is authorized to issue.

22 9. "Treasury shares" means shares of a corporation which have  
23 been issued, have been subsequently acquired by and belong to the  
24 corporation, and have not, either by reason of the acquisition or  
25 thereafter, been canceled or restored to the status of authorized but  
26 unissued shares. Treasury shares shall be deemed to be "issued"  
27 shares, but not "outstanding" shares.

28 10. "Net assets" means the amount by which the total assets of a  
29 corporation, excluding treasury shares, exceed the total debts of the  
30 corporation.

31 11. "Stated capital" means, at any particular time, the sum of  
32 (a) the par value of all shares of the corporation having a par value  
33 that have been issued, (b) the amount of the consideration received  
34 by the corporation for all shares of the corporation without par value  
35 that have been issued, except such part of the consideration therefor  
36 as may have been allocated to surplus in a manner permitted by law,  
37 and (c) such amounts not included in clauses (a) and (b) of this  
38 subsection as have been transferred to stated capital of the corpora-  
39 tion, whether upon the issue of shares as a share dividend or other-  
40 wise, minus all reductions from such sum as have been effected in a

41 manner permitted by law. Irrespective of the manner of designation  
42 thereof by the laws under which a foreign corporation is organized,  
43 the stated capital of a foreign corporation shall be determined on the  
44 same basis and in the same manner as the stated capital of a domes-  
45 tic corporation, for the purposes of computing fees and other charges  
46 now or hereafter imposed by this Act.

47 12. "Surplus" means the excess of the net assets of a corporation  
48 over its stated capital.

49 13. "Insolvent" means inability of a corporation to pay its debts  
50 as they become due in the usual course of its business.

1 **SEC. 3. Purposes.** Subject to the provisions of subsection 1 of  
2 section 142 of this Act, corporations may be organized under this  
3 Act for any lawful purpose or purposes.

1 **SEC. 4. General powers.** Each corporation, unless otherwise stated  
2 in its articles of incorporation, shall have power:

3 1. To have perpetual succession by its corporate name unless a  
4 limited period of duration is stated in its articles of incorporation.

5 2. To sue and be sued, complain and defend, in its corporate name.

6 3. To have a corporate seal which may be altered at pleasure, and  
7 to use the same by causing it, or a facsimile thereof, to be impressed  
8 or affixed or in any other manner reproduced.

9 4. To purchase, take, receive, lease, or otherwise acquire, own,  
10 hold, improve, use and otherwise deal in and with, real or personal  
11 property, or any interest therein, wherever situated.

12 5. To sell, convey, mortgage, pledge, lease, exchange, transfer and  
13 otherwise dispose of all or any part of its property and assets.

14 6. To lend money to, and otherwise assist its employees, officers  
15 and directors.

16 7. To purchase, take, receive, subscribe for, or otherwise acquire,  
17 own, hold, vote, use, employ, sell, mortgage, lend, pledge, or other-  
18 wise dispose of, and otherwise use and deal in and with, shares or  
19 other interests in, or obligations of, other domestic or foreign cor-  
20 porations, associations, partnerships or individuals, or direct or  
21 indirect obligations of the United States or of any other government,  
22 state, territory, governmental district or municipality or of any  
23 instrumentality thereof.

24 8. To make contracts and guaranties and incur liabilities, borrow  
25 money at such lawful rates of interest as the corporation may deter-  
26 mine, issue its notes, bonds, and other obligations, and secure any of  
27 its obligations by mortgage or pledge of all or any of its property,  
28 franchises and income, and to guarantee the obligations of other  
29 persons.

30 9. To lend money for its corporate purposes, invest and reinvest  
31 its funds, and take and hold real and personal property as security  
32 for the payment of funds so loaned or invested.

33 10. To conduct its business, carry on its operations, and have  
34 offices and exercise the powers granted by this Act in any state, ter-  
35 ritory, district, or possession of the United States, or in any foreign  
36 country.

37 11. To elect or appoint officers and agents of the corporation, and  
38 define their duties and fix their compensation.

39 12. To make and alter bylaws, not inconsistent with its articles of

40 incorporation or with the laws of this state, for the administration  
41 and regulation of the affairs of the corporation.

42 13. To make donations for the public welfare for religious, chari-  
43 table, scientific or educational purposes.

44 14. In time of war to transact any lawful business in aid of the  
45 United States in the prosecution of the war.

46 15. To indemnify any director or officer or former director or  
47 officer of the corporation, or any person who may have served at its  
48 request as a director or officer of another corporation in which it  
49 owns shares of capital stock or of which it is a creditor, against  
50 expenses actually and reasonably incurred by him in connection with  
51 the defense of any action, suit or proceeding, civil or criminal, in  
52 which he is made a party by reason of being or having been such  
53 director or officer, except in relation to matters as to which he shall  
54 be adjudged in such action, suit or proceeding to be liable for negli-  
55 gence or misconduct in the performance of duty; and to make any  
56 other indemnification that shall be authorized by the articles of in-  
57 corporation or by any bylaw or resolution adopted by the sharehold-  
58 ers after notice.

59 16. To pay pensions and establish pension plans, pension trusts,  
60 profit-sharing plans, stock-bonus plans, stock-option plans and other  
61 incentive, insurance and welfare plans for any or all of its directors,  
62 officers and employees.

63 17. To cease its corporate activities and surrender its corporate  
64 franchise.

65 18. To have and exercise all powers necessary or convenient to  
66 effect any or all of the purposes for which the corporation is organ-  
67 ized.

1 **SEC. 5. Right of corporation to acquire and dispose of its own**  
2 **shares.** A corporation shall have the right to purchase, take, receive,  
3 or otherwise acquire, hold, own, pledge, transfer, or otherwise dis-  
4 pose of its own shares, but purchases of its own shares, whether  
5 direct or indirect, shall be made only to the extent of surplus.

6 Notwithstanding the foregoing limitation, a corporation may pur-  
7 chase or otherwise acquire its own shares for the purpose of:

- 8 1. Eliminating fractional shares.
- 9 2. Collecting or compromising indebtedness to the corporation.
- 10 3. Paying dissenting shareholders entitled to payment for their  
11 shares under the provisions of this Act.

12 4. Effecting, subject to the other provisions of this Act, the retire-  
13 ment of its redeemable shares by redemption or by purchase at not  
14 to exceed the redemption price.

15 No purchase of or payment for its own shares shall be made at a  
16 time when the corporation is insolvent or when such purchase or  
17 payment would make it insolvent.

1 **SEC. 6. Defense of ultra vires.** No act of a corporation and no  
2 conveyance or transfer of real or personal property to or by a cor-  
3 poration shall be invalid by reason of the fact that the corporation  
4 was without capacity or power to do such act or to make or receive  
5 such conveyance or transfer, but such lack of capacity or power may  
6 be asserted:

7 1. In a proceeding by a shareholder against the corporation to  
 8 enjoin the doing of any act or acts or the transfer of real or per-  
 9 sonal property by or to the corporation. If the unauthorized acts or  
 10 transfer sought to be enjoined are being, or are to be, performed or  
 11 made pursuant to any contract to which the corporation is a party,  
 12 the court may, if it deems the same to be equitable, set aside and  
 13 enjoin the performance of such contract, without prejudice to the  
 14 rights of persons not parties to the proceeding, and in so doing may  
 15 allow to the corporation or to the other parties to the contract, as  
 16 the case may be, compensation for the loss or damage sustained by  
 17 either of them which may result from the action of the court in set-  
 18 ting aside and enjoining the performance of such contract, but an-  
 19 ticipated profits to be derived from the performance of the contract  
 20 shall not be awarded by the court as a loss or damage sustained.

21 2. In a proceeding by the corporation, whether acting directly or  
 22 through a receiver, trustee, or other legal representative, or through  
 23 shareholders in a representative suit, against the incumbent or for-  
 24 mer officers or directors of the corporation.

25 3. In a proceeding by the attorney general, as provided in this  
 26 Act, to dissolve the corporation, or in a proceeding by the attorney  
 27 general to enjoin the corporation from the transaction of unauthor-  
 28 ized business.

1 SEC. 7. Corporate name. The corporate name:

2 1. Shall contain the word "corporation", "company", "incorpo-  
 3 rated" or "limited" or shall contain an abbreviation of one of such  
 4 words.

5 2. Shall not contain any word or phrase which indicates or implies  
 6 that it is organized for any purpose other than one or more of the  
 7 purposes contained in its articles of incorporation.

8 3. Shall not be the same as, or deceptively similar to, the name of  
 9 any domestic corporation existing under the laws of this state or any  
 10 foreign corporation authorized to transact business in this state, or  
 11 a name the exclusive right to which is, at the time, reserved in the  
 12 manner provided in this Act, or the name of a corporation which  
 13 has in effect a registration of its corporate name as provided in this  
 14 Act.

15 4. Shall be the name under which the corporation shall transact its  
 16 business in this state unless the corporation shall have filed with the  
 17 secretary of state a statement, verified by one of its officers, setting  
 18 forth the name other than its corporate name under which it pro-  
 19 poses to do business, and the nature of the business to be conducted  
 20 under each such name. Any name proposed to be assumed by a cor-  
 21 poration shall be such as could, under the provisions of this section,  
 22 be adopted as its corporate name, except that such assumed name  
 23 need not be dissimilar to its own corporate name.

1 SEC. 8. Reserved name. The exclusive right to the use of a cor-  
 2 porate name may be reserved by:

3 1. Any person intending to organize a corporation under this Act.

4 2. Any domestic corporation intending to change its name.

5 3. Any foreign corporation intending to make application for a  
 6 certificate of authority to transact business in this state.

7 4. Any foreign corporation authorized to transact business in this  
 8 state and intending to change its name.

9 5. Any person intending to organize a foreign corporation and in-  
10 tending to have such corporation make application for a certificate of  
11 authority to transact business in this state.

12 The reservation shall be made by filing with the secretary of state  
13 an application to reserve a specified corporate name, executed by the  
14 applicant. If the secretary of state finds that the name is available  
15 for corporate use, he shall reserve the same for the exclusive use of  
16 the applicant for a period of ninety days.

17 The right to the exclusive use of a specified corporate name so re-  
18 served may be transferred to any other person or corporation by  
19 filing in the office of the secretary of state a notice of such transfer,  
20 executed by the applicant for whom the name was reserved, and  
21 specifying the name and address of the transferee.

1 **SEC. 9. Registered name.** Any corporation organized and exist-  
2 ing under the laws of any state or territory of the United States or  
3 the District of Columbia may register its corporate name under this  
4 Act, provided its corporate name is not the same as, or deceptively  
5 similar to, the name of any domestic corporation existing under the  
6 laws of this state, or the name of any foreign corporation authorized  
7 to transact business in this state, or any corporate name reserved or  
8 registered under this Act.

9 Such registration shall be made by:

10 1. Filing with the secretary of state (a) an application for regis-  
11 tration executed by the corporation by an officer thereof, setting  
12 forth the name of the corporation, the state or territory under the  
13 laws of which it is incorporated, the date of its incorporation, a  
14 statement that it is carrying on or doing business, and a brief state-  
15 ment of the business in which it is engaged, and (b) a certificate set-  
16 ting forth that such corporation is in good standing under the laws  
17 of the state or territory wherein it is organized, executed by the sec-  
18 retary of state of such state or territory or by such other official as  
19 may have custody of the records pertaining to corporations, and

20 2. Paying to the secretary of state a registration fee in the amount  
21 of two dollars for each month, or fraction thereof, between the date  
22 of filing such application and December 31 of the calendar year in  
23 which such application is filed.

24 Such registration shall be effective until the close of the calendar  
25 year in which the application for registration is filed.

1 **SEC. 10. Renewal of registered name.** A corporation which has  
2 in effect a registration of its corporate name, may renew such regis-  
3 tration from year to year by annually filing an application for re-  
4 newal setting forth the facts required to be set forth in an original  
5 application for registration and a certificate of good standing as  
6 required for the original registration and by paying a fee of twenty  
7 dollars. A renewal application may be filed between the first day of  
8 October and the thirty-first day of December in each year, and shall  
9 extend the registration for the following calendar year.

1 **SEC. 11. Registered office and registered agent.** Each corporation  
2 shall have and continuously maintain in this state:

3 1. A registered office which may be, but need not be, the same as  
4 its place of business.

5 2. A registered agent or agents who may be either an individual  
6 or individuals resident in this state, the business office of whom shall  
7 be identical with such registered office, or a domestic corporation, or  
8 a foreign corporation authorized to transact business in this state,  
9 having a business office identical with such registered office.

10 In addition to all other statutory provisions relating to venue, an  
11 action may be brought against any corporation in the county where  
12 its registered office is maintained or, if a corporation fails to main-  
13 tain a registered office in this state, then in any county within the  
14 state.

1 SEC. 12. Change of registered office or registered agent. A cor-  
2 poration may change its registered office or change its registered  
3 agent or agents, or both office and agent or agents upon filing in the  
4 office of the secretary of state a statement setting forth:

- 5 1. The name of the corporation.
- 6 2. The address of its then registered office.
- 7 3. If the address of its registered office be changed, the address to  
8 which the registered office is to be changed.
- 9 4. The name of its then registered agent or agents.
- 10 5. If its registered agent or agents be changed, the name of its suc-  
11 cessor registered agent or agents.
- 12 6. That the address of its registered office and the address of the  
13 business office of its registered agent or agents, as changed, will be  
14 identical.
- 15 7. That such change was authorized by resolution duly adopted by  
16 its board of directors.

17 Such statement shall be executed by the corporation by its presi-  
18 dent or a vice-president, and verified by him. If the registered office  
19 is changed from one county to another, such statement shall be  
20 executed in duplicate. Such statement shall be delivered to the sec-  
21 retary of state for filing and recording in his office, and the state-  
22 ment shall be filed and recorded in the office of the county recorder;  
23 and if the registered office is changed from one county to another, the  
24 same shall be filed and recorded in the office of the recorder of the  
25 county in which the registered office was located prior to the filing  
26 of such statement in the office of the secretary of state, and in the  
27 office of the recorder of the county to which the registered office is  
28 changed.

29 If the registered office is changed from one county to another, the  
30 corporation shall also cause to be filed and recorded forthwith in the  
31 office of the recorder of the county to which such registered office is  
32 changed, its original articles of incorporation and all amendments  
33 thereto, or copies thereof certified by the secretary of state, or its  
34 restated articles and all amendments thereto, or copies thereof certi-  
35 fied by the secretary of state.

36 The change of address of registered office or the change of regis-  
37 tered agent or agents or both registered office and agent or agents, as  
38 the case may be, shall become effective upon the filing of such state-  
39 ment by the secretary of state, but until such statement is recorded  
40 in the office of the recorder as above prescribed, service of process,  
41 notice or demand required or permitted by law to be served upon the  
42 corporation may be served upon the person who was its registered  
43 agent at its registered office prior to the filing of such statement

44 with the same force and effect as if no change in registered office or  
45 registered agent had been made.

46 Any registered agent of a corporation may resign as such agent  
47 upon filing a written notice thereof, executed in duplicate, with the  
48 secretary of state, who shall record one copy and forthwith mail the  
49 other copy thereof to the corporation at its registered office. The copy  
50 recorded by the secretary of state shall be sent by him to the county  
51 recorder of the county in which the registered office is located for  
52 recording in his office. The appointment of such agent shall termi-  
53 nate upon the expiration of thirty days after receipt of such notice  
54 by the secretary of state.

1 SEC. 13. **Service of process on corporation.** The registered agent  
2 so appointed by a corporation shall be an agent of such corporation  
3 upon whom any process, notice or demand required or permitted by  
4 law to be served upon the corporation may be served.

5 Whenever a corporation shall fail to appoint or maintain a regis-  
6 tered agent in this state, or whenever its registered agent cannot  
7 with reasonable diligence be found at the registered office, then the  
8 secretary of state shall be an agent of such corporation upon whom  
9 any such process, notice, or demand may be served. Service on the  
10 secretary of state of any such process, notice, or demand shall be  
11 made by delivering to and leaving with him, or with any clerk hav-  
12 ing charge of the corporation department of his office, duplicate  
13 copies of such process, notice or demand. In the event any such pro-  
14 cess, notice or demand is served on the secretary of state, he shall  
15 immediately cause one of the copies thereof to be forwarded by reg-  
16 istered or certified mail, addressed to the corporation at its regis-  
17 tered office. No corporation served in accordance with the procedure  
18 provided for by this paragraph shall be in default until thirty days  
19 have elapsed following such service on the secretary of state.

20 The secretary of state shall keep a record of all processes, notices  
21 and demands served upon him under this section, and shall record  
22 therein the time of such service and his action with reference thereto.

23 Nothing herein contained shall limit or affect the right to serve any  
24 process, notice or demand required or permitted by law to be served  
25 upon a corporation in any other manner now or hereafter permitted  
26 by law.

1 SEC. 14. **Authorized shares.** Each corporation shall have power  
2 to create and issue the number of shares stated in its articles of in-  
3 corporation. Such shares may be divided into one or more classes,  
4 any or all of which classes may consist of shares with par value or  
5 shares without par value, with such designations, preferences, limi-  
6 tations, and relative rights as shall be stated in the articles of incor-  
7 poration. The articles of incorporation may limit or deny the voting  
8 rights of, or provide special voting rights for, the shares of any class  
9 to the extent not inconsistent with the provisions of this Act.

10 Without limiting the authority herein contained, a corporation,  
11 when so provided in its articles of incorporation, may issue shares of  
12 preferred or special classes:

13 1. Subject to the right of the corporation to redeem any of such  
14 shares at the price fixed by the articles of incorporation for the re-  
15 demption thereof.



16 2. Entitling the holders thereof to cumulative, noncumulative or  
17 partially cumulative dividends.

18 3. Having preference over any other class or classes of shares as to  
19 the payment of dividends.

20 4. Having preference in the assets of the corporation over any  
21 other class or classes of shares upon the voluntary or involuntary  
22 liquidation of the corporation.

23 5. Convertible into shares of any other class or into shares of any  
24 series of the same or any other class, except a class having prior or  
25 superior rights and preferences as to dividends or distribution of  
26 assets upon liquidation, but shares without par value shall not be  
27 converted into shares with par value unless that part of the stated  
28 capital of the corporation represented by such shares without par  
29 value is, at the time of conversion, at least equal to the aggregate  
30 par value of the shares into which the shares without par value are  
31 to be converted.

1 SEC. 15. Issuance of shares of preferred or special classes in se-  
2 ries. If the articles of incorporation so provide, the shares of any pre-  
3 ferred or special class may be divided into and issued in series. If  
4 the shares of any such class are to be issued in series, then each  
5 series shall be so designated as to distinguish the shares thereof from  
6 the shares of all other series and classes. Any or all of the series of  
7 any such class and the variations in the relative rights and prefer-  
8 ences as between different series may be fixed and determined by the  
9 articles of incorporation, but all shares of the same class shall be  
10 identical except as to the following relative rights and preferences,  
11 as to which there may be variations between different series:

12 1. The rate of dividend.

13 2. The price at and the terms and conditions on which shares may  
14 be redeemed.

15 3. The amount payable upon shares in event of involuntary liquida-  
16 tion.

17 4. The amount payable upon shares in event of voluntary liquida-  
18 tion.

19 5. Sinking fund provisions for the redemption or purchase of  
20 shares.

21 6. The terms and conditions on which shares may be converted, if  
22 the shares of any series are issued with the privilege of conversion.

23 If the articles of incorporation shall expressly vest authority in the  
24 board of directors, then, to the extent that the articles of incorpora-  
25 tion shall not have established series and fixed and determined the  
26 variations in the relative rights and preferences as between series,  
27 the board of directors shall have authority to divide any or all of  
28 such classes into series and, within the limitations set forth in this  
29 section and in the articles of incorporation, fix and determine the  
30 relative rights and preferences of the shares of any series so estab-  
31 lished.

32 In order for the board of directors to establish a series, where  
33 authority so to do is contained in the articles of incorporation, the  
34 board of directors shall adopt a resolution setting forth the designa-  
35 tion of the series and fixing and determining the relative rights and  
36 preferences thereof, or so much thereof as shall not be fixed and  
37 determined by the articles of incorporation.

38 Prior to the issue of any shares of a series established by resolu-  
39 tion adopted by the board of directors, the corporation shall file in  
40 the office of the secretary of state a statement setting forth:

41 7. The name of the corporation.

42 8. A copy of the resolution establishing and designating the series,  
43 and fixing and determining the relative rights and preferences there-  
44 of.

45 9. The date of adoption of such resolution.

46 10. That such resolution was duly adopted by the board of direc-  
47 tors.

48 Such statement shall be executed by the corporation by its presi-  
49 dent or a vice-president and by its secretary or an assistant secre-  
50 tary, and acknowledged by one of the officers signing such statement,  
51 and shall be delivered to the secretary of state for filing and record-  
52 ing in his office, and the same shall be filed and recorded in the office  
53 of the county recorder.

54 Upon the filing of such statement by the secretary of state, the  
55 resolution establishing and designating the series and fixing and  
56 determining the relative rights and preferences thereof shall become  
57 effective and shall constitute an amendment of the articles of incor-  
58 poration.

1 SEC. 16. **Subscriptions for shares.** A subscription for shares of a  
2 corporation to be organized shall be irrevocable for a period of six  
3 months, unless otherwise provided by the terms of the subscription  
4 agreement or unless all of the subscribers consent to the revocation  
5 of such subscription.

6 Unless otherwise provided in the subscription agreement, sub-  
7 scriptions for shares, whether made before or after the organization  
8 of a corporation, shall be paid in full at such time, or in such install-  
9 ments and at such times, as shall be determined by the board of  
10 directors. Any call made by the board of directors for payment on  
11 subscriptions shall be uniform as to all shares of the same class or as  
12 to all shares of the same series, as the case may be.

1 SEC. 17. **Consideration for shares.** Shares having a par value  
2 may be issued for such consideration expressed in dollars, not less  
3 than the par value thereof, as shall be fixed from time to time by the  
4 board of directors.

5 Shares without par value may be issued for such consideration ex-  
6 pressed in dollars as may be fixed from time to time by the board of  
7 directors unless the articles of incorporation reserve to the share-  
8 holders the right to fix the consideration. In the event that such right  
9 be reserved as to any shares, the shareholders shall, prior to the issu-  
10 ance of such shares, fix the consideration to be received for such  
11 shares, by a vote of the holders of a majority of all shares entitled to  
12 vote thereon.

13 Treasury shares may be disposed of by the corporation for such  
14 consideration expressed in dollars as may be fixed from time to time  
15 by the board of directors.

16 That part of the surplus of a corporation which is transferred to  
17 stated capital upon the issuance of shares as a share dividend shall be  
18 deemed to be the consideration for the issuance of such shares.

19 In the event of a conversion of shares, or in the event of an ex-

20 change of shares with or without par value for the same or a different  
21 number of shares with or without par value, whether of the same or  
22 a different class or classes, the consideration for the shares so issued  
23 in exchange or conversion shall be deemed to be (1) the stated capital  
24 then represented by the shares so exchanged or converted, and (2)  
25 that part of surplus, if any, transferred to stated capital upon the  
26 issuance of shares for the shares so exchanged or converted, and (3)  
27 any additional consideration paid to the corporation upon the issu-  
28 ance of shares for the shares so exchanged or converted.

1     **SEC. 18. Payment for shares.** The consideration for the issuance  
2 of shares may be paid, in whole or in part, in money, in other prop-  
3 erty, tangible or intangible, or in labor or services actually performed  
4 for the corporation. When payment of the consideration for which  
5 shares are to be issued shall have been received by the corporation,  
6 such shares shall be deemed to be fully paid and nonassessable.

7     Neither promissory notes of the subscriber nor future services  
8 shall constitute payment or part payment, for shares of a corpora-  
9 tion.

10     In the absence of fraud in the transaction, the judgment of the  
11 board of directors or the shareholders, as the case may be, as to the  
12 value of the consideration received for shares shall be conclusive.

1     **SEC. 19. Stock rights and options.** Subject to any provisions in  
2 respect thereof set forth in its articles of incorporation, a corpora-  
3 tion may create and issue, whether or not in connection with the  
4 issuance and sale of any of its shares or other securities, rights or  
5 options entitling the holders thereof to purchase from the corpora-  
6 tion shares of any class or classes. Such rights or options shall be  
7 evidenced in such manner as the board of directors shall approve and,  
8 subject to the provisions of the articles of incorporation, shall set  
9 forth the terms upon which, the time or times within which and the  
10 price or prices at which such shares may be purchased from the cor-  
11 poration upon the exercise of any such right or option. If such  
12 rights or options are to be issued to the directors, officers or employ-  
13 ees of the corporation, or of any subsidiary thereof, their issuance  
14 shall be approved by a majority of the outstanding shares entitled to  
15 vote thereon, at a duly constituted meeting or authorized by, and  
16 consistent with, a plan theretofore approved by such a vote of share-  
17 holders and, in every instance, such approval or plan shall be set  
18 forth or incorporated by reference in the instrument or instruments  
19 evidencing such rights or options. In the absence of fraud in the  
20 transaction, the judgment of the board of directors as to the ade-  
21 quacy of the consideration received for such rights or options shall  
22 be conclusive. The price or prices to be received for any shares hav-  
23 ing a par value shall not be less than the par value thereof. The pro-  
24 visions of this section shall not limit the right of the corporation to  
25 grant rights and options with respect to treasury shares.

1     **SEC. 20. Determination of amount of stated capital.** In case of  
2 the issuance by a corporation of shares having a par value, the con-  
3 sideration received therefor shall constitute stated capital to the ex-  
4 tent of the par value of such shares, and the excess, if any, of such  
5 consideration shall constitute surplus.

6 In case of the issuance by a corporation of shares without par  
7 value, the entire consideration received therefor shall constitute  
8 stated capital unless the corporation shall determine as provided in  
9 this section that only a part thereof shall be stated capital. Within a  
10 period of sixty days after the issuance of any shares without par  
11 value, the board of directors may allocate to surplus any portion of  
12 the consideration received for the issuance of such shares. No such  
13 allocation shall be made of any portion of the consideration received  
14 for shares without par value having a preference in the assets of the  
15 corporation in the event of involuntary liquidation except the amount,  
16 if any, of such consideration in excess of such preference.

17 The stated capital of a corporation may be increased from time to  
18 time by resolution of the board of directors directing that all or a  
19 part of the surplus of the corporation be transferred to stated capi-  
20 tal. The board of directors may direct that the amount of the sur-  
21 plus so transferred shall be deemed to be stated capital in respect of  
22 any designated class of shares.

1 **SEC. 21. Expenses of organization, reorganization and financing.**

2 The reasonable charges and expenses of organization or reorganiza-  
3 tion of a corporation, and the reasonable expenses of and compensa-  
4 tion for the sale or underwriting of its shares, may be paid or allowed  
5 by such corporation out of the consideration received by it in pay-  
6 ment for its shares without thereby rendering such shares not fully  
7 paid and nonassessable.

1 **SEC. 22. Certificates representing shares.** The shares of a corpo-  
2 ration shall be represented by certificates signed by such officers,  
3 employees or agents as are authorized by the articles of incorporation  
4 or bylaws to sign. If no contrary provision is made in the articles or  
5 bylaws, such certificates shall be signed by the president or a vice  
6 president and the secretary or an assistant secretary of the corpora-  
7 tion, and may be sealed with the seal of the corporation or a facsimile  
8 thereof. The signatures of the president or vice president and the  
9 secretary or assistant secretary or other persons signing for the cor-  
10 poration upon a certificate may be facsimiles if the certificate is  
11 countersigned by a transfer agent, or registered by a registrar, other  
12 than the corporation itself or an employee of the corporation. In case  
13 any officer or other authorized person who has signed or whose fac-  
14 simile signature has been placed upon such certificate for the corpora-  
15 tion shall have ceased to be such officer or employee or agent before  
16 such certificate is issued, it may be issued by the corporation with the  
17 same effect as if he were such officer or employee or agent at the date  
18 of its issue.

19 Every certificate representing shares issued by a corporation which  
20 is authorized to issue shares of more than one class shall set forth  
21 upon the face or back of the certificate, or shall state that the corpo-  
22 ration will furnish to any shareholder upon request and without  
23 charge, a full statement of the designations, preferences, limitations,  
24 and relative rights of the shares of each class authorized to be issued  
25 and, if the corporation is authorized to issue any preferred\* or spe-  
26 cial class in series, the variations in the relative rights and prefer-

\*According to enrolled Act.

27 ences between the shares of each such series so far as the same have  
28 been fixed and determined and the authority of the board of directors  
29 to fix and determine the relative rights and preferences of subse-  
30 quent series.

31 Each certificate representing shares shall state upon the face  
32 thereof:

33 1. That the corporation is organized under the laws of this state.

34 2. The name of the person to whom issued.

35 3. The number and class of shares, and the designation of the  
36 series, if any, which such certificate represents.

37 4. The par value of each share represented by such certificate, or  
38 a statement that the shares are without par value.

39 No certificate shall be issued for any share until such share is fully  
40 paid.

1 **SEC. 23. Issuance of fractional shares or scrip.** A corporation  
2 may, but shall not be obliged to, issue a certificate for a fractional  
3 share, and, by action of its board of directors, may issue in lieu  
4 thereof scrip in registered or bearer form which shall entitle the  
5 holder to receive a certificate for a full share upon the surrender of  
6 such scrip aggregating a full share. A certificate for a fractional  
7 share shall, but scrip shall not unless otherwise provided therein,  
8 entitle the holder to exercise voting rights, to receive dividends  
9 thereon, and to participate in any of the assets of the corporation in  
10 the event of liquidation. The board of directors may cause such scrip  
11 to be issued subject to the condition that it shall become void if not  
12 exchanged for certificates representing full shares before a specified  
13 date, or subject to the condition that the shares for which such scrip  
14 is exchangeable may be sold by the corporation and the proceeds  
15 thereof distributed to the holders of such scrip, or subject to any  
16 other conditions which the board of directors may deem advisable.

1 **SEC. 24. Liability of subscribers and shareholders.** A holder of  
2 or subscriber to shares of a corporation shall be under no obligation  
3 to the corporation or its creditors with respect to such shares other  
4 than the obligation to pay to the corporation the full consideration  
5 for which such shares were issued or to be issued.

6 Any person becoming an assignee or transferee of shares or of a  
7 subscription for shares in good faith and without knowledge or notice  
8 that the full consideration therefor has not been paid shall not be  
9 personally liable to the corporation or its creditors for any unpaid  
10 portion of such consideration.

11 An executor, administrator, conservator, guardian, trustee, as-  
12 signee for the benefit of creditors, or receiver shall not be personally  
13 liable to the corporation as a holder of or subscriber to shares of a  
14 corporation but the estate and funds in his hands shall be so liable.

15 No pledgee or other holder of shares as collateral security shall be  
16 personally liable as a shareholder.

1 **SEC. 25. Shareholders' pre-emptive rights.** The pre-emptive right  
2 of a shareholder to acquire unissued shares of a corporation may be  
3 limited or denied to the extent provided in the articles of incorpora-  
4 tion or any amendment thereto. The shareholders of a corporation  
5 shall possess no pre-emptive right to acquire treasury shares of the

6 corporation except to the extent, if any, that such right is provided  
7 in the articles of incorporation.

1 SEC. 26. **Bylaws.** The initial bylaws of a corporation shall be  
2 adopted by its board of directors. The power to alter, amend or re-  
3 peal the bylaws or adopt new bylaws shall be vested in the board of  
4 directors unless reserved to the shareholders by the articles of in-  
5 corporation. The bylaws may contain any provisions for the regula-  
6 tion and management of the affairs of the corporation not incon-  
7 sistent with law or the articles of incorporation. If the articles of  
8 incorporation so provide, the bylaws may contain any provisions  
9 restricting the transfer of shares.

1 SEC. 27. **Meetings of shareholders.** Meetings of shareholders may  
2 be held at such place, either within or without this state, as may be  
3 provided in the articles of incorporation or the bylaws, or as may  
4 be fixed from time to time in accordance with the provisions thereof.  
5 In the absence of any such provision, all meetings shall be held at  
6 the registered office of the corporation.

7 An annual meeting of the shareholders shall be held at such time  
8 as may be provided in the articles of incorporation or the bylaws.  
9 Failure to hold the annual meeting at the designated time shall not  
10 work a forfeiture or dissolution of the corporation.

11 Special meetings of the shareholders may be called by the president,  
12 the board of directors, the holders of not less than one-tenth of all  
13 the shares entitled to vote at the meeting, or such other officers or  
14 persons as may be provided in the articles of incorporation or the  
15 bylaws.

1 SEC. 28. **Notice of shareholders' meetings.** Written or printed  
2 notice stating the place, day and hour of the meeting and, in case of  
3 a special meeting, the purpose or purposes for which the meeting is  
4 called, shall be delivered not less than ten nor more than fifty days  
5 before the date of the meeting, either personally or by mail, by or at  
6 the direction of the president, the secretary, or the officer or persons  
7 calling the meeting, to each shareholder of record entitled to vote at  
8 such meeting. If mailed, such notice shall be deemed to be delivered  
9 when deposited in the United States mail addressed to the share-  
10 holder at his address as it appears on the stock transfer books of the  
11 corporation, with postage thereon prepaid.

1 SEC. 29. **Closing of transfer books and fixing record date.** For the  
2 purpose of determining shareholders entitled to notice of or to vote  
3 at any meeting of shareholders or any adjournment thereof, or en-  
4 titled to receive payment of any dividend, or in order to make a deter-  
5 mination of shareholders for any other proper purpose, the board of  
6 directors of a corporation may provide that the stock transfer books  
7 shall be closed for a stated period but not to exceed, in any case, fifty  
8 days. If the stock transfer books shall be closed for the purpose of  
9 determining shareholders entitled to notice of or to vote at a meeting  
10 of shareholders, such books shall be closed for at least ten days im-  
11 mediately preceding such meeting. In lieu of closing the stock trans-  
12 fer books, the bylaws, or in the absence of an applicable bylaw the  
13 board of directors, may fix in advance a date as the record date for  
14 any such determination of shareholders, such date in any case to be

15 not more than fifty days and, in case of a meeting of shareholders,  
16 not less than ten days prior to the date on which the particular  
17 action, requiring such determination of shareholders, is to be taken.  
18 If the stock transfer books are not closed and no record date is fixed  
19 for the determination of shareholders entitled to notice of or to vote  
20 at a meeting of shareholders, or shareholders entitled to receive pay-  
21 ment of a dividend, the date on which notice of the meeting is mailed  
22 or the date on which the resolution of the board of directors declaring  
23 such dividend is adopted, as the case may be, shall be the record date  
24 for such determination of shareholders. When a determination of  
25 shareholders entitled to vote at any meeting of shareholders has been  
26 made as provided in this section, such determination shall apply to  
27 any adjournment thereof.

1     **SEC. 30. Voting list.** The officer or agent having charge of the  
2 stock transfer books for shares of a corporation shall make, at least  
3 ten days before each meeting of shareholders, a complete list of the  
4 shareholders entitled to vote at such meeting or any adjournment  
5 thereof, arranged in alphabetical order, with the address of and the  
6 number of shares held by each, which list, for a period of ten days  
7 prior to such meeting, shall be kept on file at the registered office of  
8 the corporation and shall be subject to inspection by any shareholder  
9 at any time during usual business hours. Such list shall also be pro-  
10 duced and kept open at the time and place of the meeting and shall  
11 be subject to the inspection of any shareholder during the whole time  
12 of the meeting. The original stock transfer books shall be prima facie  
13 evidence as to who are the shareholders entitled to examine such list  
14 or transfer books or to vote at any meeting of shareholders.

15     Failure to comply with the requirements of this section shall not  
16 affect the validity of any action taken at such meeting.

1     **SEC. 31. Quorum of shareholders.** Unless otherwise provided in  
2 the articles of incorporation, a majority of the shares entitled to vote,  
3 represented in person or by proxy, shall constitute a quorum at a  
4 meeting of shareholders. If a quorum is present, the affirmative vote  
5 of the majority of the shares represented at the meeting and entitled  
6 to vote on the subject matter shall be the act of the shareholders,  
7 unless the vote of a greater number or voting by classes is required  
8 by this Act or the articles of incorporation or bylaws.

1     **SEC. 32. Voting of shares.** Each outstanding share, regardless of  
2 class, shall be entitled to one vote on each matter submitted to a vote  
3 at a meeting of shareholders, except to the extent that the voting  
4 rights of the shares of any class or classes are limited or denied by  
5 the articles of incorporation as permitted by this Act.

6     Neither treasury shares nor, unless the articles of incorporation  
7 otherwise provide, shares held by another corporation if a majority  
8 of the shares entitled to vote for the election of directors of such other  
9 corporation is held by the corporation, shall be voted at any meeting  
10 or counted in determining the total number of outstanding shares at  
11 any given time.

12     A shareholder may vote either in person or by proxy executed in  
13 writing by the shareholder or by his duly authorized attorney-in-fact.  
14 No proxy shall be valid after eleven months from the date of its  
15 execution, unless otherwise provided in the proxy.

16 At each election for directors every shareholder entitled to vote at  
17 such election shall have the right to vote, in person or by proxy, the  
18 number of shares owned by him for as many persons as there are  
19 directors to be elected and for whose election he has a right to vote,  
20 or, if the articles of incorporation specifically permit cumulative vot-  
21 ing, to cumulate his votes either by giving one candidate as many  
22 votes as the number of such directors multiplied by the number of his  
23 shares shall equal or by distributing such votes on the same principle  
24 among any number of such candidates.

25 Shares standing in the name of another corporation, domestic or  
26 foreign, may be voted by such officer, agent or proxy as the bylaws of  
27 such corporation may prescribe, or, in the absence of such provision,  
28 as the board of directors of such corporation may determine.

29 Shares held by an administrator, executor, guardian or conservator  
30 may be voted by him, either in person or by proxy, without a transfer  
31 of such shares into his name. Shares standing in the name of a trustee  
32 may be voted by him, either in person or by proxy, but no trustee  
33 shall be entitled to vote shares held by him without a transfer of such  
34 shares into his name.

35 Shares standing in the name of a receiver may be voted by such  
36 receiver, and shares held by or under the control of a receiver may  
37 be voted by such receiver without the transfer thereof into his name  
38 if authority so to do be contained in an appropriate order of the court  
39 by which such receiver was appointed.

40 A shareholder whose shares are pledged shall be entitled to vote  
41 such shares until the shares have been transferred into the name of  
42 the pledgee, and thereafter the pledgee shall be entitled to vote the  
43 shares so transferred.

44 On and after the date on which written notice of redemption of  
45 redeemable shares has been mailed to the holders thereof and a sum  
46 sufficient to redeem such shares has been deposited with a bank or  
47 trust company with irrevocable instruction and authority to pay the  
48 redemption price to the holders thereof upon surrender of certificates  
49 therefor, such shares shall not be entitled to vote on any matter and  
50 shall not be deemed to be outstanding shares.

51 Nothing in this Act shall prohibit a corporation in its articles of  
52 incorporation from limiting or denying the right to vote by proxy.

1 **SEC. 33. Voting trust.** Any number of shareholders of a corpora-  
2 tion may create a voting trust for the purpose of conferring upon a  
3 trustee or trustees the right to vote or otherwise represent their  
4 shares, for a period of not to exceed twenty years, by entering into  
5 a written voting trust agreement specifying the terms and conditions  
6 of the voting trust, by depositing a counterpart of the agreement  
7 with the corporation at its registered office, and by transferring their  
8 shares to such trustee or trustees for the purposes of the agreement.  
9 The counterpart of the voting trust agreement so deposited with the  
10 corporation shall be subject to the same right of examination by a  
11 shareholder of the corporation, in person or by agent or attorney, as  
12 are the books and records of the corporation, and shall be subject to  
13 examination by any holder of a beneficial interest in the voting trust,  
14 either in person or by agent or attorney, at any reasonable time for  
15 any proper purpose.



1     **SEC. 34. Board of directors.** The business and affairs of a corpo-  
2 ration shall be managed by a board of directors. Directors need not  
3 be residents of this state or shareholders of the corporation unless  
4 the articles of incorporation so require. The articles of incorporation  
5 may prescribe other qualifications for directors. The board of di-  
6 rectors shall have authority to fix the compensation of directors un-  
7 less otherwise provided in the articles of incorporation.

1     **SEC. 35. Number and election of directors.** The number of direc-  
2 tors shall be fixed by the bylaws, except as to the number constitut-  
3 ing the initial board of directors, which number shall be fixed by the  
4 articles of incorporation. The number of directors may be increased  
5 or decreased from time to time by amendment to the bylaws, but no  
6 decrease shall have the effect of shortening the term of any incum-  
7 bent director. In the absence of a bylaw fixing the number of direc-  
8 tors, the number shall be the same as that stated in the articles of  
9 incorporation. The names and addresses of the members of the first  
10 board of directors shall be stated in the articles of incorporation.  
11 Such persons shall hold office until the first annual meeting of share-  
12 holders, and until their successors shall have been elected and qualify.  
13 At the first annual meeting of shareholders and at each annual meet-  
14 ing thereafter the shareholders shall elect directors to hold office  
15 until the next succeeding annual meeting, except in case of the clas-  
16 sification of directors as permitted by this Act. Each director shall  
17 hold office for the term for which he is elected and until his successor  
18 shall have been elected and qualifies, unless removed in accordance  
19 with provisions of the articles of incorporation.

1     **SEC. 36. Classification of directors.** In lieu of electing the whole  
2 number of directors annually, the articles of incorporation may pro-  
3 vide that the directors be divided into either two or three classes,  
4 each class to be as nearly equal in number as possible, the term of  
5 office of directors of the first class to expire at the first annual meet-  
6 ing of shareholders after their election, that of the second class to  
7 expire at the second annual meeting after their election, and that of  
8 the third class, if any, to expire at the third annual meeting after  
9 their election. At each annual meeting after such classification the  
10 number of directors equal to the number of the class whose term  
11 expires at the time of such meeting shall be elected to hold office until  
12 the second succeeding annual meeting, if there be two classes, or until  
13 the third succeeding annual meeting, if there be three classes. No  
14 classification of directors shall be effective prior to the first annual  
15 meeting of shareholders.

1     **SEC. 37. Vacancies.** Any vacancy occurring in the board of direc-  
2 tors may be filled by the affirmative vote of a majority of the remain-  
3 ing directors though less than a quorum of the board of directors.  
4 A director elected to fill a vacancy shall be elected for the unexpired  
5 term of his predecessor in office. Any directorship to be filled by  
6 reason of an increase in the number of directors shall be filled by  
7 election at an annual meeting or at a special meeting of shareholders  
8 called for that purpose.

1     **SEC. 38. Quorum of directors.** A majority of the number of direc-  
2 tors fixed by the bylaws, or in the absence of a bylaw fixing the num-

3 ber of directors, then of the number stated in the articles of incor-  
4 poration, shall constitute a quorum for the transaction of business  
5 unless a greater number is required by the articles of incorporation  
6 or the bylaws. The act of the majority of the directors present at a  
7 meeting at which a quorum is present shall be the act of the board  
8 of directors, unless the act of a greater number is required by the  
9 articles of incorporation or the bylaws.

1 **SEC. 39. Executive committee.** If the articles of incorporation or  
2 the bylaws so provide, the board of directors, by resolution adopted  
3 by a majority of the number of directors fixed by the bylaws, or in  
4 the absence of a bylaw fixing the number of directors, then of the  
5 number stated in the articles of incorporation, may designate two  
6 or more directors to constitute an executive committee, which com-  
7 mittee, to the extent provided in such resolution or in the articles of  
8 incorporation or the bylaws of the corporation shall have and may  
9 exercise all of the authority of the board of directors in the manage-  
10 ment of the corporation; but the designation of such committee and  
11 the delegation thereto of authority shall not operate to relieve the  
12 board of directors, or any member thereof, of any responsibility im-  
13 posed upon it or him by law.

1 **SEC. 40. Place and notice of directors' meetings.** Meetings of the  
2 board of directors, regular or special, may be held either within or  
3 without this state.

4 Regular meetings of the board of directors may be held with or  
5 without notice as prescribed in the bylaws. Special meetings of the  
6 board of directors shall be held upon such notice as is prescribed in  
7 the bylaws. Attendance of a director at a meeting shall constitute a  
8 waiver of notice of such meeting, except where a director attends a  
9 meeting for the express purpose of objecting to the transaction of  
10 any business because the meeting is not lawfully called or convened.  
11 Neither the business to be transacted at, nor the purpose of, any  
12 regular or special meeting of the board of directors need be specified  
13 in the notice or waiver of notice of such meeting unless required by  
14 the bylaws.

1 **SEC. 41. Dividends.** The board of directors of a corporation may,  
2 from time to time, declare and the corporation may pay dividends on  
3 its outstanding shares in cash, property, or in its own shares, out of  
4 unreserved surplus, subject to the following provisions:

5 1. No dividend shall be declared or paid at a time when the cor-  
6 poration is insolvent or its net assets are less than its stated capital,  
7 or when the payment thereof would render the corporation insolvent  
8 or reduce its net assets below its stated capital, or when the declara-  
9 tion or payment thereof would be contrary to any restrictions con-  
10 tained in its articles of incorporation.

11 2. If the articles of incorporation of a corporation engaged in the  
12 business of exploiting natural resources so provide, dividends may  
13 be declared and paid in cash out of the depletion reserves, but each  
14 such dividend shall be identified as a distribution of such reserves  
15 and the amount per share paid from such reserves shall be disclosed  
16 to the shareholders receiving the same concurrently with the distri-  
17 bution thereof.

18 3. No dividend, except a dividend payable in its own shares, shall  
19 be declared or paid out of surplus arising from unrealized appreci-  
20 ation in value, or revaluation, of assets.

1 SEC. 42. **Distributions in partial liquidation.** A corporation, from  
2 time to time, may distribute a portion of its assets, in cash or kind,  
3 to its shareholders as a liquidating dividend, in the following manner  
4 and subject to the following restrictions:

5 1. The board of directors shall adopt a resolution recommending  
6 the payment of a liquidating dividend, specifying the class or classes  
7 of shareholders entitled thereto and the amount thereof, and direct-  
8 ing that the question of such distribution be submitted to a vote at  
9 a meeting of shareholders, which may be either an annual or a special  
10 meeting.

11 2. Written or printed notice stating that the purpose or one of the  
12 purposes of such meeting is to consider the question of such distri-  
13 bution shall be given to each shareholder of record entitled to vote at  
14 such meeting within the time and in the manner provided in this Act  
15 for the giving of notice of meetings of shareholders. If such meeting  
16 be an annual meeting, such purpose shall be included in the notice of  
17 such meeting.

18 3. At such meeting a vote of the shareholders entitled to vote  
19 thereat shall be taken by classes on the question of the proposed dis-  
20 tribution. The affirmative vote of the holders of at least two-thirds  
21 of the outstanding shares of each class shall be required for the  
22 authorization of such distribution.

23 4. No such distribution shall be made at a time when the corpora-  
24 tion is insolvent or when such distribution would render the corpora-  
25 tion insolvent.

26 5. No such distribution shall be made to any class of shareholders  
27 unless all cumulative dividends accrued on preferred or special  
28 classes of shares entitled to preferential dividends shall have been  
29 fully paid.

30 6. No such distribution shall be made to any class of shareholders  
31 which will reduce the remaining net assets below the aggregate  
32 preferential amount payable in event of voluntary liquidation to the  
33 holders of shares having preferential rights to the assets of the cor-  
34 poration in the event of liquidation.

35 7. Each such distribution, when made, shall be identified as a  
36 liquidating dividend and the amount per share shall be disclosed to  
37 the shareholders receiving the same, concurrently with the payment  
38 thereof.

1 SEC. 43. **Provisions relating to actions by shareholders.** No action  
2 shall be brought in this state by a shareholder in the right of a do-  
3 mestic or foreign corporation unless the plaintiff was a holder of  
4 shares or of voting trust certificates therefor at the time of the trans-  
5 action of which he complains, or his shares or voting trust certificates  
6 thereafter devolved upon him by operation of law from a person who  
7 was a holder at such time.

1 SEC. 44. **Liability of directors and officers in certain cases.** In  
2 addition to any other liabilities imposed by law upon directors and  
3 officers of a corporation:

4 1. Directors of a corporation who vote for or assent to the declara-  
5 tion of any dividend or other distribution of the assets of a corpora-  
6 tion to its shareholders in willful or negligent violation of the provi-  
7 sions of this Act or of any restrictions contained in the articles of  
8 incorporation, shall be jointly and severally liable to the corporation  
9 for the amount of such dividend which is paid or the value of such  
10 assets which are distributed in excess of the amount of such dividend  
11 or distribution which could have been paid or distributed without a  
12 violation of the provisions of this Act or of the restrictions in the  
13 articles of incorporation.

14 2. Directors of a corporation who vote for or assent to the pur-  
15 chase of its own shares in willful or negligent violation of the provi-  
16 sions of this Act or of any restrictions contained in the articles of  
17 incorporation, shall be jointly and severally liable to the corporation  
18 for the amount of consideration paid for such shares which is in  
19 excess of the maximum amount which could have been paid therefor  
20 without a violation of the provisions of this Act or of the restrictions  
21 in the articles of incorporation.

22 3. The directors of a corporation who vote for or assent to any  
23 distribution of assets of a corporation to its shareholders during the  
24 liquidation of the corporation without the payment and discharge of,  
25 or making adequate provision for, all known debts, obligations, and  
26 liabilities of the corporation shall be jointly and severally liable to  
27 the corporation for the value of such assets which are distributed,  
28 to the extent that such debts, obligations and liabilities of the cor-  
29 poration are not thereafter paid and discharged.

30 A director of a corporation who is present at a meeting of its board  
31 of directors at which action on any corporate matter is taken shall be  
32 presumed to have assented to the action taken unless his dissent shall  
33 be entered in the minutes of the meeting or unless he shall file his  
34 written dissent to such action with the person acting as the secretary  
35 of the meeting before the adjournment thereof or shall forward such  
36 dissent by registered or certified mail to the secretary of the corpo-  
37 ration immediately after the adjournment of the meeting. Such right  
38 to dissent shall not apply to a director who voted in favor of such  
39 action.

40 A director shall not be liable under subsections 1, 2, or 3 of this  
41 section if he relied and acted in good faith upon financial statements  
42 of the corporation, represented to him to be correct by the president  
43 or the officer of such corporation having charge of its books of ac-  
44 count, or stated in a written report by an independent public or  
45 certified public accountant or firm of such accountants fairly to  
46 reflect the financial condition of such corporation, nor shall he be so  
47 liable if in good faith in determining the amount available for any  
48 such dividend or distribution he considered the assets to be of their  
49 book value. If an officer willfully or negligently submits an incorrect  
50 financial statement to a director or directors, and board of directors  
51 action, contrary to the provisions of this Act or of any restrictions  
52 in the articles of incorporation, is taken in reliance thereon, he shall  
53 be liable to the same extent as if he were a director voting for or  
54 assenting to such action. No director or officer shall be deemed to be  
55 negligent within the meaning of this section if he exercised that

56 diligence, care and skill which an ordinarily prudent man would  
57 exercise under similar circumstances.

58 Any director against whom a claim shall be asserted under or pur-  
59 suant to this section for the payment of a dividend or other distribu-  
60 tion of assets of a corporation and who shall be held liable thereon,  
61 shall be entitled to contribution from the shareholders who accepted  
62 or received any such dividend or assets, knowing such dividend or  
63 distribution to have been made in violation of the provisions of this  
64 Act or of any restrictions in the articles of incorporation, in propor-  
65 tion to the amounts received by them respectively, and to contribu-  
66 tion from any other director found to be similarly liable.

67 Any action seeking to impose liability under this section, other  
68 than liability for contribution, shall be commenced only within five  
69 years of the action complained of and not thereafter.

1 SEC. 45. **Officers.** The officers of a corporation shall consist of a  
2 president, one or more vice-presidents as may be prescribed by the  
3 bylaws, a secretary and a treasurer, each of whom shall be elected  
4 by the board of directors at such time and in such manner as may be  
5 prescribed by the bylaws. Such other officers and assistant officers  
6 and agents as may be deemed necessary may be elected or appointed  
7 by the board of directors or chosen in such other manner as may be  
8 prescribed by the bylaws. Any two or more offices may be held by  
9 the same person.

10 All officers and agents of the corporation, as between themselves  
11 and the corporation, shall have such authority and perform such  
12 duties in the management of the corporation as may be provided in  
13 the bylaws, or as may be determined by resolution of the board of  
14 directors not inconsistent with the bylaws.

1 SEC. 46. **Removal of officers.** Any officer or agent may be re-  
2 moved by the board of directors whenever in its judgment the best  
3 interests of the corporation will be served thereby, but such removal  
4 shall be without prejudice to the contract rights, if any, of the per-  
5 son so removed. Election or appointment of an officer or agent shall  
6 not of itself create contract rights.

1 SEC. 47. **Books and records.** Each corporation shall keep correct  
2 and complete books and records of account and shall keep minutes of  
3 the proceedings of its shareholders and board of directors; and shall  
4 keep at its registered office or principal place of business, a record of  
5 its shareholders, giving the names and addresses of all shareholders  
6 and the number and class of the shares held by each. The office of  
7 any transfer agent or registrar may be maintained within or with-  
8 out the state of Iowa.

9 Any person who shall have been a shareholder of record for at  
10 least six months immediately preceding his demand or who shall be  
11 the holder of record of at least five per cent of all the outstanding  
12 shares of a corporation, upon written demand stating the purpose  
13 thereof, shall have the right to examine, in person, or by agent or  
14 attorney, at any reasonable time or times, for any proper purpose, its  
15 books and records of account, minutes and record of shareholders and  
16 to make extracts therefrom.

17 Any officer or agent who, or a corporation which, shall refuse to  
18 allow any such shareholder, or his agent or attorney, so to examine

19 and make extracts from its books and records of account, minutes  
 20 and record of shareholders for any proper purpose, shall be liable to  
 21 such shareholder in a penalty of ten per cent of the value of the  
 22 shares owned by such shareholder, but not to exceed five hundred dol-  
 23 lars, in addition to any other damages or remedy afforded him by  
 24 law, but the court may decrease the amount of such penalty on a  
 25 finding of mitigating circumstances. It shall be a defense to any  
 26 action for penalties under this section that the person suing there-  
 27 for has within two years sold or offered for sale any list of share-  
 28 holders of such corporation or any other corporation or has aided  
 29 or abetted any person in procuring any list of shareholders for any  
 30 such purpose, or has improperly used any information secured  
 31 through any prior examination of the books and records of account,  
 32 or minutes, or record of shareholders of such corporation or any  
 33 other corporation, or was not acting in good faith or for a proper  
 34 purpose in making his demand.

35 Nothing herein contained shall impair the power of any court of  
 36 competent jurisdiction, upon proof by a shareholder of proper pur-  
 37 pose irrespective of the period of time during which such share-  
 38 holder shall have been a shareholder of record, and irrespective of  
 39 the number of shares held by him, to compel the production for ex-  
 40 amination by such shareholder of the books and records of account,  
 41 minutes, and record of shareholders of a corporation.

42 Upon the written request of any shareholder of a corporation, the  
 43 corporation shall mail to such shareholder its most recent financial  
 44 statements showing in reasonable detail its assets and liabilities and  
 45 the results of its operation.

1 SEC. 48. **Who may incorporate.** One or more persons as defined  
 2 in this Act having capacity to contract, may act as incorporators of  
 3 a corporation by signing, acknowledging and delivering to the secre-  
 4 tary of state articles of incorporation for such corporation.

1 SEC. 49. **Articles of incorporation.** The articles of incorporation  
 2 shall set forth:

3 1. The name of the corporation and the chapter of the Code or Ses-  
 4 sion Laws under which incorporated.

5 2. The period of duration if for a limited period, but in the absence  
 6 of any statement in the articles all corporations organized hereunder  
 7 shall have perpetual duration.

8 3. Either (a) the purpose or purposes for which the corporation  
 9 is organized, or (b) that the corporation shall have unlimited power  
 10 to engage in, and to do any lawful act concerning, any or all lawful  
 11 businesses for which corporations may be organized under this Act.

12 4. The aggregate number of shares which the corporation shall  
 13 have authority to issue; if such shares are to consist of one class  
 14 only, the par value of each of such shares, or a statement that all of  
 15 such shares are without par value; or, if such shares are to be di-  
 16 vided into classes, the number of shares of each class, and a state-  
 17 ment of the par value of the shares of each such class or that such  
 18 shares are to be without par value.

19 5. If the shares are to be divided into classes, the designation of  
 20 each class and a statement of the preferences, voting rights, if any,  
 21 limitations and relative rights in respect of the shares of each class.

22 6. If the corporation is to issue the shares of any preferred or  
 23 special class in series, then the designation of each series and a state-  
 24 ment of the variations in the relative rights and preferences as be-  
 25 tween series in so far as the same are to be fixed in the articles of  
 26 incorporation, and a statement of any authority to be vested in the  
 27 board of directors to establish series and fix and determine the vari-  
 28 ations in the relative rights and preferences as between series.

29 7. Any provision limiting or denying to shareholders the pre-  
 30 emptive right to acquire additional shares of the corporation and  
 31 any provision giving to shareholders the pre-emptive right to ac-  
 32 quire treasury shares of the corporation.

33 8. Any provision, not inconsistent with law, which the incorpora-  
 34 tors elect to set forth in the articles of incorporation for the regula-  
 35 tion of the internal affairs of the corporation, including any provision  
 36 restricting the transfer of shares and any provision which under this  
 37 Act is required or permitted to be set forth in the bylaws.

38 9. The address of its initial registered office including street and  
 39 number, if any, the name of the county in which the registered office  
 40 is located, and the name of its initial registered agent or agents at  
 41 such address.

42 10. The number of directors constituting the initial board of di-  
 43 rectors and the names and addresses of the persons who are to serve  
 44 as directors until the first annual meeting of shareholders or until  
 45 their successors be elected and qualify.

46 11. The name and address of each incorporator.

47 12. The date on which the corporate existence shall begin, which  
 48 may be any date identified by year, month and day not more than  
 49 ninety days in the future. In the absence of any statement in the  
 50 articles as to date of beginning of corporate existence, such existence  
 51 shall commence on the date on which the secretary of state issues the  
 52 certificate of incorporation.

53 13. Any provision not inconsistent with law or the purposes for  
 54 which the corporation is organized, which the incorporators elect to  
 55 set forth; or any provision limiting any of the corporate powers  
 56 enumerated in this Act.

57 It shall not be necessary to set forth in the articles of incorpora-  
 58 tion any of the corporate powers enumerated in this Act.

1 **SEC. 50. Filing and recording of articles of incorporation.** The  
 2 articles of incorporation shall be delivered to the secretary of state  
 3 for filing and recording in his office, and the same shall be filed and  
 4 recorded in the office of the county recorder. The secretary of state  
 5 upon the filing of such articles shall issue a certificate of incorpora-  
 6 tion and send the same to the corporation or its representative.

1 **SEC. 51. Effect of issuance of certificate of incorporation.** Upon  
 2 the issuance of the certificate of incorporation, the corporate exist-  
 3 ence shall begin unless the certificate in conformity with a provision  
 4 in the articles provides that it shall begin on a stated day in the  
 5 future in which event the corporate existence shall without further  
 6 action by either the incorporators or the secretary of state begin on  
 7 the day so stated. Such certificate of incorporation shall be conclu-  
 8 sive evidence that all conditions precedent required to be performed  
 9 by the incorporators have been complied with and that the corpora-

10 tion has been incorporated under this Act except as against this state  
 11 in a proceeding to cancel or revoke the certificate of incorporation or  
 12 for involuntary dissolution of the corporation.

1     **SEC. 52. Notice of Incorporation.** A corporation shall cause to be  
 2 published within three (3) months from the date its corporate exist-  
 3 ence begins, one publication in some newspaper published within the  
 4 county wherein the registered office of the corporation is located, a  
 5 notice of incorporation which shall state:

6     1. The name of the corporation and the chapter of the Code or  
 7 session laws under which incorporated;

8     2. The date of the beginning of its corporate existence and the  
 9 period of its duration;

10     3. The purpose or purposes for which it is organized as stated in  
 11 its articles of incorporation;

12     4. The aggregate number of shares which it shall have authority  
 13 to issue, the classes, if any, thereof, and the par value, if any,  
 14 thereof;

15     5. The address of its registered office, the name of the county in  
 16 which the registered office is located and the name of its registered  
 17 agent or agents at such address; and

18     6. The names and addresses of its directors as designated in its  
 19 articles of incorporation.

20     Proof of such publication, by affidavit of the publisher of the news-  
 21 paper in which it is made, shall be filed with the secretary of state,  
 22 and shall be conclusive evidence of the fact. If the notice of incorpo-  
 23 ration is not published within the time herein prescribed, but is sub-  
 24 sequently published for the required time, and proof of the publica-  
 25 tion thereof is filed with the secretary of state, the acts of such  
 26 corporation prior to as well as after such publication shall be valid.

1     **SEC. 53. Procedure for filing and recording of documents.** If in  
 2 this Act, it is required that any document be:

3     1. Filed in the office of the secretary of state, the secretary of  
 4 state, when he finds that such document conforms to law and when  
 5 all fees and taxes due him have been paid as in this Act prescribed,  
 6 shall endorse on such document, the word "Filed", and the month,  
 7 day and year of the filing thereof and file the same in his office;

8     2. Recorded in the office of the secretary of state, the secretary of  
 9 state, upon filing thereof, shall record the same;

10     3. Filed and recorded in the office of the county recorder, the sec-  
 11 retary of state upon recording such document in his office shall for-  
 12 ward the same to the county recorder of the county wherein the  
 13 registered office of the corporation is located, and shall forward a  
 14 duplicate executed copy certified by him as a true copy of the filed  
 15 original to such other county recorder, if any, as is required by this  
 16 Act. Upon receipt thereof and upon receipt of recording fees due  
 17 him, such county recorder shall record and index such instrument  
 18 and endorse thereon the date of filing in such county and the book and  
 19 page in which recorded. The recorder of each county shall keep in  
 20 his office an alphabetically subdivided index book for articles of in-  
 21 corporation and other instruments the recording of which in his office  
 22 is provided for by this Act, which book shall have as a minimum,  
 23 columns headed with "Name of Corporation", "Place of Registered



24 Office", "Day, Month and Year of Filing" and the reference to the  
25 book and page or other record where recorded and shall make ap-  
26 propriate entries in said index for each such instrument recorded by  
27 him.

28 Any instrument required to be filed and recorded in the office of  
29 the secretary of state only, shall be returned by him to the corpora-  
30 tion or its representative. Any instrument required to be filed and  
31 recorded in the office of the county recorder shall be returned by him  
32 to the corporation or its representative.

1 **SEC. 54. Organization meeting of directors.** After the issuance  
2 of the certificate of incorporation an organization meeting of the  
3 board of directors named in the articles of incorporation may be held,  
4 either within or without this state, at the call of a majority of the  
5 incorporators, for the purpose of adopting bylaws, electing officers,  
6 if necessary, and the transaction of such other business as may come  
7 before the meeting. The incorporators calling the meeting shall give  
8 at least three days' notice thereof by mail to each director so named,  
9 which notice shall state the time and place of the meeting.

1 **SEC. 55. Right to amend articles of incorporation.** A corporation  
2 may amend its articles of incorporation, from time to time, in any  
3 and as many respects as may be desired, so long as its articles of  
4 incorporation as amended contain only such provisions as might be  
5 lawfully contained in original articles of incorporation at the time  
6 of making such amendment, and, if a change in shares or the rights  
7 of shareholders, or an exchange, reclassification or cancellation of  
8 shares or rights of shareholders is to be made, such provisions as  
9 may be necessary to effect such change, exchange, reclassification or  
10 cancellation.

11 In particular, and without limitation upon such general power of  
12 amendment, a corporation may amend its articles of incorporation,  
13 from time to time, so as:

14 1. To change its corporate name.

15 2. To change its period of duration.

16 3. To change, enlarge or diminish its corporate purposes.

17 4. To increase or decrease the aggregate number of shares, or  
18 shares of any class, which the corporation has authority to issue.

19 5. To increase or decrease the par value of the authorized shares  
20 of any class having a par value, whether issued or unissued.

21 6. To exchange, classify, reclassify or cancel all or any part of its  
22 shares, whether issued or unissued.

23 7. To change the designation of all or any part of its shares,  
24 whether issued or unissued, and to change the preferences, limita-  
25 tions, and the relative rights in respect of all or any part of its  
26 shares, whether issued or unissued.

27 8. To change shares having a par value, whether issued or unis-  
28 sued, into the same or a different number of shares without par  
29 value, and to change shares without par value, whether issued or  
30 unissued, into the same or a different number of shares having a par  
31 value.

32 9. To change the shares of any class, whether issued or unissued,  
33 and whether with or without par value, into a different number of

34 shares of the same class or into the same or a different number of  
35 shares, either with or without par value, of other classes.

36 10. To create new classes of shares having rights and preferences  
37 either prior and superior or subordinate and inferior to the shares  
38 of any class then authorized, whether issued or unissued.

39 11. To cancel or otherwise affect the right of the holders of the  
40 shares of any class to receive dividends which have accrued but have  
41 not been declared.

42 12. To divide any preferred or special class of shares, whether is-  
43 sued or unissued, into series and fix and determine the designations  
44 of such series and the variations in the relative rights and prefer-  
45 ences as between the shares of such series.

46 13. To authorize the board of directors to establish, out of author-  
47 ized but unissued shares, series of any preferred or special class of  
48 shares and fix and determine the relative rights and preferences of  
49 the shares of any series so established.

50 14. To authorize the board of directors to fix and determine the  
51 relative rights and preferences of the authorized but unissued shares  
52 of series theretofore established in respect of which either the rela-  
53 tive rights and preferences have not been fixed and determined or the  
54 relative rights and preferences theretofore fixed and determined are  
55 to be changed.

56 15. To revoke, diminish, or enlarge the authority of the board of  
57 directors to establish series out of authorized but unissued shares of  
58 any preferred or special class and fix and determine the relative  
59 rights and preferences of the shares of any series so established.

60 16. To limit, deny or grant to shareholders of any class the pre-  
61 emptive right to acquire additional shares or treasury shares of the  
62 corporation, or obligations of the corporation convertible into such  
63 shares, whether then or thereafter authorized.

1 SEC. 56. Procedure to amend articles of incorporation. Amend-  
2 ments to the articles of incorporation shall be made in the following  
3 manner:

4 1. The board of directors shall adopt a resolution setting forth the  
5 proposed amendment and directing that it be submitted to a vote  
6 at a meeting of shareholders, which may be either an annual or  
7 a special meeting. Unless otherwise provided in the articles of in-  
8 corporation, upon the written request of the holders of at least five  
9 per cent of the shares entitled to vote on amendments to articles of  
10 incorporation, the board of directors shall adopt a resolution setting  
11 forth the amendment proposed by such shareholders and directing  
12 that it be submitted to the next meeting of the shareholders held not  
13 less than ninety days after the date of the filing of the request of the  
14 shareholders with the secretary of the corporation.

15 2. Written or printed notice setting forth the proposed amend-  
16 ment or a summary of the changes to be effected thereby shall be  
17 given to each shareholder of record entitled to vote thereon within  
18 the time and in the manner provided in this Act for the giving of  
19 notice of meetings of shareholders. If the meeting be an annual  
20 meeting, the proposed amendment or such summary may be included  
21 in the notice of such annual meeting.

22 3. At such meeting a vote of the shareholders entitled to vote  
23 thereon shall be taken on the proposed amendment or, to the extent

24 permitted by the articles of incorporation, any modification or revision thereof which shall be proposed at the meeting, and shall be  
 25 adopted upon receiving the affirmative vote of the holders of a  
 26 majority of the shares entitled to vote thereon, unless any class of  
 27 shares is entitled to vote thereon as a class, in which event it shall be  
 28 adopted upon receiving the affirmative vote of the holders of a ma-  
 29 jority of the shares of each class of shares entitled to vote thereon as  
 30 a class and of the total shares entitled to vote thereon.

31 Any number of amendments may be submitted to the shareholders,  
 32 and voted upon by them at one meeting.  
 33

1 SEC. 57. **Class voting on amendments.** The holders of the out-  
 2 standing shares of a class shall be entitled to vote as a class upon a  
 3 proposed amendment, whether or not entitled to vote thereon by the  
 4 provisions of the articles of incorporation, if the amendment would:

5 1. Increase or decrease the aggregate number of authorized shares  
 6 of such class.

7 2. Increase or decrease the par value of the shares of such class.

8 3. Effect an exchange, reclassification, or cancellation of all or  
 9 part of the shares of such class.

10 4. Effect an exchange, or create a right of exchange, of all or any  
 11 part of the shares of another class into the shares of such class.

12 5. Change the designations, preferences, limitations or relative  
 13 rights of the shares of such class.

14 6. Change the shares of such class, whether with or without par  
 15 value, into the same or a different number of shares, either with or  
 16 without par value, of the same class or another class or classes.

17 7. Create a new class of shares having rights and preferences  
 18 prior and superior to the shares of such class, or increase the rights  
 19 and preferences of any class having rights and preferences prior or  
 20 superior to the shares of such class.

21 8. In the case of a preferred or special class of shares, divide the  
 22 unissued shares of such class into series and fix and determine the  
 23 designation of such series and the variations in the relative rights  
 24 and preferences between the shares of such series, or authorize the  
 25 board of directors to do so.

26 9. Limit or deny the existing pre-emptive rights, if any, of the  
 27 shares of such class.

28 10. Cancel or otherwise affect dividends on the shares of such  
 29 class which have accrued but have not been declared.

1 SEC. 58. **Articles of amendment.** The articles of amendment shall  
 2 be executed by the corporation by its president or a vice-president  
 3 and by its secretary or an assistant secretary, and acknowledged by  
 4 one of the officers signing such articles, and shall set forth:

5 1. The name of the corporation and the effective date of its incor-  
 6 poration; and its original name if different from the present name.

7 2. The amendment so adopted.

8 3. The date of the adoption of the amendment by the sharehold-  
 9 ers.

10 4. The number of shares outstanding, and the number of shares  
 11 entitled to vote thereon, and if the shares of any class are entitled  
 12 to vote thereon as a class, the designation and number of outstand-  
 13 ing shares entitled to vote thereon of each such class.

14 5. The number of shares voted for and against such amendment,  
15 respectively, and, if the shares of any class are entitled to vote  
16 thereon as a class, the number of shares of each such class voted for  
17 and against such amendment, respectively.

18 6. If such amendment provides for an exchange, reclassification  
19 or cancellation of issued shares, and if the manner in which the same  
20 shall be effected is not set forth in the amendment, then a state-  
21 ment of the manner in which the same shall be effected.

22 7. If such amendment effects a change in the amount of stated  
23 capital, then a statement of the manner in which the same is effected  
24 and a statement, expressed in dollars, of the amount of stated capital  
25 as changed by such amendment.

1 **SEC. 59. Filing of articles of amendment.** The articles of amend-  
2 ment shall be delivered to the secretary of state for filing and re-  
3 cording in his office, and the same shall be filed and recorded in the  
4 office of the county recorder. The secretary of state upon the filing  
5 of the articles of amendment shall issue a certificate of amendment  
6 and send the same to the corporation or its representative.

1 **SEC. 60. Effect of certificate of amendment.** Upon the issuance  
2 of the certificate of amendment by the secretary of state, the amend-  
3 ment shall become effective and the articles of incorporation shall be  
4 deemed to be amended accordingly.

5 No amendment shall affect the existing rights of persons other  
6 than shareholders, or any existing cause of action in favor of or  
7 against such corporation, or any pending suit to which such corpo-  
8 ration shall be a party; and, in the event the corporate name shall  
9 be changed by amendment, no suit brought by or against such cor-  
10 poration under its former name shall abate for that reason.

1 **SEC. 61. Restated articles of incorporation.** A domestic corpora-  
2 tion may at any time restate its articles of incorporation, as thereto-  
3 fore amended or as to be amended by such restatement, in the follow-  
4 ing manner:

5 1. The board of directors shall adopt a resolution setting forth the  
6 proposed restated articles of incorporation, which may include an  
7 amendment or amendments to be made concurrently with such pro-  
8 posed restatement, and directing that such restated articles be sub-  
9 mitted to a vote at a meeting of shareholders, which may be either  
10 an annual or a special meeting.

11 2. Written or printed notice setting forth the proposed restated  
12 articles or a summary of the provisions thereof shall be given to each  
13 shareholder of record entitled to vote thereon within the time and in  
14 the manner provided in this Act for the giving of notice of meetings  
15 of shareholders. If the meeting be an annual meeting, the proposed  
16 restated articles, or a summary of the provisions thereof, may be in-  
17 cluded in the notice of such annual meeting. If the restated articles  
18 include a concurrent amendment or amendments to the articles of  
19 incorporation the notice shall indicate the respects in which the  
20 articles of incorporation are proposed to be amended.

21 3. At such meeting a vote of the shareholders entitled to vote  
22 thereon shall be taken on the proposed restated articles. The pro-  
23 posed restated articles shall be adopted upon receiving the affirma-

24 tive vote of the holders of at least a majority of the shares entitled  
 25 to vote thereon. However, if such restated articles include any con-  
 26 current amendment and if by reason of such concurrent amendment  
 27 any class of shares would be entitled to vote on such amendment as  
 28 a class, then the proposed restated articles shall not be adopted unless  
 29 the affirmative vote of the holders of a majority of the shares of each  
 30 class of shares entitled to vote thereon as a class, and of the total  
 31 shares entitled to vote thereon, is voted in favor thereof.

32 Upon such approval, restated articles of incorporation shall be  
 33 executed by the corporation by its president or vice-president and by  
 34 its secretary or assistant secretary, and acknowledged by one of the  
 35 officers signing such articles, and shall set forth:

36 4. Those things required by this Act to be set forth in its articles  
 37 of incorporation and if such restated articles contain a concurrent  
 38 amendment, those additional things required by this Act to be set  
 39 forth in articles of amendment.

40 5. A statement that the restated articles of incorporation correct-  
 41 ly set forth the corresponding provisions of the articles of incorpo-  
 42 ration as theretofore or thereby amended, and that the restated arti-  
 43 cles of incorporation supersede the original articles of incorporation  
 44 and all amendments thereto.

45 The restated articles of incorporation shall be delivered to the  
 46 secretary of state for filing and recording in his office and the same  
 47 shall be filed and recorded in the office of the county recorder.

48 The secretary of state upon filing the restated articles of incorpo-  
 49 ration shall issue a restated certificate of incorporation and send the  
 50 same to the corporation or its representative.

51 Upon the issuance of the restated certificate of incorporation by  
 52 the secretary of state, the restated articles of incorporation shall be-  
 53 come effective and shall supersede the original articles of incorpora-  
 54 tion and all amendments thereto.

1 SEC. 62. Amendment of articles of incorporation in reorganiza-  
 2 tion proceedings. Whenever a plan of reorganization of a corporation  
 3 has been confirmed by decree or order of a court of competent juris-  
 4 diction in proceedings for the reorganization of such corporation,  
 5 pursuant to the provisions of any applicable statute of the United  
 6 States relating to reorganizations of corporations, the articles of  
 7 incorporation of the corporation may be amended, in the manner  
 8 provided in this section, in as many respects as may be necessary to  
 9 carry out the plan and put it into effect, so long as the articles of  
 10 incorporation as amended contain only such provisions as might be  
 11 lawfully contained in original articles of incorporation at the time  
 12 of making such amendment.

13 In particular and without limitation upon such general power of  
 14 amendment, the articles of incorporation may be amended for such  
 15 purpose so as to:

16 1. Change the corporate name, period of duration or corporate  
 17 purposes of the corporation;

18 2. Repeal, alter or amend the bylaws of the corporation;

19 3. Change the aggregate number of shares, or shares of any class,  
 20 which the corporation has authority to issue;

21 4. Change the preferences, limitations and relative rights in re-  
 22 spect of all or any part of the shares of the corporation, and classify,

23 reclassify or cancel all or any part thereof, whether issued or un-  
24 issued;

25 5. Authorize the issuance of bonds, debentures or other obliga-  
26 tions of the corporation, whether or not convertible into shares of  
27 any class or bearing warrants or other evidences of optional rights  
28 to purchase or subscribe for shares of any class, and fix the terms  
29 and conditions thereof; and

30 6. Constitute or reconstitute and classify or reclassify the board  
31 of directors of the corporation, and appoint directors and officers in  
32 place of or in addition to all or any of the directors or officers then  
33 in office.

34 Amendments to the articles of incorporation pursuant to this sec-  
35 tion shall be made in the following manner:

36 7. Articles of amendment approved by decree or order of such  
37 court shall be executed and verified in duplicate by such person or  
38 persons as the court shall designate or appoint for the purpose, and  
39 shall set forth the name of the corporation, the amendments of the  
40 articles of incorporation approved by the court, the date of the de-  
41 cree or order approving the articles of amendment, the title of the  
42 proceedings in which the decree or order was entered, and a state-  
43 ment that such decree or order was entered by a court having juris-  
44 diction of the proceedings for the reorganization of the corporation  
45 pursuant to the provisions of an applicable statute of the United  
46 States.

47 8. The articles of amendment shall be delivered to the secretary of  
48 state for filing and recording in his office, and the same shall be filed  
49 and recorded in the office of the county recorder. The secretary of  
50 state upon the filing of the articles of amendment shall issue a cer-  
51 tificate of amendment and send the same to the corporation or its  
52 representative.

53 Upon the issuance of the certificate of amendment by the secretary  
54 of state, the amendment shall become effective and the articles of  
55 incorporation shall be deemed to be amended accordingly, without  
56 any action thereon by the directors or shareholders of the corpora-  
57 tion and with the same effect as if the amendments had been adopted  
58 by unanimous action of the directors and shareholders of the cor-  
59 poration.

1 **SEC. 63. Restriction on redemption or purchase of redeemable**  
2 **shares.** No redemption or purchase of redeemable shares shall be  
3 made by a corporation when it is insolvent or when such redemption  
4 or purchase would render it insolvent, or which would reduce the net  
5 assets below the aggregate amount payable to the holders of shares  
6 having prior or equal rights to the assets of the corporation upon  
7 involuntary dissolution.

1 **SEC. 64. Cancellation of redeemable shares by redemption.** When  
2 redeemable shares of a corporation are redeemed by the corporation,  
3 the redemption shall effect a cancellation of such shares, and a state-  
4 ment of cancellation shall be filed as provided in this section. There-  
5 upon such shares shall be restored to the status of authorized but  
6 unissued shares, unless the articles of incorporation provide that  
7 such shares when redeemed shall not be reissued, in which case the  
8 filing of the statement of cancellation shall constitute an amendment

9 to the articles of incorporation and shall reduce the number of shares  
10 of the class so canceled which the corporation is authorized to issue  
11 by the number of shares so canceled.

12 The statement of cancellation shall be executed by the corporation  
13 by its president or a vice-president and by its secretary or an as-  
14 sistant secretary, and acknowledged by one of the officers signing  
15 such statement, and shall set forth:

16 1. The name of the corporation and the effective date of its incor-  
17 poration; and its original name if different from the present name.

18 2. The number of redeemable shares canceled through redemption,  
19 itemized by classes and series.

20 3. The aggregate number of issued shares, itemized by classes and  
21 series, after giving effect to such cancellation.

22 4. The amount, expressed in dollars, of the stated capital of the  
23 corporation after giving effect to such cancellation.

24 5. If the articles of incorporation provide that the canceled shares  
25 shall not be reissued, then the number of shares which the corpora-  
26 tion has authority to issue, itemized by classes and series, after giv-  
27 ing effect to such cancellation.

28 Such statement shall be delivered to the secretary of state for fil-  
29 ing and recording in his office, and if the same effects a reduction in  
30 its authorized shares the same shall be filed and recorded in the office  
31 of the county recorder.

32 Upon the filing of such statement of cancellation, the stated capital  
33 of the corporation shall be deemed to be reduced by that part of the  
34 stated capital which was, at the time of such cancellation, represented  
35 by the shares so canceled.

36 Nothing contained in this section shall be construed to forbid a  
37 cancellation of shares or a reduction of stated capital in any other  
38 manner permitted by this Act.

1 **SEC. 65. Cancellation of other reacquired shares.** A corporation  
2 may at any time, by resolution of its board of directors, cancel all or  
3 any part of the shares of the corporation of any class reacquired by  
4 it, other than redeemable shares redeemed, and in such event a state-  
5 ment of cancellation shall be filed as provided in this section.

6 The statement of cancellation shall be executed by the corporation  
7 by its president or a vice-president and by its secretary or an as-  
8 sistant secretary, and acknowledged by one of the officers signing  
9 such statement, and shall set forth:

10 1. The name of the corporation and the effective date of its incor-  
11 poration; and its original name if different from the present name.

12 2. The number of reacquired shares canceled by resolution duly  
13 adopted by the board of directors, itemized by classes and series, and  
14 the date of its adoption.

15 3. The aggregate number of issued shares, itemized by classes and  
16 series, after giving effect to such cancellation.

17 4. The amount, expressed in dollars, of the stated capital of the  
18 corporation after giving effect to such cancellation.

19 Such statement shall be delivered to the secretary of state for fil-  
20 ing and recording in his office.

21 Upon the filing of such statement of cancellation, the stated capital  
22 of the corporation shall be deemed to be reduced by that part of the

23 stated capital which was, at the time of such cancellation, repre-  
24 sented by the shares so canceled, and the shares so canceled shall be  
25 restored to the status of authorized but unissued shares.

26 Nothing contained in this section shall be construed to forbid a  
27 cancellation of shares or a reduction of stated capital in any other  
28 manner permitted by this Act.

1     **SEC. 66. Reduction of stated capital in certain cases.** A reduction  
2 of the stated capital of a corporation, where such reduction is not  
3 accompanied by any action requiring an amendment of the articles  
4 of incorporation and not accompanied by a cancellation of shares,  
5 may be made in the following manner:

6     1. The board of directors shall adopt a resolution setting forth the  
7 amount of the proposed reduction and the manner in which the re-  
8 duction shall be effected, and directing that the question of such re-  
9 duction be submitted to a vote at a meeting of shareholders, which  
10 may be either an annual or a special meeting.

11     2. Written or printed notice, stating that the purpose or one of the  
12 purposes of such meeting is to consider the question of reducing the  
13 stated capital of the corporation in the amount and manner proposed  
14 by the board of directors, shall be given to each shareholder of record  
15 entitled to vote thereon within the time and in the manner provided  
16 in this Act for the giving of notice of meetings of shareholders.

17     3. At such meeting a vote of the shareholders entitled to vote  
18 thereon shall be taken on the question of approving the proposed  
19 reduction of stated capital, which shall require for its adoption the  
20 affirmative vote of the holders of at least a majority of the shares  
21 entitled to vote thereon.

22     When a reduction of the stated capital of a corporation has been  
23 approved as provided in this section, a statement shall be executed  
24 by the corporation by its president or a vice-president and by its  
25 secretary or an assistant secretary, and acknowledged by one of the  
26 officers signing such statement, and shall set forth:

27     4. The name of the corporation.

28     5. A copy of the resolution of the shareholders approving such  
29 reduction, and the date of its adoption.

30     6. The number of shares outstanding, and the number of shares  
31 entitled to vote.

32     7. The number of shares voted for and against such reduction,  
33 respectively.

34     8. A statement of the manner in which such reduction is effected,  
35 and a statement, expressed in dollars, of the amount of stated cap-  
36 ital of the corporation after giving effect to such reduction.

37     Such statement shall be delivered to the secretary of state for fil-  
38 ing and recording in his office.

39     Upon the filing of such statement, the stated capital of the corpo-  
40 ration shall be reduced as therein set forth.

41     No reduction of stated capital shall be made under the provisions  
42 of this section which would reduce the amount of the aggregate  
43 stated capital of the corporation to an amount equal to or less than  
44 the aggregate preferential amounts payable upon all issued shares  
45 having a preferential right in the assets of the corporation in the  
46 event of involuntary liquidation, plus the aggregate par value of all



47 issued shares having a par value but no preferential right in the  
48 assets of the corporation in the event of involuntary liquidation.

1     **SEC. 67. Special provisions relating to surplus and reserves.** A  
2 corporation may, by resolution of its board of directors, create a  
3 reserve or reserves out of its surplus for any proper purpose or pur-  
4 poses, and may abolish any such reserve in the same manner. Sur-  
5 plus of the corporation to the extent so reserved shall not be available  
6 for the payment of dividends or other distributions by the corpora-  
7 tion except as expressly permitted by this Act.

1     **SEC. 68. Procedure for merger.** Any two or more domestic cor-  
2 porations may merge into one of such corporations pursuant to a  
3 plan of merger approved in the manner provided in this Act.

4     The board of directors of each corporation shall, by resolution  
5 adopted by each such board, approve a plan of merger setting forth:

6     1. The names of the corporations proposing to merge, and the  
7 name of the corporation into which they propose to merge, which is  
8 hereinafter designated as the surviving corporation.

9     2. The terms and conditions of the proposed merger.

10    3. The manner and basis of converting the shares of each merg-  
11 ing corporation into shares or other securities or obligations of the  
12 surviving corporation.

13    4. A statement of any changes in the articles of incorporation of  
14 the surviving corporation to be effected by such merger.

15    5. Such other provisions with respect to the proposed merger as  
16 are deemed necessary or desirable.

1     **SEC. 69. Procedure for consolidation.** Any two or more domestic  
2 corporations may consolidate into a new corporation pursuant to a  
3 plan of consolidation approved in the manner provided in this Act.

4     The board of directors of each corporation shall, by a resolution  
5 adopted by each such board, approve a plan of consolidation setting  
6 forth:

7     1. The names of the corporations proposing to consolidate, and the  
8 name of the new corporation into which they propose to consolidate,  
9 which is hereinafter designated as the new corporation.

10    2. The terms and conditions of the proposed consolidation.

11    3. The manner and basis of converting the shares of each corpo-  
12 ration into shares or other securities or obligations of the new cor-  
13 poration.

14    4. With respect to the new corporation, all of the statements re-  
15 quired to be set forth in articles of incorporation for corporations  
16 organized under this Act.

17    5. Such other provisions with respect to the proposed consolidation  
18 as are deemed necessary or desirable.

1     **SEC. 70. Approval by shareholders.** The board of directors of  
2 each corporation, upon approving such plan of merger or plan of con-  
3 solidation, shall, by resolution, direct that the plan be submitted to a  
4 vote at a meeting of shareholders, which may be either an annual or  
5 a special meeting. Written or printed notice shall be given to each  
6 shareholder of record entitled to vote at such meeting, not less than  
7 twenty days before such meeting, in the manner provided in this Act  
8 for the giving of notice of meetings of shareholders, and shall state

9 the purpose of the meeting, whether the meeting be an annual or a  
10 special meeting. A copy or a summary of the plan of merger or plan  
11 of consolidation, as the case may be, shall be included in or enclosed  
12 with such notice.

13 At each such meeting, a vote of the shareholders shall be taken on  
14 the proposed plan of merger or consolidation. Each outstanding  
15 share of each such corporation shall be entitled to vote on the pro-  
16 posed plan of merger or consolidation, whether or not such share has  
17 voting rights under the provisions of the articles of incorporation of  
18 such corporation. The plan of merger or consolidation shall be ap-  
19 proved upon receiving the affirmative vote of the holders of at least  
20 two-thirds of the outstanding shares of each such corporation, unless  
21 any class of shares of any such corporation is entitled to vote as a  
22 class thereon, in which event, as to such corporation, the plan of  
23 merger or consolidation shall be approved upon receiving the affirma-  
24 tive vote of the holders of at least two-thirds of the outstanding  
25 shares of each class of shares entitled to vote as a class thereon and  
26 of the total outstanding shares. Any class of shares of any such  
27 corporation shall be entitled to vote as a class if the plan of merger  
28 or consolidation, as the case may be, contains any provision which,  
29 if contained in a proposed amendment to articles of incorporation,  
30 would entitle such class of shares to vote as a class.

31 After such approval by a vote of the shareholders of each corpora-  
32 tion, and at any time prior to the filing of the articles of merger or  
33 consolidation, the merger or consolidation may be abandoned pur-  
34 suant to provisions therefor, if any, set forth in the plan of merger  
35 or consolidation.

1 **SEC. 71. Articles of merger or consolidation.** Upon such approval,  
2 articles of merger or articles of consolidation shall be executed by  
3 each corporation by its president or a vice-president and by its sec-  
4 retary or an assistant secretary, and acknowledged by one of the  
5 officers of each corporation signing such articles, and shall set forth:

6 1. The plan of merger or the plan of consolidation.

7 2. As to each corporation, the number of shares outstanding, and,  
8 if the shares of any class are entitled to vote as a class, the designa-  
9 tion and number of outstanding shares of each such class.

10 3. As to each corporation, the number of shares voted for and  
11 against such plan, respectively, and, if the shares of any class are  
12 entitled to vote as a class, the number of shares of each such class  
13 voted for and against such plan, respectively.

14 The articles of merger or articles of consolidation shall be deliv-  
15 ered to the secretary of state for filing and recording in his office,  
16 and the same shall be filed and recorded in the office of the county  
17 recorder.

18 The secretary of state upon the filing of the articles of merger or  
19 articles of consolidation shall issue a certificate of merger or a cer-  
20 tificate of consolidation and send the same to the surviving or new  
21 corporation as the case may be, or to its representative.

1 **SEC. 72. Merger of subsidiary corporation.** Any corporation own-  
2 ing at least ninety-five per cent of the outstanding shares of each  
3 class of another corporation may merge such other corporation into  
4 itself without approval by a vote of the shareholders of either cor-

5 poration. Its board of directors shall, by resolution, approve a plan  
6 of merger setting forth:

7 1. The name of the subsidiary corporation and the name of the  
8 corporation owning at least ninety-five per cent of its shares, which  
9 is hereinafter designated as the surviving corporation.

10 2. The manner and basis of converting the shares of the subsidiary  
11 corporation into shares or other securities or obligations of the sur-  
12 viving corporation or the cash or other consideration to be paid or  
13 delivered upon surrender of each share of the subsidiary corpora-  
14 tion.

15 A copy of such plan of merger shall be mailed to each shareholder  
16 of record of the subsidiary corporation.

17 Articles of merger shall be executed by the surviving corporation  
18 by its president or a vice-president and by its secretary or an as-  
19 sistant secretary, and acknowledged by one of its officers signing  
20 such articles, and shall set forth:

21 3. The plan of merger;

22 4. The number of outstanding shares of each class of the subsid-  
23 iary corporation and the number of such shares of each class owned  
24 by the surviving corporation; and

25 5. The date of the mailing to shareholders of the subsidiary cor-  
26 poration of a copy of the plan of merger.

27 The articles of merger shall be delivered to the secretary of state  
28 for filing and recording in his office, and the same shall be filed and  
29 recorded in the office of the county recorder.

30 The secretary of state upon filing the articles of merger shall issue  
31 a certificate of merger, and send the same to the surviving corpora-  
32 tion or its representative.

1 **SEC. 73. Effect of merger or consolidation.** Upon the issuance of  
2 the certificate of merger or the certificate of consolidation by the  
3 secretary of state, the merger or consolidation shall be effected.

4 When such merger or consolidation has been effected:

5 1. The several corporations parties to the plan of merger or con-  
6 solidation shall be a single corporation, which, in the case of a merger,  
7 shall be that corporation designated in the plan of merger as the sur-  
8 viving corporation, and, in the case of consolidation, shall be the new  
9 corporation provided for in the plan of consolidation.

10 2. The separate existence of all corporations parties to the plan  
11 of merger or consolidation, except the surviving or new corporation,  
12 shall cease.

13 3. Such surviving or new corporation, if to exist under the laws of  
14 this state, shall have all the rights, privileges, immunities and pow-  
15 ers and shall be subject to all the duties and liabilities of a corpora-  
16 tion organized under this Act.

17 4. Such surviving or new corporation shall thereupon and there-  
18 after possess all the rights, privileges, immunities, and franchises,  
19 as well of a public as of a private nature, of each of the merging or  
20 consolidating corporations; and all property, real, personal and  
21 mixed, and all debts due on whatever account, including subscrip-  
22 tions to shares, and all other choses in action, and all and every other  
23 interest, of or belonging to or due to each of the corporations so  
24 merged or consolidated, shall be taken and deemed to be transferred  
25 to and vested in such single corporation without further act or deed;

26 and the title to any real estate, or any interest therein, vested in any  
27 of such corporations shall not revert or be in any way impaired by  
28 reason of such merger or consolidation.

29 5. Such surviving or new corporation shall thenceforth be respon-  
30 sible and liable for all the liabilities and obligations of each of the  
31 corporations so merged or consolidated; and any claim existing or  
32 action or proceeding pending by or against any of such corporations  
33 may be prosecuted as if such merger or consolidation had not taken  
34 place, or such surviving or new corporation may be substituted in  
35 its place. Neither the rights of creditors nor any liens upon the prop-  
36 erty of any such corporation shall be impaired by such merger or  
37 consolidation.

38 6. In the case of a merger, the articles of incorporation of the  
39 surviving corporation shall be deemed to be amended to the extent,  
40 if any, that changes in its articles of incorporation are stated in the  
41 plan of merger; and, in the case of a consolidation, the statements  
42 set forth in the articles of consolidation and which are required or  
43 permitted to be set forth in the articles of incorporation of corpora-  
44 tions organized under this Act shall be deemed to be the original  
45 articles of incorporation of the new corporation.

46 7. The aggregate amount of the net assets of the merging or con-  
47 solidating corporations which was available for the payment of div-  
48 idends immediately prior to such merger or consolidation, to the  
49 extent that the amount thereof is not transferred to stated capital  
50 by the issuance of shares or otherwise, shall continue to be available  
51 for the payment of dividends by such surviving or new corporation.

1 SEC. 74. Merger or consolidation of domestic and foreign corpora-  
2 tions. One or more foreign corporations and one or more domestic  
3 corporations may be merged or consolidated in the following man-  
4 ner, if such merger or consolidation is permitted by the laws of the  
5 state under which each such foreign corporation is organized:

6 1. Each domestic corporation shall comply with the provisions of  
7 this Act with respect to the merger or consolidation, as the case may  
8 be, of domestic corporations and each foreign corporation shall com-  
9 ply with the applicable provisions of the laws of the state under  
10 which it is organized.

11 2. If the surviving or new corporation, as the case may be, is to be  
12 governed by the laws of any state other than this state, it shall com-  
13 ply with the provisions of the laws of this state with respect to qual-  
14 ification of foreign corporations if it is to transact business in this  
15 state, and in every case it shall file with the secretary of state of this  
16 state:

17 a. An agreement that it may be served with process in this state  
18 in any proceeding for the enforcement of any obligation of any do-  
19 mestic corporation which is a party to such merger or consolidation  
20 and in any proceeding for the enforcement of the rights of a dissent-  
21 ing shareholder of any such domestic corporation against the sur-  
22 viving or new corporation;

23 b. An irrevocable appointment of the secretary of state of this  
24 state as its agent to accept service of process in any such proceeding;  
25 and

26 c. An agreement that it will promptly pay to the dissenting share-  
27 holders of any such domestic corporation the amount, if any, to

28 which they shall be entitled under the provisions of this Act with  
29 respect to the rights of dissenting shareholders.

30 The effect of such merger or consolidation shall be the same as in  
31 the case of the merger or consolidation of domestic corporations, if  
32 the surviving or new corporation is to be governed by the laws of this  
33 state. If the surviving or new corporation is to be governed by the  
34 laws of any state other than this state, the effect of such merger or  
35 consolidation shall be the same as in the case of the merger or consoli-  
36 dation of domestic corporations except in so far as the laws of such  
37 other state provide otherwise.

38 At any time prior to the filing of the articles of merger or consoli-  
39 dation, the merger or consolidation may be abandoned pursuant to  
40 the provisions therefor, if any, set forth in the plan of merger or  
41 consolidation.

1 **SEC. 75. Sale or other disposition of assets in regular course of**  
2 **business and mortgage or pledge of assets.** The sale, lease, exchange  
3 or other disposition of all, or substantially all, the property and as-  
4 sets of a corporation, when made in the usual and regular course of  
5 the business of the corporation, and the mortgage or pledge of any  
6 or all of the property and assets of the corporation may be made upon  
7 such terms and conditions and for such considerations, which may  
8 consist in whole or in part of money or property, real or personal,  
9 including shares of any other corporation, domestic or foreign, as  
10 shall be authorized by its board of directors; and in such case no  
11 authorization or consent of the shareholders shall be required.

1 **SEC. 76. Sale or other disposition of assets other than in regular**  
2 **course of business.** A sale, lease, exchange or other disposition of all,  
3 or substantially all, the property and assets, with or without the good  
4 will, of a corporation, if not made in the usual and regular course of  
5 its business, may be made upon such terms and conditions and for  
6 such consideration, which may consist in whole or in part of money  
7 or property, real or personal, including shares of any other corpora-  
8 tion, domestic or foreign, as may be authorized in the following man-  
9 ner:

10 1. The board of directors shall adopt a resolution recommending  
11 such sale, lease, exchange or other disposition and directing the sub-  
12 mission thereof to a vote at a meeting of shareholders, which may be  
13 either an annual or a special meeting.

14 2. Written or printed notice shall be given to each shareholder of  
15 record entitled to vote at such meeting within the time and in the  
16 manner provided in this Act for the giving of notice of meetings of  
17 shareholders, and, whether the meeting be an annual or a special  
18 meeting, shall state that the purpose, or one of the purposes, of such  
19 meeting is to consider the proposed sale, lease, exchange or other  
20 disposition.

21 3. At such meeting the shareholders may authorize such sale, lease,  
22 exchange or other disposition and may fix, or may authorize the  
23 board of directors to fix, any or all of the terms and conditions there-  
24 of and the consideration to be received by the corporation therefor.  
25 Such authorization shall require the affirmative vote of the holders  
26 of at least a majority of the outstanding shares of the corporation  
27 entitled to vote thereon, unless any class of shares is entitled to vote

28 as a class thereon, in which event such authorization shall require  
29 the affirmative vote of the holders of at least a majority of the out-  
30 standing shares of each class of shares entitled to vote as a class  
31 thereon and of the total outstanding shares entitled to vote thereon.  
32 4. After such authorization by a vote of shareholders, the board  
33 of directors nevertheless, in its discretion, may abandon such sale,  
34 lease, exchange or other disposition of assets, subject to the rights  
35 of third parties under any contracts relating thereto, without fur-  
36 ther action or approval by shareholders.

1 **SEC. 77. Right of shareholders to dissent.** Any shareholder of a  
2 corporation shall have the right to dissent from any of the following  
3 corporate actions:

4 1. Any plan of merger or consolidation to which the corporation  
5 is a party; or

6 2. Any sale or exchange of all or substantially all of the property  
7 and assets of the corporation, otherwise than in the usual and regu-  
8 lar course of its business.

9 A shareholder may dissent as to less than all of the shares regis-  
10 tered in his name. In that event, his rights shall be determined as  
11 if the shares as to which he has dissented and his other shares were  
12 registered in the names of different shareholders.

13 The provisions of this section shall not apply to the shareholders  
14 of the surviving corporation in a merger if such corporation is on the  
15 date of the filing of the articles of merger the owner of all the out-  
16 standing shares of the other corporations, domestic or foreign, which  
17 are parties to the merger, or if a vote of the shareholders of such  
18 corporation is not necessary to authorize such merger.

1 **SEC. 78. Rights of dissenting shareholders.** Any shareholder  
2 electing to exercise such right of dissent shall file with the corpora-  
3 tion, prior to or at the meeting of shareholders at which such pro-  
4 posed corporate action is submitted to a vote, a written objection to  
5 such proposed corporate action. If such proposed corporate action be  
6 approved by the required vote and such shareholder shall not have  
7 voted in favor thereof, such shareholder may, within ten days after  
8 the date on which the vote was taken, or if a corporation is to be  
9 merged without a vote of its shareholders into another corporation,  
10 any of its shareholders may, within ten days after the plan of such  
11 merger shall have been mailed to such shareholders make written  
12 demand on the corporation, or, in the case of a merger or consolida-  
13 tion, on the surviving or new corporation, domestic or foreign, for  
14 payment of the fair value of such shareholder's shares, and, if such  
15 proposed corporate action is effected, such corporation shall pay to  
16 such shareholder, upon surrender of the certificate or certificates  
17 representing such shares, the fair value thereof as of the day prior  
18 to the date on which the vote was taken approving the proposed cor-  
19 porate action, excluding any appreciation or depreciation in antici-  
20 pation of such corporate action. Any shareholder failing to make  
21 demand within the ten-day period shall be bound by the terms of  
22 the proposed corporate action. If the proposed corporate action shall  
23 be abandoned or rescinded or the shareholders shall revoke the au-  
24 thority to effect such action, then the right of such shareholder to be  
25 paid the fair value of his shares shall cease and his status as a share-

26 holder shall be restored, without prejudice to any corporate proceed-  
27 ings which may have been taken during the interim.

28 Within twenty days after such corporate action is effected, the  
29 corporation, or, in the case of a merger or consolidation, the surviv-  
30 ing or new corporation, domestic or foreign, shall give written notice  
31 thereof to each dissenting shareholder who has made demand as  
32 herein provided, and shall make a written offer to each such share-  
33 holder to pay for such shares at a specified price deemed by such  
34 corporation to be the fair value thereof. Such notice and offer shall  
35 be accompanied by a balance sheet of the corporation the shares of  
36 which the dissenting shareholder holds, as of the latest available date  
37 and not more than twelve months prior to the making of such offer,  
38 and a profit and loss statement of such corporation for the twelve  
39 months' period ended on the date of such balance sheet.

40 If within thirty days after the date on which such corporate action  
41 was effected the fair value of such shares is agreed upon between  
42 any such dissenting shareholder and the corporation, payment there-  
43 for shall be made within ninety days after the date on which such  
44 corporate action was effected, upon surrender of the certificate or  
45 certificates representing such shares. Upon payment of the agreed  
46 value the dissenting shareholder shall cease to have any interest in  
47 such shares.

48 If within such period of thirty days the dissenting shareholder and  
49 the corporation do not agree, then the dissenting shareholder may,  
50 within sixty days after the expiration of the thirty-day period, file a  
51 petition in any court of competent jurisdiction within the state and  
52 county thereof in which the registered office or principal place of  
53 business of the corporation is situated asking for a finding and deter-  
54 mination of the fair value of such shares, and shall be entitled to  
55 judgment against the corporation for the amount of such fair value  
56 as of the day prior to the date on which such vote was taken approv-  
57 ing such corporate action, together with interest thereon at the rate  
58 of five per cent per annum to the date of such judgment. The action  
59 shall be prosecuted as an equitable action and the practice and proced-  
60 ure shall conform to the practice and procedure in equity cases.  
61 The judgment shall be payable only upon and simultaneously with  
62 the surrender to the corporation of the certificate or certificates  
63 representing such shares.

64 Upon payment of the judgment, the dissenting shareholder shall  
65 cease to have any interest in such shares. Unless the dissenting  
66 shareholder shall file such petition within the time herein limited,  
67 such shareholder and all persons claiming under him shall be con-  
68 clusively presumed to have approved and ratified the corporate action  
69 and shall be bound by the terms thereof.

70 Shares acquired by a corporation pursuant to payment of the  
71 agreed value therefor or to payment of the judgment entered there-  
72 for, as in this section provided, may be held and disposed of by such  
73 corporation as in the case of other treasury shares, except that, in  
74 the case of a merger or consolidation, they may be held and disposed  
75 of as the plan of merger or consolidation may otherwise provide.

1 **SEC. 79. Voluntary dissolution by incorporators.** A corporation  
2 which has not commenced business and which has not issued any  
3 shares, may be voluntarily dissolved by its incorporators at any time

4 after the date of the issuance of its certificate of incorporation, in  
5 the following manner:

6 1. Articles of dissolution shall be executed by a majority of the  
7 incorporators, and verified by them, and shall set forth:

8 a. The name of the corporation.

9 b. The date of issuance of its certificate of incorporation.

10 c. That none of its shares has been issued.

11 d. That the corporation has not commenced business.

12 e. The amount, if any, actually paid in on subscriptions for its  
13 shares, less any part thereof disbursed for necessary expenses, has  
14 been returned to those entitled thereto.

15 f. That no debts of the corporation remain unpaid.

16 g. That they elect that the corporation be dissolved.

17 2. The articles of dissolution shall be delivered to the secretary  
18 of state for filing and recording in his office, and the same shall be  
19 filed and recorded in the office of the county recorder.

20 The secretary of state upon filing the articles of dissolution shall  
21 issue a certificate of dissolution and send the same to the incorpora-  
22 tors or their representatives. Upon the issuance of such certificate  
23 of dissolution by the secretary of state, the existence of the corpora-  
24 tion shall cease.

1 **SEC. 80. Voluntary dissolution by consent of shareholders.** A cor-  
2 poration may be voluntarily dissolved by the written consent of all  
3 of its shareholders.

4 Upon the execution of such written consent, a statement of intent  
5 to dissolve shall be executed by the corporation by its president or a  
6 vice-president and by its secretary or an assistant secretary, and  
7 verified by one of the officers signing such statement, which state-  
8 ment shall set forth:

9 1. The name of the corporation.

10 2. The names and respective addresses of its officers.

11 3. The names and respective addresses of its directors.

12 4. A copy of the written consent signed by all shareholders of the  
13 corporation.

14 5. A statement that such written consent has been signed by all  
15 shareholders of the corporation or signed in their names by their  
16 attorneys thereunto duly authorized.

1 **SEC. 81. Voluntary dissolution by act of corporation.** A corpora-  
2 tion may be dissolved by the act of the corporation, when authorized  
3 in the following manner:

4 1. The board of directors shall adopt a resolution recommending  
5 that the corporation be dissolved, and directing that the question of  
6 such dissolution be submitted to a vote at a meeting of shareholders,  
7 which may be either an annual or a special meeting.

8 2. Written or printed notice shall be given to each shareholder of  
9 record entitled to vote at such meeting within the time and in the  
10 manner provided in this Act for the giving of notice of meetings of  
11 shareholders, and, whether the meeting be an annual or special meet-  
12 ing, shall state that the purpose, or one of the purposes, of such meet-  
13 ing is to consider the advisability of dissolving the corporation.

14 3. At such meeting a vote of shareholders entitled to vote thereat  
15 shall be taken on a resolution to dissolve the corporation. Such reso-



16 lution shall be adopted upon receiving the affirmative vote of the  
 17 holders of a majority of the outstanding shares of the corporation  
 18 entitled to vote upon the question of dissolution, unless any class of  
 19 shares is entitled to vote as a class thereon, in which event the reso-  
 20 lution shall require for its adoption the affirmative vote of the hold-  
 21 ers of a majority of the outstanding shares of each class of shares  
 22 entitled to vote as a class thereon, and of the total outstanding shares  
 23 entitled to vote upon the question of dissolution.

24 4. Upon the adoption of such resolution, a statement of intent to  
 25 dissolve shall be executed by the corporation by its president or a  
 26 vice-president and by its secretary or an assistant secretary, and  
 27 verified by one of the officers signing such statement, which state-  
 28 ment shall set forth:

29 a. The name of the corporation.

30 b. The names and respective addresses of its officers.

31 c. The names and respective addresses of its directors.

32 d. A copy of the resolution adopted by the shareholders authoriz-  
 33 ing the dissolution of the corporation.

34 e. The number of shares outstanding, and, if the shares of any class  
 35 are entitled to vote as a class, the designation and number of out-  
 36 standing shares of each such class.

37 f. The number of shares voted for and against the resolution, re-  
 38 spectively, and if the shares of any class are entitled to vote as a  
 39 class, the number of shares of each such class voted for and against  
 40 the resolution, respectively.

1 **SEC. 82. Filing of statement of intent to dissolve.** The statement  
 2 of intent to dissolve, whether by consent of shareholders or by act of  
 3 the corporation, shall be delivered to the secretary of state for filing  
 4 and recording in his office, and the same shall be filed and recorded  
 5 in the office of the county recorder.

1 **SEC. 83. Effect of statement of intent to dissolve.** Upon the filing  
 2 by the secretary of state of a statement of intent to dissolve, whether  
 3 by consent of shareholders or by act of the corporation, the corpora-  
 4 tion shall cease to carry on its business, except in so far as may be  
 5 necessary for the winding up thereof, but its corporate existence  
 6 shall continue until a certificate of dissolution has been issued by the  
 7 secretary of state or until a decree dissolving the corporation has  
 8 been entered by a court of competent jurisdiction as in this Act pro-  
 9 vided.

1 **SEC. 84. Procedure after filing of statement of intent to dissolve.**  
 2 After the filing by the secretary of state of a statement of intent to  
 3 dissolve:

4 1. The corporation shall proceed to collect its assets, convey and  
 5 dispose of such of its properties as are not to be distributed in kind  
 6 to its shareholders, pay, satisfy and discharge its liabilities and obli-  
 7 gations and do all other acts required to liquidate its business and  
 8 affairs, and, after paying or adequately providing for the payment of  
 9 all its obligations, distribute the remainder of its assets, either in  
 10 cash or in kind, among its shareholders according to their respective  
 11 rights and interests.

12 2. The corporation, at any time during the liquidation of its busi-  
 13 ness and affairs, may make application to the district court in and

14 for the county in which the registered office or principal place of  
15 business of the corporation is situated, to have the liquidation con-  
16 tinued under the supervision of the court as provided in this Act.

1 **SEC. 85. Revocation of voluntary dissolution proceedings by con-**  
2 **sent of shareholders.** By the written consent of all of its sharehold-  
3 ers, a corporation may, at any time prior to the issuance of a cer-  
4 tificate of dissolution by the secretary of state, revoke voluntary dis-  
5 solution proceedings theretofore taken, in the following manner:

6 Upon the execution of such written consent, a statement of revoca-  
7 tion of voluntary dissolution proceedings shall be executed by the  
8 corporation by its president or a vice-president and by its secretary  
9 or an assistant secretary, and acknowledged by one of the officers  
10 signing such statement, which statement shall set forth:

- 11 1. The name of the corporation.
- 12 2. The names and respective addresses of its officers.
- 13 3. The names and respective addresses of its directors.
- 14 4. A copy of the written consent signed by all shareholders of the  
15 corporation revoking such voluntary dissolution proceedings.
- 16 5. That such written consent has been signed by all shareholders  
17 of the corporation or signed in their names by their attorneys there-  
18 unto duly authorized.

1 **SEC. 86. Revocation of voluntary dissolution proceedings by act**  
2 **of corporation.** By the act of the corporation, a corporation may, at  
3 any time prior to the issuance of a certificate of dissolution by the  
4 secretary of state, revoke voluntary dissolution proceedings thereto-  
5 fore taken, in the following manner:

6 1. The board of directors shall adopt a resolution recommending  
7 that the voluntary dissolution proceedings be revoked, and directing  
8 that the question of such revocation be submitted to a vote at a  
9 special meeting of shareholders.

10 2. Written or printed notice, stating that the purpose or one of  
11 the purposes of such meeting is to consider the advisability of revok-  
12 ing the voluntary dissolution proceedings, shall be given to each  
13 shareholder of record entitled to vote at such meeting within the time  
14 and in the manner provided in this Act for the giving of notice of  
15 special meetings of shareholders.

16 3. At such meeting a vote of shareholders entitled to vote thereat  
17 shall be taken on a resolution to revoke the voluntary dissolution  
18 proceedings. Such resolution shall be adopted upon receiving the  
19 affirmative vote of the holders of a majority of the outstanding  
20 shares of the corporation then entitled to vote upon the question of  
21 dissolution, unless any class of shares is entitled to vote as a class  
22 thereon, in which event the resolution shall require for its adoption  
23 the affirmative vote of the holders of a majority of the outstanding  
24 shares of each class of shares entitled to vote as a class thereon, and  
25 of the total outstanding shares entitled to vote upon the question of  
26 dissolution.

27 4. Upon the adoption of such resolution, a statement of revoca-  
28 tion of voluntary dissolution proceedings shall be executed by the  
29 corporation by its president or a vice-president and by its secretary  
30 or an assistant secretary, and acknowledged by one of the officers

- 31 signing such statement, which statement shall set forth :
- 32     *a.* The name of the corporation.
- 33     *b.* The names and respective addresses of its officers.
- 34     *c.* The names and respective addresses of its directors.
- 35     *d.* A copy of the resolution adopted by the shareholders revoking
- 36 the voluntary dissolution proceedings.
- 37     *e.* The number of shares outstanding, and, if the shares of any
- 38 class are entitled to vote as a class, the designation and number of
- 39 outstanding shares of each such class.
- 40     *f.* The number of shares voted for and against the resolution, re-
- 41 spectively, and if the shares of any class are entitled to vote as a
- 42 class, the number of shares of each such class voted for and against
- 43 the resolution, respectively.

1     **SEC. 87. Filing of statement of revocation of voluntary dissolu-**  
 2 **tion proceedings.** The statement of revocation of voluntary dissolu-  
 3 tion proceedings, whether by consent of shareholders or by act of the  
 4 corporation, shall be delivered to the secretary of state for filing and  
 5 recording in his office, and the same shall be filed and recorded in the  
 6 office of the county recorder.

1     **SEC. 88. Effect of statement of revocation of voluntary dissolu-**  
 2 **tion proceedings.** Upon the filing by the secretary of state of a state-  
 3 ment of revocation of voluntary dissolution proceedings, whether by  
 4 consent of shareholders or by act of the corporation, the revocation  
 5 of the voluntary dissolution proceedings shall become effective and  
 6 the corporation may again carry on its business.

1     **SEC. 89. Articles of dissolution.** If voluntary dissolution proceed-  
 2 ings have not been revoked, then when all debts, liabilities and obli-  
 3 gations of the corporation have been paid or otherwise discharged,  
 4 or adequate provision has been made therefor, and all of the remain-  
 5 ing property and assets of the corporation have been distributed to  
 6 its shareholders, articles of dissolution shall be executed by the cor-  
 7 poration by its president or a vice-president and by its secretary or  
 8 an assistant secretary, and verified by one of the officers signing  
 9 such statement, which statement shall set forth :

- 10     1. The name of the corporation.
- 11     2. That the secretary of state has theretofore filed a statement of
- 12 intent to dissolve the corporation, and the date on which such state-
- 13 ment was filed.
- 14     3. That all debts, obligations and liabilities of the corporation have
- 15 been paid or otherwise discharged or that adequate provision has
- 16 been made therefor.
- 17     4. That all the remaining property and assets of the corporation
- 18 have been distributed among its shareholders in accordance with
- 19 their respective rights and interests.
- 20     5. That there are no suits pending against the corporation in any
- 21 court, or that adequate provision has been made for the satisfaction
- 22 of any judgment, order or decree which may be entered against it in
- 23 any pending suit.

1     **SEC. 90. Filing of articles of dissolution.** Such articles of dissolu-  
 2 tion shall be delivered to the secretary of state for filing and record-

3 ing in his office, and the same shall be filed and recorded in the office  
4 of the county recorder.

5 The secretary of state upon filing the articles of dissolution shall  
6 issue a certificate of dissolution, and send the same to the representa-  
7 tive of the dissolved corporation. Upon the issuance of such certifi-  
8 cate of dissolution the existence of the corporation shall cease, except  
9 for the purpose of suits, other proceedings and appropriate corporate  
10 action by shareholders, directors and officers as provided in this Act.

1 SEC. 91. **Involuntary dissolution.** A corporation may be dissolved  
2 involuntarily by a decree of the district court in a suit filed by the  
3 attorney general when it is established that it is in default in any of  
4 the following particulars:

5 1. The corporation has failed to file its annual report within the  
6 time required by law, or has failed to pay any fees, or penalties  
7 prescribed by this Act when the same have become due and payable;  
8 or

9 2. The corporation has failed to maintain a record in the secretary  
10 of state's office of its registered office and agent in this state as re-  
11 quired by law.

1 SEC. 92. **Notification and action by the attorney general.** The  
2 secretary of state, on or before the first day of November of each  
3 year, shall certify to the attorney general the names of all corpora-  
4 tions which have failed to file their annual reports or to pay annual  
5 license fees in accordance with the provisions of this Act, together  
6 with the facts pertinent thereto. He shall also certify, from time to  
7 time, the names of all corporations which have given other cause for  
8 dissolution as provided in this Act, together with the facts pertinent  
9 thereto. Whenever the secretary of state shall certify the name of a  
10 corporation to the attorney general as having given any cause for  
11 dissolution the secretary of state shall by registered or certified mail  
12 concurrently send to the corporation at its registered office, a notice  
13 that such certification has been made and the grounds therefor. Upon  
14 the expiration of thirty days from the receipt of such certification,  
15 the attorney general, if he believes one or more probable grounds  
16 for dissolution exist, shall file suit in equity in the name of the state  
17 against such corporation for its dissolution. Every such certificate  
18 from the secretary of state to the attorney general pertaining to the  
19 failure of a corporation to file an annual report or pay an annual  
20 license fee shall be taken and received in all courts as prima facie  
21 evidence of the facts therein stated. If, before suit is filed, the cor-  
22 poration shall cure the default constituting the cause for dissolution,  
23 such fact shall be forthwith certified by the secretary of state to the  
24 attorney general and he shall not file suit against such corporation  
25 for such cause. If, after suit is filed, the corporation shall cure the  
26 default constituting the cause for dissolution and shall pay the costs  
27 of such suit, the suit for such cause shall be dismissed.

28 In addition to any other remedies provided by law, a corporation  
29 may be dissolved involuntarily by a decree of the district court in a  
30 suit filed by the attorney general when it is established that the fran-  
31 chise of the corporation was procured through fraud or that the cor-  
32 poration has continued to exceed or abuse the authority conferred  
33 upon it by law.

1     **SEC. 93. Venue and process.** A suit in equity commenced by the  
2 attorney general for the involuntary dissolution of a corporation  
3 shall be brought in the district court of the county in which the reg-  
4 istered office or principal office of the corporation is situated. Orig-  
5 inal notice shall be served as in other civil actions.

1     **SEC. 94. Jurisdiction of court to liquidate assets and business of**  
2 **corporation.** The district court in a suit in equity shall have full  
3 power to liquidate the assets and business of a corporation:

4     1. In a suit by a shareholder when it is established:

5     a. That the directors are deadlocked in the management of the  
6 corporate affairs and the shareholders are unable to break the dead-  
7 lock, and that irreparable injury to the corporation is being suffered  
8 or is threatened by reason thereof; or

9     b. That the acts of the directors or those in control of the corpora-  
10 tion are illegal, oppressive or fraudulent; or

11     c. That as shown by the proceedings at any meeting of the share-  
12 holders the shareholders are deadlocked in voting power and that  
13 irreparable injury to the corporation is being suffered or is threat-  
14 ened by reason thereof; or

15     d. That the corporate assets are being misapplied or wasted.

16     2. In a suit by a creditor:

17     a. When the claim of the creditor has been reduced to judgment  
18 which has become final, and an execution thereon returned unsatis-  
19 fied and it is established that the corporation is insolvent; or

20     b. When the corporation has admitted in writing that the claim  
21 of the creditor is due and owing and it is established that the cor-  
22 poration is insolvent.

23     3. Upon application by a corporation which has filed a statement  
24 of intent to dissolve, as provided in this Act, to have its liquidation  
25 continued under the supervision of the court.

26     4. When a suit has been filed by the attorney general to dissolve a  
27 corporation and it is established that liquidation of its business and  
28 affairs should precede the entry of a decree of dissolution.

29     5. Upon application by the board of directors when it is estab-  
30 lished that circumstances make it impossible to obtain a representa-  
31 tive vote by shareholders on the question of dissolution and that the  
32 continuation of the business of the corporation is not in the interest  
33 of the shareholders but it is desirable in their interest that the assets  
34 and business be liquidated.

35     Proceedings under this section shall be brought in the county in  
36 which the registered office or the principal office of the corporation is  
37 situated.

38     It shall not be necessary to make shareholders parties to any such  
39 suit or proceeding unless relief is sought against them personally.

1     **SEC. 95. Procedure in liquidation of corporation by court.** In pro-  
2 ceedings to liquidate the assets and business of a corporation the  
3 court shall have power to issue injunctions, to appoint a receiver or  
4 receivers pendente lite, with such powers and duties as the court,  
5 from time to time, may direct, and to take such other proceedings  
6 as may be requisite to preserve the corporate assets wherever situ-  
7 ated, and carry on the business of the corporation until a full hearing  
8 can be had.

9 After a hearing had upon such notice as the court may direct to be  
10 given to all parties to the proceedings and to any other parties in  
11 interest designated by the court, the court may appoint a liquidating  
12 receiver or receivers with authority to collect the assets of the cor-  
13 poration, including all amounts owing to the corporation by share-  
14 holders on account of any unpaid portion of the consideration for the  
15 issuance of shares. Such liquidating receiver or receivers shall have  
16 authority, subject to the order of the court, to sell, convey and dis-  
17 pose of all or any part of the assets of the corporation wherever situ-  
18 ated, either at public or private sale. The assets of the corporation  
19 or the proceeds resulting from a sale, conveyance or other disposition  
20 thereof shall be applied to the expenses of such liquidation and to the  
21 payment of the liabilities and obligations of the corporation, and any  
22 remaining assets or proceeds shall be distributed among its share-  
23 holders according to their respective rights and interests. The order  
24 appointing such liquidating receiver or receivers shall state their  
25 powers and duties. Such powers and duties may be increased or di-  
26 minished at any time during the proceedings.

27 The court shall have power to allow from time to time as expenses  
28 of the liquidation compensation to the receiver or receivers and to  
29 attorneys in the proceedings, and to direct the payment thereof out  
30 of the assets of the corporation or the proceeds of any sale or disposi-  
31 tion of such assets.

32 A receiver of a corporation appointed under the provisions of this  
33 section shall have authority to sue and defend in all courts in his  
34 own name as receiver of such corporation. The court appointing such  
35 receiver shall have exclusive jurisdiction of the corporation and its  
36 property, wherever situated.

1 **SEC. 96. Qualifications of receivers.** A receiver shall in all cases  
2 be a citizen of the United States or a corporation authorized to act  
3 as receiver, which corporation may be a domestic corporation or a  
4 foreign corporation authorized to transact business in this state,  
5 and shall in all cases give such bond as the court may direct with  
6 such sureties as the court may require.

1 **SEC. 97. Filing of claims in liquidation proceedings.** In proceed-  
2 ings to liquidate the assets and business of a corporation the court  
3 may require all creditors of the corporation to file with the clerk of  
4 the court or with the receiver, in such form as the court may pre-  
5 scribe, proofs under oath of their respective claims. If the court re-  
6 quires the filing of claims it shall fix a date, which shall not be less  
7 than four months from the date of the order, as the last day for the  
8 filing of claims, and shall prescribe the notice that shall be given to  
9 creditors and claimants of the date so fixed. Prior to the date so  
10 fixed, the court may extend the time for the filing of claims. Cred-  
11 itors and claimants failing to file proofs of claim on or before the  
12 date so fixed may be barred, by order of court, from participating  
13 in the distribution of the assets of the corporation.

1 **SEC. 98. Discontinuance of liquidation proceedings.** The liquida-  
2 tion of the assets and business of a corporation may be discontinued  
3 at any time during the liquidation proceedings when it is established  
4 that cause for liquidation no longer exists. In such event the court

5 shall dismiss the proceedings and direct the receiver to redeliver to  
6 the corporation all its remaining property and assets.

1 **SEC. 99. Decree of dissolution.** In proceedings to liquidate the  
2 assets and business of a corporation, when the costs and expenses of  
3 such proceedings and all debts, obligations and liabilities of the cor-  
4 poration shall have been paid and discharged and all of its remain-  
5 ing property and assets distributed to its shareholders, or in case its  
6 property and assets are not sufficient to satisfy and discharge such  
7 costs, expenses, debts and obligations, all the property and assets  
8 have been applied so far as they will go to their payment, the court  
9 shall enter a decree dissolving the corporation, whereupon the exist-  
10 ence of the corporation shall cease.

1 **SEC. 100. Filing of decree of dissolution.** In case the court shall  
2 enter a decree dissolving a corporation, it shall be the duty of the  
3 clerk of such court to cause certified copies of the decree to be filed  
4 with and recorded by the secretary of state and the county recorder  
5 of the county in which is located the corporation's registered office.  
6 No fee shall be charged by the secretary of state or said county re-  
7 corder for the filing or recording thereof.

1 **SEC. 101. Deposit with state treasurer of amount due certain**  
2 **shareholders and creditors.**

3 1. Upon the voluntary or involuntary dissolution of a corporation  
4 the portion of the assets distributable to a creditor or shareholder  
5 who is unknown, or who is under disability and there is no person  
6 legally competent to receive such distributive portion, or who can-  
7 not be found after the exercise of reasonable diligence by the person  
8 or persons responsible for the distribution in liquidation of the cor-  
9 poration's assets, shall be reduced to cash and deposited with the  
10 state treasurer, together with a statement giving the name of the  
11 person, if known, entitled to such fund, his last known address, the  
12 amount of his distributive portion, and such other information about  
13 such person as the state treasurer may reasonably require, where-  
14 upon the person or persons responsible for the distribution in liqui-  
15 dation of the corporation's assets shall be released and discharged  
16 from any further liability with respect to the funds so deposited.  
17 The state treasurer shall issue his receipt for such fund and shall  
18 deposit same in a special account to be maintained by him.

19 2. On receipt of satisfactory written and verified proof of owner-  
20 ship of or right to such fund within twenty years from the date such  
21 fund was so deposited, the state treasurer shall certify such fact to  
22 the state comptroller, who shall issue proper warrant therefor drawn  
23 on the state treasurer in favor of the person or persons then entitled  
24 thereto. If no claimant has made satisfactory proof of right to such  
25 fund within twenty years from the time of such deposit, the state  
26 treasurer shall then cause to be published in one issue of a newspaper  
27 of general circulation in the county of the last registered office of the  
28 corporation, as shown by the records of the secretary of state, a  
29 notice of the proposed escheat of such fund, giving the name of the  
30 creditor or shareholder apparently entitled thereto, his last known  
31 address, if any, the amount of the fund so deposited, and the name  
32 of the dissolved corporation from whose assets such fund was de-

33 rived. If no claimant makes satisfactory proof of right to such fund  
34 within two months from the time of such publication, the fund so  
35 unclaimed shall thereupon automatically escheat to and become the  
36 property of the general fund of the state.

1     **SEC. 102. Survival of rights and remedies after dissolution or ex-**  
2 **piration.** The dissolution of a corporation or the expiration of its  
3 period of duration, shall not take away or impair any remedy avail-  
4 able to or against such corporation, its directors, officers, or share-  
5 holders, for any right or claim existing, or any liability incurred,  
6 prior to such dissolution or expiration, if action or other proceeding  
7 thereon is commenced within two years after the date of such dissolu-  
8 tion or expiration. Any such action or proceeding by or against the  
9 corporation may be prosecuted or defended by the corporation in its  
10 corporate name. The shareholders, directors and officers shall have  
11 power to take such corporate or other action as shall be appropriate  
12 to protect such remedy, right or claim. If the period of duration of  
13 a corporation has expired, it may, subject to the provisions of sub-  
14 section 11 of section 142 of this Act, amend its articles of incorpora-  
15 tion at any time within five years after the date of such expiration  
16 so as to extend its period of duration.

17     A corporation which has been dissolved or the period of duration  
18 of which has expired by limitation or otherwise, may nevertheless  
19 continue to act for the purpose of conveying title to its property, real  
20 and personal, and otherwise winding up its affairs.

1     **SEC. 103. Admission of foreign corporation.** No foreign corpora-  
2 tion shall have the right to transact business in this state until it  
3 shall have procured a certificate of authority so to do from the sec-  
4 retary of state. No foreign corporation shall be entitled to procure  
5 a certificate of authority under this Act to transact in this state any  
6 business which a corporation organized under this Act is not per-  
7 mitted to transact. A foreign corporation shall not be denied a cer-  
8 tificate of authority by reason of the fact that the laws of the state  
9 or country under which such corporation is organized governing its  
10 organization and internal affairs differ from the laws of this state,  
11 and nothing in this Act contained shall be construed to authorize this  
12 state to regulate the organization or the internal affairs of such cor-  
13 poration.

14     Without excluding other activities which may not constitute trans-  
15 acting business in this state, a foreign corporation shall not be con-  
16 sidered to be transacting business in this state, for the purposes of  
17 this Act, by reason of carrying on in this state any one or more of  
18 the following activities:

19     1. Maintaining or defending any action or suit or any adminis-  
20 trative or arbitration proceeding, or effecting the settlement thereof  
21 or the settlement of claims or disputes.

22     2. Holding meetings of its directors or shareholders or carrying on  
23 other activities concerning its internal affairs.

24     3. Maintaining bank accounts.

25     4. Maintaining offices or agencies for the transfer, exchange and  
26 registration of its securities, or appointing and maintaining trustees  
27 or depositaries with relation to its securities.

28     5. Effecting sales through independent contractors.



29 6. Soliciting or procuring orders, whether by mail or through em-  
 30 ployees or agents or otherwise, where such orders require acceptance  
 31 without this state before becoming binding contracts.

32 7. Creating evidences of debt, mortgages or liens on real or per-  
 33 sonal property.

34 8. Securing or collecting debts due it or enforcing any rights in  
 35 property securing the same.

36 9. Transacting any business in interstate commerce.

37 10. Conducting an isolated transaction completed within a period  
 38 of thirty days and not in the course of a number of repeated transac-  
 39 tions of like nature.

1 **SEC. 104. Powers of foreign corporation.** A foreign corporation  
 2 which shall have received a certificate of authority under this Act  
 3 shall, until a certificate of revocation or of withdrawal shall have  
 4 been issued as provided in this Act, enjoy the same, but no greater,  
 5 rights and privileges as a domestic corporation organized for the  
 6 purposes set forth in the application pursuant to which such certifi-  
 7 cate of authority is issued; and, except as in this Act otherwise pro-  
 8 vided, shall be subject to the same duties, restrictions, penalties and  
 9 liabilities now or hereafter imposed upon a domestic corporation of  
 10 like character.

1 **SEC. 105. Corporate name of foreign corporation.** No certificate  
 2 of authority shall be issued to a foreign corporation unless the cor-  
 3 porate name of such corporation:

4 1. Shall contain the word "corporation", "company", "incorpo-  
 5 rated", or "limited", or shall contain an abbreviation of one of such  
 6 words, or such corporation shall, for use in this state, add at the end  
 7 of its name one of such words or an abbreviation thereof.

8 2. Shall not contain any word or phrase which indicates or implies  
 9 that it is organized for any purpose other than one or more of the  
 10 purposes contained in its articles of incorporation.

11 3. Shall not be the same as, or deceptively similar to, the name of  
 12 any domestic corporation existing under the laws of this state or any  
 13 foreign corporation authorized to transact business in this state, or  
 14 a name the exclusive right to which is, at the time, reserved in the  
 15 manner provided in this Act, or the name of a corporation which has  
 16 in effect a registration of its name as provided in this Act.

1 **SEC. 106. Change of name by foreign corporation.** Whenever a  
 2 foreign corporation which is authorized to transact business in this  
 3 state shall change its name to one under which a certificate of author-  
 4 ity would not be granted to it on application therefor, the certificate  
 5 of authority of such corporation shall be suspended and it shall not  
 6 thereafter transact any business in this state until it has changed its  
 7 name to a name which is available to it under the laws of this state.

1 **SEC. 107. Application for certificate of authority.** A foreign cor-  
 2 poration, in order to procure a certificate of authority to transact  
 3 business in this state, shall make application therefor to the secre-  
 4 tary of state, which application shall set forth:

5 1. The name of the corporation and the state or country under the  
 6 laws of which it is incorporated.

7 2. If the name of the corporation does not contain the word "cor-  
8 poration", "company", "incorporated", or "limited", or does not  
9 contain an abbreviation of one of such words, then the name of the  
10 corporation with the word or abbreviation which it elects to add  
11 thereto for use in this state.

12 3. The date of incorporation and the period of duration of the  
13 corporation.

14 4. The address of the principal office of the corporation in the state  
15 or country under the laws of which it is incorporated.

16 5. The address of the proposed registered office of the corporation  
17 in this state, and the name of its proposed registered agent or agents  
18 in this state at such address.

19 6. The purpose or purposes of the corporation which it proposes  
20 to pursue in the transaction of business in this state.

21 7. The names and respective addresses of the directors and officers  
22 of the corporation.

23 8. A statement of the aggregate number of shares which the cor-  
24 poration has authority to issue, itemized by classes, par value of  
25 shares, shares without par value, and series, if any, within a class.

26 9. A statement of the aggregate number of issued shares itemized  
27 by classes, par value of shares, shares without par value, and series,  
28 if any, within a class.

29 10. A statement, expressed in dollars, of the amount of stated cap-  
30 ital of the corporation, as defined in this Act.

31 11. An estimate, expressed in dollars, of the fair and reasonable  
32 value of all property to be employed and used in Iowa by the corpora-  
33 tion during the year.

34 12. Such additional information as may be necessary or appropri-  
35 ate in order to enable the secretary of state to determine whether  
36 such corporation is entitled to a certificate of authority to transact  
37 business in this state and to determine the fees payable as in this  
38 Act prescribed.

39 Such application shall be made on forms prescribed and furnished  
40 by the secretary of state and shall be executed in duplicate by the  
41 corporation by its president or a vice-president and by its secretary  
42 or an assistant secretary and verified by one of the officers signing  
43 such application.

1 **SEC. 108. Filing of application for certificate of authority.** Dupli-  
2 cate originals of the application of the corporation for a certificate of  
3 authority, together with a copy of its articles of incorporation and all  
4 amendments thereto, duly certified by the proper officer of the state  
5 or country under the laws of which it is incorporated, shall be deliv-  
6 ered to the secretary of state for filing in his office.

7 Upon the filing of the application the secretary of state shall issue  
8 a certificate of authority to transact business in this state to which  
9 he shall affix the other duplicate original application, and send the  
10 same to the corporation or its representative.

1 **SEC. 109. Effect of certificate of authority.** Upon the issuance of  
2 a certificate of authority by the secretary of state, the corporation  
3 shall be authorized to transact business in this state for those pur-  
4 poses set forth in its application, subject, however, to the right of

5 this state to suspend or to revoke such authority as provided in this  
6 Act.

1 **SEC. 110. Registered office and registered agent of foreign corpo-**  
2 **ration.** Each foreign corporation authorized to transact business in  
3 this state shall have and continuously maintain in this state:

4 1. A registered office which may be, but need not be, the same as  
5 its place of business in this state.

6 2. A registered agent or agents which may be either an individual  
7 resident in this state whose business office is identical with such reg-  
8 istered office, or a domestic corporation, or a foreign corporation  
9 authorized to transact business in this state, having a business office  
10 identical with such registered office.

1 **SEC. 111. Change of registered office or registered agent of for-**  
2 **ign corporation.** A foreign corporation authorized to transact busi-  
3 ness in this state may change its registered office or change its reg-  
4 istered agent or agents, or both office and agent or agents, upon filing  
5 in the office of the secretary of state a statement setting forth:

6 1. The name of the corporation.

7 2. The address of its then registered office.

8 3. If the address of its registered office be changed, the address to  
9 which the registered office is to be changed.

10 4. The name of its then registered agent or agents.

11 5. If its registered agent or agents be changed, the name of its  
12 successor registered agent or agents.

13 6. That the address of its registered office and the address of the  
14 business office of its registered agent or agents, as changed, will be  
15 identical.

16 7. That such change was authorized by resolution duly adopted by  
17 its boards of directors.

18 Such statement shall be executed by the corporation by its presi-  
19 dent or a vice-president, and verified by him, and delivered to the  
20 secretary of state. If the secretary of state finds that such statement  
21 conforms to the provisions of this Act, he shall file such statement in  
22 his office, and upon such filing the change of address of the registered  
23 office, or the appointment of a new registered agent or agents, or  
24 both, as the case may be, shall become effective.

25 Any registered agent of a foreign corporation may resign as such  
26 agent upon filing a written notice thereof, executed in duplicate, with  
27 the secretary of state, who shall forthwith mail a copy thereof to the  
28 corporation at its principal office in the state or country under the  
29 laws of which it is incorporated. The appointment of such agent  
30 shall terminate upon the expiration of thirty days after receipt of  
31 such notice by the secretary of state.

1 **SEC. 112. Service of process on foreign corporation.** Each regis-  
2 tered agent so appointed by a foreign corporation authorized to  
3 transact business in this state shall be an agent of such corporation  
4 upon whom any process, notice or demand required or permitted by  
5 law to be served upon the corporation may be served.

6 Whenever a foreign corporation authorized to transact business in  
7 this state shall fail to appoint or maintain a registered agent in this  
8 state, or whenever any such registered agent cannot with reasonable  
9 diligence be found at the registered office, or whenever the certificate

10 of authority of a foreign corporation shall be suspended or revoked,  
11 then the secretary of state shall be an agent of such corporation upon  
12 whom any such process, notice, or demand may be served. Service  
13 on the secretary of state of any such process, notice or demand shall  
14 be made by delivering to and leaving with him, or with any clerk  
15 having charge of the corporation department of his office, duplicate  
16 copies of such process, notice or demand. In the event any such  
17 process, notice or demand is served on the secretary of state, he shall  
18 immediately cause one of such copies thereof to be forwarded by reg-  
19 istered or certified mail, addressed to the corporation at its principal  
20 office in the state or country under the laws of which it is incorpo-  
21 rated. Any service so had on the secretary of state shall be return-  
22 able in not less than thirty days.

23 The secretary of state shall keep a record of all processes, notices  
24 and demands served upon him under this section, and shall record  
25 therein the time of such service and his action with reference thereto.

26 Nothing herein contained shall limit or affect the right to serve  
27 any process, notice or demand, required or permitted by law to be  
28 served upon a corporation in any other manner now or hereafter per-  
29 mitted by law.

1 **SEC. 113. Amendment to articles of incorporation of foreign cor-**  
2 **poration.** Whenever the articles of incorporation of a foreign corpo-  
3 ration authorized to transact business in this state are amended, such  
4 foreign corporation shall, within thirty days after such amendment  
5 becomes effective, file in the office of the secretary of state a copy of  
6 such amendment duly certified by the proper officer of the state or  
7 country under the laws of which it is incorporated; but the filing  
8 thereof shall not of itself enlarge or alter the purpose or purposes  
9 which such corporation is authorized to pursue in the transaction of  
10 business in this state, nor authorize such corporation to transact  
11 business in this state under any other name than the name set forth  
12 in its certificate of authority.

1 **SEC. 114. Merger of foreign corporation authorized to transact**  
2 **business in this state.** Whenever a foreign corporation authorized to  
3 transact business in this state shall be a party to a statutory merger  
4 permitted by the laws of the state or country under the laws of which  
5 it is incorporated, and such corporation shall be the surviving cor-  
6 poration, it shall, within thirty days after such merger becomes effec-  
7 tive, file with the secretary of state a copy of the articles of merger  
8 duly certified by the proper officer of the state or country under the  
9 laws of which such statutory merger was effected; and it shall not be  
10 necessary for such corporation to procure either a new or amended  
11 certificate of authority to transact business in this state unless the  
12 name of such corporation be changed thereby or unless the corpora-  
13 tion desires to pursue in this state other or additional purposes than  
14 those which it is then authorized to transact in this state.

1 **SEC. 115. Amended certificate of authority.** A foreign corpora-  
2 tion authorized to transact business in this state shall procure an  
3 amended certificate of authority in the event it changes its corporate  
4 name, or desires to pursue in this state other or additional purposes  
5 than those set forth in its prior application for a certificate of author-  
6 ity, by making application therefor to the secretary of state.

7 The requirements in respect to the form and contents of such ap-  
8 plication, the manner of its execution, the filing of duplicate originals  
9 thereof with the secretary of state, the issuance of an amended cer-  
10 tificate of authority and the effect thereof, shall be the same as in the  
11 case of an original application for a certificate of authority.

1 **SEC. 116. Withdrawal of foreign corporation.** A foreign corpora-  
2 tion authorized to transact business in this state may withdraw from  
3 this state upon procuring from the secretary of the state a certificate  
4 of withdrawal. In order to procure such certificate of withdrawal,  
5 such foreign corporation shall deliver to the secretary of state an  
6 application for withdrawal, which shall set forth:

7 1. The name of the corporation and the state or country under the  
8 laws of which it is incorporated.

9 2. That the corporation is not transacting business in this state.

10 3. That the corporation surrenders its authority to transact busi-  
11 ness in this state.

12 4. That the corporation revokes the authority of its registered  
13 agent or agents in this state to accept service of process and consents  
14 that service of process in any action, suit or proceeding based upon  
15 any cause of action arising in this state during the time the corpora-  
16 tion was authorized to transact business in this state may thereafter  
17 be made on such corporation by service thereof on the secretary of  
18 state.

19 5. A post office address to which the secretary of state may mail a  
20 copy of any process against the corporation that may be served on  
21 him.

22 6. A statement of the aggregate number of shares which the cor-  
23 poration has authority to issue, itemized by classes, par value of  
24 shares, shares without par value, and series, if any, within a class,  
25 as of the date of such application.

26 7. A statement of the aggregate number of issued shares, itemized  
27 by classes, par value of shares, shares without par value, and series,  
28 if any, within a class, as of the date of such application.

29 8. A statement, expressed in dollars, of the amount of stated cap-  
30 ital of the corporation, as of the date of such application.

31 9. Such additional information as may be necessary or appropriate  
32 in order to enable the secretary of state to determine and assess any  
33 unpaid fees payable by such foreign corporation as in this Act pre-  
34 scribed.

35 The application for withdrawal shall be made on forms prescribed  
36 and furnished by the secretary of state and shall be executed by the  
37 corporation by its president or a vice-president and by its secretary  
38 or an assistant secretary, and verified by one of the officers signing  
39 the application, or, if the corporation is in the hands of a receiver or  
40 trustee, shall be executed on behalf of the corporation by such re-  
41 ceiver or trustee and verified by him.

1 **SEC. 117. Filing of application for withdrawal.** Duplicate origi-  
2 nals of such application for withdrawal shall be delivered to the sec-  
3 retary of state. If the secretary of state finds that such application  
4 conforms to the provisions of this Act, he shall, when all fees due  
5 him have been paid as in this Act prescribed:

- 6 1. Endorse on each of such duplicate originals the word "Filed",  
7 and the month, day and year of the filing thereof.  
8 2. File one of such duplicate originals in his office.  
9 3. Issue a certificate of withdrawal to which he shall affix the other  
10 duplicate original.  
11 The certificate of withdrawal, together with the duplicate original  
12 of the application for withdrawal affixed thereto by the secretary of  
13 state, shall be returned to the corporation or its representative. Upon  
14 the issuance of such certificate of withdrawal, the authority of the  
15 corporation to transact business in this state shall cease.

- 1 **SEC. 118. Revocation of certificate of authority.** The certificate  
2 of authority of a foreign corporation to transact business in this  
3 state may be revoked by the secretary of state upon the conditions  
4 prescribed in this section when:  
5 1. The corporation has failed to file its annual report within the  
6 time required by this Act, or has failed to pay any fees or penalties  
7 prescribed by this Act when the same have become due and payable;  
8 or  
9 2. The corporation has failed to appoint and maintain a registered  
10 agent in this state as required by this Act; or  
11 3. The corporation has failed, after change of its registered office  
12 or registered agent, to file in the office of the secretary of state a  
13 statement of such change as required by this Act; or  
14 4. The corporation has failed to file in the office of the secretary of  
15 state any amendment to its articles of incorporation or any articles  
16 of merger within the time prescribed by this Act; or  
17 5. A misrepresentation has been made of any material matter in  
18 any application, report, affidavit, or other document submitted by  
19 such corporation pursuant to this Act.  
20 No certificate of authority of a foreign corporation shall be re-  
21 voked by the secretary of state unless (a) he shall have given the  
22 corporation not less than sixty days' notice thereof by mail addressed  
23 to its registered office in this state, and (b) the corporation shall fail  
24 prior to revocation to file such annual report, or pay such fees or  
25 penalties, or file the required statement of change of registered agent  
26 or registered office, or file such articles of amendment or articles of  
27 merger, or correct such misrepresentation.

- 1 **SEC. 119. Issuance of certificate of revocation.** Upon revoking  
2 any such certificate of authority, the secretary of state shall:  
3 1. Issue a certificate of revocation in duplicate.  
4 2. File one of such certificates in his office.  
5 3. Mail to such corporation at its registered office in this state a  
6 notice of such revocation accompanied by one of such certificates.  
7 Upon the issuance of such certificate of revocation, the authority of  
8 the corporation to transact business in this state shall cease.

- 1 **SEC. 120. Transacting business without certificate of authority.**  
2 No foreign corporation transacting business in this state without a  
3 certificate of authority shall be permitted to maintain any action, suit  
4 or proceeding in any court of this state, until such corporation shall  
5 have obtained a certificate of authority, nor shall any action, suit or  
6 proceeding be maintained in any court of this state by any succes-

7 sor or assignee of such corporation on any right, claim or demand  
8 arising out of the transaction of business by such corporation in this  
9 state, until a certificate of authority shall have been obtained by such  
10 corporation or by a corporation which has acquired all or substan-  
11 tially all of its assets; provided however that no foreign corporation  
12 transacting business in this state shall maintain any action, suit or  
13 proceeding in this state upon any contract made by it in this state  
14 prior to the effective date of this Act unless prior to the making of  
15 such contract it shall have procured a permit to transact business in  
16 this state as required by the laws in force at the time of making such  
17 contract, which prohibition shall also apply to any assignee of such  
18 foreign corporation and to any person claiming under such assignee  
19 of such foreign corporation or under either of them.

20 The failure of a foreign corporation to obtain a certificate of au-  
21 thority to transact business in this state shall not impair the validity  
22 of any contract or act of such corporation, and shall not prevent such  
23 corporation from defending any action, suit or proceeding in any  
24 court of this state.

25 A foreign corporation which transacts business in this state with-  
26 out a certificate of authority shall be liable to this state, for the years  
27 or parts thereof during which it transacted business in this state  
28 without a certificate of authority, in an amount equal to all fees  
29 which would have been imposed by this Act upon such corporation  
30 had it duly applied for and received a certificate of authority to trans-  
31 act business in this state as required by this Act and thereafter filed  
32 all reports required by this Act, plus all penalties imposed by this  
33 Act for failure to pay such fees. The attorney general shall bring  
34 proceedings to recover all amounts due this state under the provi-  
35 sions of this section. If any foreign corporation shall transact busi-  
36 ness in this state without a certificate of authority, it shall by trans-  
37 acting such business be deemed thereby to have appointed the  
38 secretary of state its attorney for service of process.

1 SEC. 121. Annual report of domestic and foreign corporations.  
2 Each domestic corporation, and each foreign corporation authorized  
3 to transact business in this state, shall file, within the time prescribed  
4 by this Act, an annual report setting forth:

5 1. The name of the corporation and the state or country under the  
6 laws of which it is incorporated.

7 2. The address of the registered office of the corporation in this  
8 state, and the name of its registered agent or agents in this state at  
9 such address, and, in the case of a foreign corporation, the address  
10 of its principal office in the state or country under the laws of which  
11 it is incorporated.

12 3. A brief statement of the character of the business in which the  
13 corporation is actually engaged in this state.

14 4. The names and respective addresses of the directors and officers  
15 of the corporation.

16 5. A statement of the aggregate number of shares which the cor-  
17 poration has authority to issue, itemized by classes, par value of  
18 shares, shares without par value, and series, if any, within a class.

19 6. A statement of the aggregate number of issued shares, itemized  
20 by classes, par value of shares, shares without par value, and series,  
21 if any, within a class.

22 7. A statement, expressed in dollars, of the amount of stated cap-  
23 ital of the corporation, as defined in this Act.

24 8. In the case of a foreign corporation, a statement, expressed in  
25 dollars, of the fair and reasonable value of all property employed  
26 and used in Iowa by the corporation. If the foreign corporation  
27 elects to pay the annual license fee on the basis of its entire stated  
28 capital, then the information required by this subparagraph need not  
29 be set forth in such report.

30 9. Such additional information as may be necessary or appropriate  
31 to enable the secretary of state to determine the proper amount of  
32 license fees payable by such corporation.

33 Such annual report shall be made on forms prescribed and fur-  
34 nished by the secretary of state, and the information therein con-  
35 tained shall be given as of the first day of January of the year in  
36 which the report is due. It shall be executed by the corporation by  
37 its president, a vice-president, secretary, an assistant secretary, or  
38 treasurer, and verified by the officer executing the report, or, if the  
39 corporation is in the hands of a receiver, trustee, or assignee for  
40 benefit of creditors, it shall be executed on behalf of the corporation  
41 and verified by such receiver, trustee or assignee.

1 **SEC. 122. Filing of annual report of domestic and foreign corpo-**  
2 **rations.** Such annual report of a domestic or foreign corporation  
3 shall be delivered to the secretary of state for filing in his office be-  
4 tween the first day of January and the first day of March of each  
5 year, except that the first annual report of a domestic or foreign cor-  
6 poration shall be filed between the first day of January and the first  
7 day of March of the year next succeeding the calendar year in which  
8 its certificate of incorporation or its certificate of authority, as the  
9 case may be, was issued by the secretary of state. Proof to the satis-  
10 faction of the secretary of state that prior to the first day of March  
11 such report was deposited in the United States mail in a sealed en-  
12 velope, properly addressed, with postage prepaid, shall be deemed a  
13 compliance with this requirement. If the secretary of state finds that  
14 such report conforms to the requirements of this Act, he shall file the  
15 same. If he finds that it does not so conform, he shall promptly return  
16 the same to the corporation for any necessary corrections, in which  
17 event the penalties hereinafter prescribed for failure to file such  
18 report within the time hereinabove provided shall not apply, if such  
19 report is corrected to conform to the requirements of this Act, and is  
20 resubmitted to the secretary of state within thirty days from the  
21 date on which it was mailed to the corporation by the secretary of  
22 state, but not later than July first of the year in which it is due.

1 **SEC. 123. Fees and charges to be collected by secretary of state.**

2 The secretary of state shall charge and collect in accordance with  
3 the provisions of this Act:

- 4 1. Fees for filing documents and issuing certificates.
- 5 2. Miscellaneous charges.
- 6 3. License fees.

1 **SEC. 124. Fees for filing documents and issuing certificates.** The  
2 secretary of state shall charge and collect for:



- 3 1. Filing articles of incorporation and issuing a certificate of in-  
 4 corporation, twenty dollars.
- 5 2. Filing articles of amendment and issuing a certificate of amend-  
 6 ment, twenty dollars.
- 7 3. Filing restated articles of incorporation, twenty dollars.
- 8 4. Filing articles of merger or consolidation and issuing a certifi-  
 9 cate of merger or consolidation, twenty dollars.
- 10 5. Filing an application to reserve a corporate name, five dollars.
- 11 6. Filing a notice of transfer of a reserved corporate name, five dol-  
 12 lars.
- 13 7. Filing a statement of change of address of registered office or  
 14 change of registered agent, or both, one dollar.
- 15 8. Filing a statement of the establishment of a series of shares,  
 16 five dollars.
- 17 9. Filing a statement of cancellation of shares, five dollars.
- 18 10. Filing a statement of reduction of stated capital, five dollars.
- 19 11. Filing a statement of intent to dissolve, one dollar.
- 20 12. Filing a statement of revocation of voluntary dissolution pro-  
 21 ceedings, one dollar.
- 22 13. Filing articles of dissolution, one dollar.
- 23 14. Filing an application of a foreign corporation for a certificate  
 24 of authority to transact business in this state and issuing a certificate  
 25 of authority, twenty dollars.
- 26 15. Filing an application of a foreign corporation for an amended  
 27 certificate of authority to transact business in this state and issuing  
 28 an amended certificate of authority, twenty dollars.
- 29 16. Filing a copy of an amendment to the articles of incorporation  
 30 of a foreign corporation holding a certificate of authority to transact  
 31 business in this state, ten dollars.
- 32 17. Filing a copy of articles of merger of a foreign corporation  
 33 holding a certificate of authority to transact business in this state,  
 34 twenty dollars.
- 35 18. Filing an application for withdrawal of a foreign corporation  
 36 and issuing a certificate of withdrawal, five dollars.
- 37 19. Filing any other statement or report, except an annual report,  
 38 of a domestic or foreign corporation, one dollar.
- 39 20. Recording any instrument, document, or paper, fifty cents per  
 40 page.

- 1 **SEC. 125. Miscellaneous charges.** The secretary of state shall  
 2 charge and collect:
- 3 1. For furnishing a certified copy of any document, instrument, or  
 4 paper relating to a corporation, fifty cents per page and two dollars  
 5 for the certificate and affixing the seal thereto; and for furnishing  
 6 an uncertified copy, fifty cents per page.
- 7 2. At the time of any service of process on him as resident agent  
 8 of a corporation, five dollars, which amount may be recovered as  
 9 taxable costs by the party to the suit or action causing such service  
 10 to be made if such party prevails in the suit or action.

- 1 **SEC. 126. Annual license fees payable by domestic corporations.**  
 2 At the time of filing its annual report, each domestic corporation  
 3 shall pay to the secretary of state an annual license fee for the cal-

4 endar year, which shall be due on January 1, payable March 1, to be  
5 based on its stated capital, as follows:

		STATED CAPITAL		FEE	
		Not over	\$	20,000.	\$ 5.
7	Over	\$ 20,000.	but not over	40,000.	10.
8	"	40,000.	but not over	60,000.	15.
9	"	60,000.	but not over	80,000.	20.
10	"	80,000.	but not over	100,000.	25.
11	"	100,000.	but not over	150,000.	30.
12	"	150,000.	but not over	200,000.	35.
13	"	200,000.	but not over	250,000.	40.
14	"	250,000.	but not over	300,000.	45.
15	"	300,000.	but not over	350,000.	50.
16	"	350,000.	but not over	400,000.	55.
17	"	400,000.	but not over	500,000.	60.
18	"	500,000.	but not over	600,000.	70.
19	"	600,000.	but not over	700,000.	80.
20	"	700,000.	but not over	800,000.	90.
21	"	800,000.	but not over	900,000.	100.
22	"	900,000.	but not over	1,000,000.	110.
23	"	1,000,000.	but not over	2,500,000.	175.
24	"	2,500,000.	but not over	5,000,000.	250.
25	"	5,000,000.	but not over	10,000,000.	350.
26	"	10,000,000.	but not over	50,000,000.	800.
27	"	50,000,000.	but not over	100,000,000.	1,200.
28	"	100,000,000.	but not over	200,000,000.	1,600.
29	"	200,000,000.	but not over	300,000,000.	2,000.
30	"	300,000,000.	but not over	500,000,000.	2,500.
31	"	500,000,000.			3,000.
32					

1 **SEC. 127. Annual license fees payable by foreign corporations.**  
2 At the time of filing its annual report, each foreign corporation doing  
3 business in this state shall pay to the secretary of state an annual  
4 license fee for the calendar year, which shall be due on January 1,  
5 payable March 1, to be based on the sum total of the fair and reason-  
6 able value of all property employed and used in Iowa as of January 1  
7 of the year in which the report is due, without deductions of sums  
8 due and owing by said foreign corporation. The annual license fee  
9 to be paid by said foreign corporation shall be based upon the sum so  
10 computed which shall be considered the stated capital in this state  
11 for the purpose of said annual license fee, and the fees to be paid  
12 thereon shall be computed by applying the schedule of annual license  
13 fees as in this Act prescribed for domestic corporations.

14 A foreign corporation shall have the option, if it so elects, to pay  
15 its annual license fee upon its total stated capital, and said fee shall  
16 be computed by applying the schedule of annual license fees as in  
17 this Act prescribed for domestic corporations.

18 The minimum annual license fee shall be five dollars.

1 **SEC. 128. Collection of annual license fees.** It shall be the duty  
2 of the secretary of state to collect all annual license fees and penal-  
3 ties imposed by, or assessed in accordance with, this Act.

4 Between the first day of March and the first day of June of each  
5 year, the secretary of state shall determine the annual license fee

6 payable by each corporation, domestic and foreign, required to file  
7 an annual report in such year, and if any such corporation has failed  
8 to file its annual report within the time prescribed by this Act, or has  
9 failed to pay the amount of the annual license fee so determined,  
10 shall assess against such corporation the unpaid annual license fee  
11 and the penalty or penalties prescribed by this Act; and mail a writ-  
12 ten notice to each corporation against which such an assessment is  
13 made, addressed to such corporation at its registered office in this  
14 state, notifying the corporation (1) of the amount of additional li-  
15 cense fee and penalty assessed against it; (2) that objections, if any,  
16 to such assessment shall be filed on or before the fifteenth day of June  
17 of such year; and (3) that such license fee and penalty shall be pay-  
18 able to the secretary of state on the first day of July next succeeding  
19 the date of the notice. Failure to receive such notice shall not relieve  
20 the corporation of its obligations to pay the license fee and penalty  
21 assessed, or invalidate the assessment thereof. The secretary of state  
22 shall have the power to hear and determine objections to any such  
23 assessment and, after hearing to change and modify the same. In  
24 the event of any adjustment, the penalty shall be adjusted in ac-  
25 cordance with the provisions of this Act imposing such penalty. If  
26 the annual license fee determined to be payable shall be less than the  
27 amount theretofore paid by the corporation thereon, the excess shall  
28 be refunded, without interest by the secretary of state.

29 All annual license fees shall be due and payable on the first day of  
30 March of each year, and all assessments of annual license fees and  
31 penalties made by the secretary of state shall be due and payable on  
32 the first day of July. If the annual license fee payable by any corpora-  
33 tion under the provisions of this Act, together with all penalties as-  
34 sessed thereon, shall not be paid to the secretary of state on or before  
35 the thirty-first day of July of the year in which such fee is due and  
36 payable, the secretary of state shall certify such fact to the attorney  
37 general on or before the first day of November of such year, where-  
38 upon the attorney general may institute an action against such corpo-  
39 ration in the name of this state, in any court of competent jurisdiction,  
40 for the recovery of the amount of such license fee and penalties, to-  
41 gether with the cost of suit, and prosecute the same to final judgment.

42 For the purpose of enforcing collection, all annual license fees as-  
43 sessed in accordance with this Act, and all penalties assessed thereon  
44 and all interest and costs that shall accrue in connection with the  
45 collection thereof, shall be a prior and first lien on the real and per-  
46 sonal property of the corporation from and including the first day of  
47 July of the year when such license fees become due and payable until  
48 such fees, penalties, interest, and costs have been paid.

1 SEC. 129. Credit against annual license fees. Each domestic and  
2 foreign corporation which within twenty years prior to the effective  
3 date of this Act has paid a fee or fees to the secretary of state for the  
4 purposes hereinafter mentioned shall be entitled to a credit against  
5 annual license fees becoming due from such corporation pursuant to  
6 the provisions of this Act, to be allowed and made available as here-  
7 inafter provided.

8 1. The fees on which said credit is based shall be, for each domestic  
9 corporation including each such corporation organized with a term of  
10 fifty years for the construction and operation or the operation alone

11 of a steam railway, interurban railway or a street railway the total of  
12 all fees set forth in paragraphs "a" to "e" below, inclusive, excluding  
13 therefrom those set forth in paragraphs "f" to "i" below, inclusive:

14 a. All fees paid to the secretary of state within twenty years prior  
15 to the effective date of this Act by each such corporation as incor-  
16 poration fees and fees for increase of capital stock paid pursuant to  
17 section four hundred ninety-one point eleven (491.11) of the Code;

18 b. Filing fees for the filing of amendments increasing capital stock  
19 which fees were computed on the basis of the amount of increase of  
20 capital stock and which were paid pursuant to section four hundred  
21 ninety-one point twenty (491.20) of the Code;

22 c. Fees paid pursuant to section four hundred ninety-one point  
23 twenty (491.20) of the Code by a corporation which was organized  
24 for a term of years and which became entitled to perpetual existence  
25 by an amendment to its articles of incorporation which amendment  
26 was filed under the authority of said section four hundred ninety-one  
27 point twenty (491.20) of the Code;

28 d. Periodic fees paid pursuant to section four hundred ninety-one  
29 point thirty (491.30) of the Code; and

30 e. Renewal fees referred to in section four hundred ninety-one  
31 point twenty-five (491.25) and in section four hundred ninety-one  
32 point twenty-eight (491.28) of the Code which were paid in connec-  
33 tion with the filing of an instrument or certificate which extended or  
34 renewed, for a term of years or perpetually, the existence of a cor-  
35 poration which previously had existence for a term of years, exclud-  
36 ing, however, those fees mentioned in paragraph "i" below.

37 The following fees shall be excluded from those on which said  
38 credit is based:

39 f. That portion of all fees paid to the secretary of state as record-  
40 ing fees or certificate fees;

41 g. Fees paid for renewal pursuant to the provisions of section two  
42 (2) of chapter forty-seven of the laws of the Fifty-seventh General  
43 Assembly;

44 h. All incorporation fees and other fees paid to the secretary of  
45 state prior to the last renewal or extension of corporate existence by  
46 a domestic corporation which both incorporated and renewed or ex-  
47 tended its corporate existence within twenty years prior to the effec-  
48 tive date of this Act; and

49 i. That portion of all fees paid pursuant to section four hundred  
50 ninety-one point twenty-eight (491.28) of the Code constituting the  
51 penalty of ten per cent required to be paid by a corporation, the exist-  
52 ence of which has expired, and which has failed to renew its existence  
53 within the period prescribed by statute.

54 2. The fees on which said credit is based shall be, for each foreign  
55 corporation including those having a permit in this state for a term  
56 of fifty years for the construction and operation or the operation  
57 alone of a steam railway, interurban railway or street railway, the  
58 total of all fees set forth in paragraphs "a" to "c" below, inclusive,  
59 excluding therefrom those set forth in paragraphs "d" and "e"  
60 below:

61 a. All fees paid to the secretary of state pursuant to section four  
62 hundred ninety-four point four (494.4) of the Code within twenty  
63 years prior to the effective date of this Act by each such corporation

64 as filing fees in connection with the qualification in this state of such  
65 corporation;

66 *b.* Renewal fees referred to in section four hundred ninety-four  
67 point eight (494.8) of the Code which were paid to the secretary of  
68 state within twenty years prior to the effective date of this Act in  
69 connection with the requalification of a foreign corporation; and

70 *c.* All fees paid to the secretary of state pursuant to section four  
71 hundred ninety-four point five (494.5) of the Code within twenty  
72 years prior to the effective date of this Act by each such corporation  
73 for increase of money or property in use in this state.

74 The following fees shall be excluded from those on which said  
75 credit is based:

76 *d.* All qualification fees paid pursuant to section four hundred  
77 ninety-four point four (494.4) of the Code, all requalification fees  
78 paid pursuant to section four hundred ninety-four point eight  
79 (494.8) and all fees for increase of money or property in use in this  
80 state paid to the secretary of state pursuant to section four hundred  
81 ninety-four point five (494.5), prior to the last qualification or prior  
82 to the last requalification as the case may be, by a foreign corpora-  
83 tion which has qualified or requalified more than once in the last  
84 twenty years prior to the effective date of this Act or which has both  
85 qualified and requalified within the last twenty years prior to the  
86 effective date of this Act; and

87 *e.* Fees paid for renewal pursuant to the provisions of section  
88 three (3) of chapter forty-seven of the laws of the Fifty-seventh  
89 General Assembly.

90 3. The credit shall be computed as follows:

91 *a.* As to each domestic corporation having existence for a term of  
92 years and as to each domestic corporation having perpetual existence  
93 but required by section four hundred ninety-one point thirty (491.30)  
94 of the Code to pay periodic fees every twenty years or every fifty  
95 years, and as to each foreign corporation the total amount of said  
96 credit shall be one-twentieth of the fees upon which said credit is  
97 based, as defined in subsections 1 or 2 above, as the case may be,  
98 multiplied by the number of full calendar years remaining between  
99 the year in which this Act became effective and the year in which  
100 but for the adoption of this Act, the corporation would again be re-  
101 quired, if a domestic corporation organized for a term of years, to  
102 renew its existence and pay renewal fees under section four hundred  
103 ninety-one point twenty-five (491.25) of the Code or if a domestic  
104 corporation having perpetual existence be required to pay periodic  
105 fees under section four hundred ninety-one point thirty (491.30) or  
106 if a foreign corporation be required to requalify and pay fees there-  
107 for under section four hundred ninety-four point eight (494.8), sub-  
108 ject to the limitation, however, that as to each domestic and foreign  
109 corporation organized for the construction and operation or the oper-  
110 ation alone of a steam railway, interurban railway or street railway  
111 having a term of fifty years in this state or having a permit to  
112 transact business in this state for fifty years as the case may be, the  
113 amount of said credit shall not in any case be more than one-twen-  
114 tieth of the fees upon which said credit is based as defined in sub-  
115 sections 1 or 2 above multiplied by twenty.

116 *b.* Upon this Act becoming effective, the secretary of state shall

117 compute for each domestic and foreign corporation the total amount  
118 of said credit to which it is entitled under this section and shall enter  
119 the amount thereof on the records in his office relating to each such  
120 corporation.

121 c. Each year the secretary of state in determining the annual li-  
122 cense fee payable by each corporation, domestic and foreign, without  
123 request by said corporation, shall apply against such annual license  
124 fee the remaining unused total credit to which such corporation is  
125 entitled or a portion thereof subject to the following limitations:

126 (1) The maximum amount of any such credit that may be applied  
127 against such annual license fee becoming due in any one year shall  
128 be an amount equal to fifty per cent of the annual license fee becom-  
129 ing due from such domestic or foreign corporation in said year.

130 (2) The credit herein provided for may not be applied to the  
131 extent that it would reduce the annual license fee below the minimum  
132 of five dollars.

133 (3) The credit herein provided for shall be allowed only against  
134 annual license fees coming due under this Act and paid to the sec-  
135 retary of state within twenty years after the effective date of this  
136 Act.

137 (4) The credit herein provided for shall not be allowed against any  
138 portion of an annual license fee representing a penalty, whether the  
139 same be a penalty for failure to file annual report within the time  
140 prescribed by this Act or a penalty for failure to pay annual license  
141 fee prior to delinquency thereof.

1 SEC. 130. Penalties imposed upon corporations. Each corpora-  
2 tion, domestic or foreign, that fails or refuses to file its annual  
3 report for any year within the time prescribed by this Act, shall be  
4 subject to a penalty of ten per cent of the amount of the annual  
5 license fee determined by the secretary of state to be due and pay-  
6 able by such corporation for the period beginning January first of  
7 the year in which such report should have been filed. If the amount  
8 of the annual license fee originally determined by the secretary of  
9 state shall thereafter be adjusted in accordance with the provisions  
10 of this Act, the amount of the penalty shall be likewise adjusted to  
11 ten per cent of the amount of the adjusted license fee. In no event  
12 shall such penalty be less than five dollars. The amount of the license  
13 fee and the amount of the penalty shall be separately stated in any  
14 notice to the corporation with respect thereto.

15 If any portion of the annual license fee determined to be payable  
16 in accordance with the provisions of this Act, shall not have been  
17 paid on or before the first day of March, the same shall be deemed  
18 to be delinquent and there shall be added a penalty of one per cent  
19 for each month or part of month that the same is delinquent, com-  
20 mencing with the month of April.

21 Each corporation, domestic or foreign, that fails or refuses to  
22 answer truthfully and fully within the time prescribed by this Act  
23 interrogatories propounded by the secretary of state in accordance  
24 with the provisions of this Act, shall be deemed to be guilty of a  
25 misdemeanor and upon conviction thereof may be fined in any  
26 amount not exceeding five hundred dollars.

1     **SEC. 131. Penalties imposed upon officers and directors.** Each  
2 officer and director of a corporation, domestic or foreign, who wil-  
3 fully fails or refuses within the time prescribed by this Act to answer  
4 truthfully and fully reasonable and proper interrogatories pro-  
5 pounded to him by the secretary of state in accordance with the  
6 provisions of this Act, or who signs any articles, statement, report,  
7 application or other document filed with the secretary of state which  
8 is known to such officer or director to be false in any material  
9 respect, shall be deemed to be guilty of a misdemeanor, and upon  
10 conviction thereof may be fined in any amount not exceeding five  
11 hundred dollars.

1     **SEC. 132. Interrogatories by secretary of state.** The secretary of  
2 state may propound to any corporation, domestic or foreign, subject  
3 to the provisions of this Act, and to any officer or director thereof,  
4 such interrogatories as may be reasonably necessary and proper to  
5 enable him to ascertain whether such corporation has complied with  
6 all the provisions of this Act applicable to such corporation. Such  
7 interrogatories shall be answered within thirty days after the mail-  
8 ing thereof, or within such additional time as shall be fixed by the  
9 secretary of state, and the answers thereto shall be full and complete  
10 and shall be made in writing and under oath. If such interrogatories  
11 be directed to an individual they shall be answered by him, and if  
12 directed to a corporation, they shall be answered by the president,  
13 vice-president, treasurer, assistant treasurer, secretary or assistant  
14 secretary thereof. The secretary of state need not file any document  
15 to which such interrogatories relate until such interrogatories be  
16 answered as herein provided, and not then if the answers thereto  
17 disclose that such document is not in conformity with the provisions  
18 of this Act. The secretary of state shall certify to the attorney gen-  
19 eral, for such action as the attorney general may deem appropriate,  
20 all interrogatories and answers thereto which disclose a violation of  
21 any of the provisions of this Act.

1     **SEC. 133. Information disclosed by interrogatories.** Interroga-  
2 tories propounded by the secretary of state and the answers thereto  
3 shall not be open to public inspection nor shall the secretary of state  
4 disclose any facts or information obtained therefrom except insofar  
5 as required in the performance of his official duties.

1     **SEC. 134. Powers of secretary of state.** The secretary of state  
2 shall have the power and authority reasonably necessary to enable  
3 him to administer this Act efficiently and to perform the duties  
4 therein imposed upon him.

1     **SEC. 135. Appeal from secretary of state.** If the secretary of  
2 state shall fail to approve any articles of incorporation, amendment,  
3 merger, consolidation or dissolution, or any other document required  
4 by this Act to be approved by the secretary of state before the same  
5 shall be filed in his office, he shall, within ten days after the delivery  
6 thereof to him, give written notice of his disapproval to the person  
7 or corporation, domestic or foreign, delivering the same, specifying  
8 the reasons therefor. From such disapproval such person or corpora-  
9 tion may appeal to the district court of the county in which the reg-  
10 istered office of such corporation is, or is proposed to be, situated by

11 filing with the clerk of such court a petition setting forth a copy of  
12 the articles or other document sought to be filed and a copy of the  
13 written disapproval thereof by the secretary of state; whereupon the  
14 matter shall be tried de novo by the court, and the court shall either  
15 sustain the action of the secretary of state or direct him to take such  
16 action as the court may deem proper.

17 If the secretary of state shall revoke the certificate of authority to  
18 transact business in this state of any foreign corporation, pursuant  
19 to the provisions of this Act, such foreign corporation may likewise  
20 appeal to the district court of the county where the registered office  
21 of such corporation in this state is situated, by filing with the clerk  
22 of such court a petition setting forth a copy of its certificate of au-  
23 thority to transact business in this state and a copy of the notice of  
24 revocation given by the secretary of state; whereupon the matter  
25 shall be tried de novo by the court, and the court shall either sustain  
26 the action of the secretary of state or direct him to take such action  
27 as the court may deem proper.

28 Appeals from all final orders and judgments entered by the district  
29 court under this section in review of any ruling or decision of the  
30 secretary of state may be taken as in other civil actions.

1 **SEC. 136. Certificates and certified copies to be received in evi-**  
2 **dence.** All certificates issued by the secretary of state in accordance  
3 with the provisions of this Act, and copies of all documents filed or  
4 recorded in his office in accordance with the provisions of this Act  
5 when certified by him, shall be taken and received in all courts, public  
6 offices, and official bodies as prima-facie evidence of the facts therein  
7 stated. A certificate by the secretary of state under the seal of his  
8 office, as to the existence or nonexistence of the facts relating to cor-  
9 porations which would not appear from a certified copy of any of the  
10 foregoing documents or certificates shall be taken and received in all  
11 courts, public offices, and official bodies as prima-facie evidence of  
12 the existence or nonexistence of the facts therein stated.

1 **SEC. 137. Forms to be furnished by secretary of state.** All re-  
2 ports required by this Act to be filed in the office of the secretary of  
3 state shall be made on forms which shall be prescribed and furnished  
4 by the secretary of state. Forms for other documents to be filed in  
5 the office of the secretary of state may be furnished by the secretary  
6 of state on request therefor, but the use thereof, unless otherwise  
7 specifically prescribed in this Act, shall not be mandatory.

1 **SEC. 138. Voting requirements.** Whenever, with respect to any  
2 action to be taken by the shareholders of a corporation, the articles  
3 of incorporation require the vote or concurrence of the holders of a  
4 greater or lesser proportion of the shares, or of any class or series  
5 thereof, than required by this Act with respect to such action, the  
6 provisions of the articles of incorporation shall control.

1 **SEC. 139. Waiver of notice.** Whenever any notice is required to  
2 be given to any shareholder or director of a corporation under the  
3 provisions of this Act or under the provisions of the articles of incor-  
4 poration or bylaws of the corporation, a waiver thereof in writing  
5 signed by the person or persons entitled to such notice, whether be-



6 fore or after the time stated therein, shall be equivalent to the giving  
7 of such notice.

1 **SEC. 140. Informal action by shareholders or directors.** Any  
2 action required by this Act to be taken at a meeting of the share-  
3 holders or directors of a corporation, or any action which may be  
4 taken at a meeting of the shareholders or directors or of a committee  
5 of directors, may be taken without a meeting if a consent in writing  
6 setting forth the action so taken, shall be signed by all of the share-  
7 holders entitled to vote with respect to the subject matter thereof or  
8 all of the directors or all of the members of the committee of direc-  
9 tors, as the case may be. Such consent shall have the same force and  
10 effect as a unanimous vote and may be stated as such in any articles  
11 or document filed with the secretary of state under this Act. The  
12 provisions of this section shall be applicable whether or not this Act  
13 requires that an action be taken by resolution.

1 **SEC. 141. Unauthorized assumption of corporate powers.** All per-  
2 sons who assume to act as a corporation without authority so to do  
3 shall be jointly and severally liable for all debts and liabilities in-  
4 curred or arising as a result thereof.

1 **SEC. 142. Application to existing corporations.**

2 1. Except for this subsection, this Act shall not apply to or affect  
3 corporations subject to the provisions of chapters one hundred  
4 seventy-four (174), one hundred seventy-six (176), four hundred  
5 eighty-two (482), four hundred ninety-seven (497), four hundred  
6 ninety-eight (498), four hundred ninety-nine (499), four hundred  
7 ninety-nine A (499A), five hundred four (504), five hundred six  
8 (506), five hundred eight (508), five hundred ten (510), five hun-  
9 dred twelve (512), five hundred fourteen (514), five hundred fifteen  
10 (515), five hundred eighteen (518), five hundred nineteen (519),  
11 five hundred twenty-six (526), five hundred twenty-seven (527),  
12 five hundred twenty-eight (528), five hundred twenty-eight B  
13 (528B), five hundred thirty-one (531), five hundred thirty-two  
14 (532), five hundred thirty-three (533), five hundred thirty-four  
15 (534) of the Code. Such corporations shall continue to be governed  
16 by all laws of this state heretofore applicable thereto and as the same  
17 may hereafter be amended. This Act shall not be construed as in  
18 derogation of or as a limitation on the powers to which such corpora-  
19 tions may be entitled.

20 2. This Act shall not apply to any domestic corporation organized  
21 under the provisions of chapter four hundred ninety-one (491) of  
22 the Code nor, for a period of two years from and after the effective  
23 date of this Act, to any foreign corporation holding a permit under  
24 the provisions of chapter four hundred ninety-four (494) of the Code  
25 or pursuant to the provisions of chapter four hundred ninety-five  
26 (495) of the Code on the date this Act becomes effective, unless such  
27 domestic corporation or such foreign corporation shall voluntarily  
28 elect to adopt the provisions of this Act and shall comply with the  
29 procedure prescribed by the provision of subsection three (3) of  
30 this section.

31 3. Any domestic corporation existing as of the effective date of  
32 this Act or thereafter organized under the provisions of chapter four

33 hundred ninety-one (491) of the Code may voluntarily elect to adopt  
34 the provisions of this Act and thereby become subject to its provi-  
35 sions and, during the period of two years from and after the effective  
36 date of this Act, any foreign corporation holding a permit under the  
37 provisions of chapter four hundred ninety-four (494) of the Code or  
38 pursuant to the provisions of chapter four hundred ninety-five (495)  
39 of the Code on said date may voluntarily elect to adopt the provisions  
40 of this Act and thereby become subject to the provisions of this Act.  
41 The procedure for electing to adopt the provisions of this Act shall  
42 be as follows:

43 *a.* As to domestic corporations, a resolution reciting that the cor-  
44 poration voluntarily adopts this Act and designating the address of  
45 its initial registered office and the name of its registered agent or  
46 agents at such address and, if the name of the corporation does not  
47 contain such a word or abbreviation as is required by this Act,  
48 amending the articles of incorporation of the corporation to change  
49 the name of the corporation to one complying with the requirements  
50 of this Act, shall be adopted by the board of directors and sharehold-  
51 ers by the procedure prescribed by this Act for the amendment of  
52 articles of incorporation. As to foreign corporations, a resolution  
53 shall be adopted by the board of directors, reciting that the corpora-  
54 tion voluntarily adopts this Act, and designating the address of its  
55 registered office in this state and the name of its registered agent or  
56 agents at such address and, if the name of the corporation does not  
57 contain such a word or abbreviation as is required by this Act, set-  
58 ting forth the name of the corporation with the word or abbreviation  
59 conforming to the requirements of this Act which it elects to add  
60 thereto for use in this state.

61 *b.* Upon adoption of the required resolution or resolutions, an  
62 instrument shall be executed by the corporation by its president or  
63 a vice-president and by its secretary or an assistant secretary and  
64 verified by one of the officers signing the instrument, which shall set  
65 forth:

66 (1) The name of the corporation;

67 (2) Each such resolution adopted by the corporation and the date  
68 of adoption thereof.

69 *c.* As to domestic corporations such instrument shall be delivered  
70 to the secretary of state for filing and recording in his office, and the  
71 same shall be filed and recorded in the office of the county recorder.  
72 The corporation shall at the time it files such instrument with the  
73 secretary of state deliver also to the secretary of state for filing in  
74 his office any annual report which is then due.

75 If the county of the initial registered office as stated in such instru-  
76 ment is one which is other than the county wherein the principal  
77 place of business of such corporation, as theretofore designated in  
78 its articles of incorporation, was located, the secretary of state shall  
79 forward also to the county recorder of the county in which the said  
80 principal place of business of said corporation was located a copy of  
81 such instrument and he shall forward to the recorder of the county  
82 in which the initial registered office of such corporation is located,  
83 in addition to the original of such instrument, a copy of the articles  
84 of incorporation of said corporation together with all amendments  
85 thereto as then on file in his office.

86 *d.* As to foreign corporations, such instrument shall be delivered  
87 to the secretary of state for filing in his office and the corporation  
88 shall at the same time deliver also to the secretary of state for filing  
89 in his office any annual report which is then due.

90 *e.* Upon the filing of such instrument by a domestic or foreign  
91 corporation:

92 (1) All of the provisions of this Act shall thereafter apply to the  
93 corporation, and thereupon every such foreign corporation subject  
94 to the limitations set forth in its certificate of authority, shall be en-  
95 titled to all the rights and privileges applicable to foreign corpora-  
96 tions procuring certificates of authority to transact business in this  
97 state under this Act, and shall be subject to all the limitations, re-  
98 strictions, liabilities, and duties prescribed herein for foreign cor-  
99 porations procuring certificates of authority to transact business in  
100 this state under this Act.

101 (2) The secretary of state shall issue a certificate as to the filing  
102 of such instrument and deliver such certificate to the corporation or  
103 its representative.

104 (3) The secretary of state shall not file such instrument with  
105 respect to a domestic corporation unless at the time thereof such  
106 corporation is validly existing and in good standing in that office  
107 under the provisions of chapter four hundred ninety-one (491) of  
108 the Code.

109 4. The provisions of this Act becoming applicable to any domestic  
110 or foreign corporation shall not affect any right accrued or estab-  
111 lished, or any liability or penalty incurred, under the provisions of  
112 chapters four hundred ninety-one (491), four hundred ninety-four  
113 (494) or four hundred ninety-five (495) of the Code prior to the  
114 filing by the secretary of state in his office of the instrument mani-  
115 festing the election by such corporation to adopt the provisions of  
116 this Act as provided in subsection three (3) of this section.

117 5. Except for the exceptions and limitations of subsection one (1)  
118 of this section, this Act shall apply only to domestic corporations  
119 organized under this Act; domestic corporations existing as of the  
120 effective date of this Act or thereafter organized under chapter four  
121 hundred ninety-one (491) of the Code which voluntarily elect to  
122 adopt the provisions of this Act and comply with the provisions of  
123 subsection three (3) of this section; all foreign corporations trans-  
124 acting or seeking to transact business within this state and not hold-  
125 ing, on the effective date of this Act, a valid permit so to do; foreign  
126 corporations holding, on the date the Act becomes effective, a valid  
127 permit under the provisions of chapter four hundred ninety-four  
128 (494) of the Code or pursuant to the provisions of chapter four hun-  
129 dred ninety-five (495) of the Code which, during the period of two  
130 years from and after the effective date of this Act, voluntarily elect  
131 to adopt the provisions of this Act and comply with the provisions  
132 of subsection three (3) of this section; and, upon the expiration of  
133 the period of two years from and after the effective date of this Act,  
134 all foreign corporations holding such a permit on the effective date  
135 of this Act.

136 6. Upon the expiration of a period of two years from and after the  
137 date on which this Act becomes effective, except for the exceptions  
138 and limitations of subsection one (1) of this section, this Act shall

139 apply to all foreign corporations transacting or seeking to transact  
140 business within this state. Those foreign corporations holding a valid  
141 permit to do business in this state at the time this Act becomes effective,  
142 which have not meanwhile adopted this Act by complying with  
143 the provisions of subsection three (3) of this section, shall at the  
144 expiration of two years from and after the effective date of this Act  
145 be deemed to have elected to adopt this Act by not voluntarily withdrawing  
146 from the state, and thereupon, every such foreign corporation,  
147 subject to the limitations set forth in its certificate of authority,  
148 shall be entitled to all the rights and privileges applicable to  
149 foreign corporations procuring certificates of authority to transact  
150 business in this state under this Act, and shall be subject to all the  
151 limitations, restrictions, liabilities, and duties prescribed herein for  
152 foreign corporations procuring certificates of authority to transact  
153 business in this state under this Act.

154 7. Within eight months after this Act becomes applicable to any  
155 foreign corporation pursuant to the provisions of subsection six (6)  
156 of this section, the board of directors of such foreign corporation  
157 shall adopt a resolution designating the address of its registered  
158 office in this state and the name of its registered agent or agents at  
159 such address and, if the name of such corporation does not contain  
160 such a word or abbreviation as is required by this Act, setting forth  
161 the name of the corporation with the word or abbreviation conforming  
162 to the requirements of this Act which it elects to add thereto for  
163 use in this state.

164 Upon adoption of the required resolution or resolutions, an instrument  
165 or instruments shall be executed by the foreign corporation by  
166 its president or a vice-president and by its secretary or an assistant  
167 secretary and verified by one of the officers signing such instrument,  
168 which shall set forth the name of the corporation, each resolution  
169 adopted as required by the provisions of this subsection, and the  
170 date of the adoption thereof. Such instrument shall be delivered to  
171 the secretary of state for filing in his office. Upon the filing of such  
172 instrument by a foreign corporation the secretary of state shall issue  
173 a certificate as to the filing of such instrument and deliver such certificate  
174 to the corporation or its representative. The secretary of  
175 state shall not file any annual report of any foreign corporation subject  
176 to the provisions of this subsection unless and until said corporation  
177 has fully complied with the provisions of this paragraph and,  
178 in such event, such foreign corporation shall be subject to the penalties  
179 prescribed in this Act for failure to file such report within the  
180 time as provided therefor in this Act.

181 8. The first annual report required to be filed by a domestic or  
182 foreign corporation under the provisions of this Act shall be filed  
183 between January 1 and March 1 of the year next succeeding the calendar  
184 year in which it becomes subject to this Act.

185 9. No corporation to which the provisions of this Act apply shall  
186 be subject to the provisions of chapters four hundred ninety-one  
187 (491), four hundred ninety-two (492), four hundred ninety-three  
188 (493), four hundred ninety-four (494), four hundred ninety-five  
189 (495), or four hundred ninety-six (496) of the Code.

190 10. Except as otherwise provided in this section, existing corporations  
191 shall continue to be governed by the laws of this state here-

192 tofore applicable thereto and each domestic corporation organized  
193 under the provisions of chapter four hundred ninety-one (491) of  
194 the Code shall be governed by the provisions thereof unless and until  
195 such corporation shall have elected to adopt the provisions of this Act  
196 and shall have complied with the provisions of subsection three (3)  
197 of this section.

198 11. If any domestic corporation, organized under the provisions of  
199 chapter four hundred ninety-one (491) of the Code and becoming  
200 subject to the provisions of this Act, the articles of incorporation of  
201 which provide for a duration of a fixed number of years, shall amend  
202 its articles of incorporation to change its period of duration, then  
203 those shareholders voting for such amendment shall purchase at the  
204 real value thereof the shares voted against such amendment, and  
205 shall have three years from the date such amendment becomes effective  
206 in which to purchase and pay for the shares voting against such  
207 amendment, which purchase price shall bear interest at the rate of  
208 five per cent (5%) per annum from the date such amendment be-  
209 comes effective until paid. The right of a dissenting shareholder to  
210 be paid the real value of his shares as herein provided shall cease if  
211 and when the shareholders shall rescind the action taken to change  
212 the period of duration of the corporation prior to the filing of the  
213 articles of amendment to its articles of incorporation to effect such  
214 amendment. The provisions of this subsection shall apply only to the  
215 first amendment changing the duration of such corporation after this  
216 Act becomes effective and not to any subsequent amendments chang-  
217 ing such duration. Nothing in this subsection shall prevent any cor-  
218 poration having a limited period of duration from providing in its  
219 articles of incorporation that if such corporation shall amend its  
220 articles of incorporation to change its period of duration, those share-  
221 holders voting for such amendment shall purchase the shares voted  
222 against such amendment, at such price, but not less than the real  
223 value thereof, and upon such terms and conditions as shall be pre-  
224 scribed in the articles of incorporation or determined in the manner  
225 provided in the articles of incorporation.

1 SEC. 143. **Application to foreign and interstate commerce.** The  
2 provisions of this Act shall apply to commerce with foreign nations  
3 and among the several states only in so far as the same may be per-  
4 mitted under the provisions of the Constitution of the United States.

1 SEC. 144. **Reservation of power.** The general assembly shall at all  
2 times have power to prescribe such regulations, provisions and limi-  
3 tations as it may deem advisable, which regulations, provisions and  
4 limitations shall be binding upon any and all corporations subject to  
5 the provisions of this Act, and the general assembly shall have power  
6 to amend, repeal or modify this Act at pleasure.

1 SEC. 145. **Political contributions prohibited.** It shall be unlawful  
2 for any corporation doing business within the state, or any officer,  
3 agent, or representative thereof acting for such corporation, to give  
4 or contribute any money, property, labor, or thing of value, directly  
5 or indirectly, to any member of any political committee, political  
6 party, or employee or representative thereof, or to any candidate for  
7 any public office or candidate for nomination to any public office or  
8 to the representative of such candidate, for campaign expenses or

9 for any political purpose whatsoever, or to any person, partnership,  
 10 or corporation for the purpose of influencing or causing such per-  
 11 son, partnership, or corporation to influence any elector of the state  
 12 to vote for or against any candidate for public office or for nomina-  
 13 tion for public office or to any public officer for the purpose of influ-  
 14 encing his official action, but nothing in this section shall be con-  
 15 strued to restrain or abridge the liberty of the press or prohibit the  
 16 consideration and discussion therein of candidacies, nominations, pub-  
 17 lic officers, or political questions.

18 It shall be unlawful for any member of any political committee,  
 19 political party, or employee or representative thereof, or candidate  
 20 for any office or the representative of such candidate, to solicit, re-  
 21 quest, or knowingly receive from any corporation or any officer,  
 22 agent, or representative thereof, any money, property, or thing of  
 23 value belonging to such corporation, for campaign expenses or for  
 24 any political purpose whatsoever.

25 Any person convicted of a violation of any of the provisions of this  
 26 section shall be punished by imprisonment in the county jail not less  
 27 than six months or more than one year and, in the discretion of the  
 28 court, by a fine not exceeding ten hundred dollars.

1 SEC. 146. Effect of invalidity of part of this Act. If a court of  
 2 competent jurisdiction shall adjudge to be invalid or unconstitutional  
 3 any clause, sentence, paragraph, section or part of this Act, such  
 4 judgment or decree shall not affect, impair, invalidate or nullify the  
 5 remainder of this Act, but the effect thereof shall be confined to the  
 6 clause, sentence, paragraph, section or part of this Act so adjudged  
 7 to be invalid or unconstitutional.

Approved April 22, 1959.

## CHAPTER 322

### FOREIGN CORPORATIONS

#### H. F. 525

AN ACT to amend section four hundred ninety-nine point fifty-four (499.54), Code 1958, relating to the admission of foreign corporations and fixing the fees therefor.

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

1 SECTION 1. Section four hundred ninety-nine point fifty-four  
 2 (499.54), Code 1958, is amended by striking from the last paragraph  
 3 thereof the figures "449.45." and substituting in lieu thereof the  
 4 following:

5 "494.5. Foreign corporations shall also file statements and pay fees  
 6 otherwise prescribed by said section four hundred ninety-four point  
 7 five (494.5)."

Approved May 15, 1959.

## CHAPTER 323

## SECURITIES REGULATIONS

S. F. 427

AN ACT to amend chapter five hundred two (502), Code 1958, relating to regulation of registration, issuance, and sale of securities and to the regulation of securities dealers.

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

1 SECTION 1. Section five hundred two point three (502.3), Code  
2 1958, is amended by striking all of the text of subsection three (3)  
3 thereof and by inserting in lieu thereof the following: "The term  
4 'sale' or 'sell' includes every contract of sale or, contract to sell, or  
5 disposition of, a security or interest in a security for value. Any  
6 security given or delivered with, or as a bonus on account of, any  
7 purchase of securities or any other thing is considered to constitute  
8 a part of the subject of the purchase and to have been offered and  
9 sold for value.

10 "The term 'offer' or 'offer to sell' includes every attempt or offer  
11 to dispose of, or solicitation of any offer to buy, a security or interest  
12 in a security for value.

13 "Every sale or offer of a warrant or right to purchase or subscribe  
14 to another security of the same or another issuer, and every sale or  
15 offer of a security which gives the holder a present or future right  
16 or privilege to convert into another security of another issuer, is con-  
17 sidered to include an offer of the other security."

1 SEC. 2. Section five hundred two point three (502.3), Code 1958,  
2 is amended by striking all of subsection four (4) which follows the  
3 word "provided" in line sixteen (16) and by inserting in lieu thereof  
4 the following: "that the purchase of securities from the issuer there-  
5 of, or the offer to sell or sale of securities to brokers or dealers actu-  
6 ally engaged in buying and selling securities as a business, by a  
7 person having no place of business in this state shall not make such  
8 person a 'dealer' within the meaning of that term as defined in this  
9 section."

1 SEC. 3. Section five hundred two point four (502.4), Code 1958,  
2 is amended by adding an additional paragraph to subsection one (1)  
3 as follows: "Any security issued by, or the principal and interest of  
4 which are guaranteed by the Dominion of Canada or any province  
5 thereof, or any political subdivision of any such province, or any  
6 agency controlled or supervised by and acting as an instrumentality  
7 of any of the foregoing."

1 SEC. 4. Section five hundred two point four (502.4), Code 1958,  
2 is amended by striking all of subsection three (3) and inserting in  
3 lieu thereof the following: "Any security issued by or guaranteed  
4 either as to principal, interest, or dividend by a corporation owning  
5 or operating a public common carrier or any public service utility  
6 which is subject to the jurisdiction of the interstate commerce com-  
7 mission, a registered holding company under the public utility hold-  
8 ing company act of 1935 or a subsidiary of such a company within  
9 the meaning of that act, or regulated by a governmental authority

10 of the United States or any state of the United States, or of the Dis-  
11 trict of Columbia, or of the Dominion of Canada or any province  
12 thereof in respect to the issuance or guarantee of the security.”.

1 SEC. 5. Section five hundred two point four (502.4), Code 1958,  
2 is amended by inserting after the word “for” in line two (2) of sub-  
3 section four (4) the following “religious,”.

1 SEC. 6. Section five hundred two point four (502.4), Code 1958,  
2 subsection five (5) is amended by striking the words “or represented  
3 by subscription rights which have been so listed” from lines nine (9)  
4 and ten (10) and inserting in lieu thereof the following: “or war-  
5 rants or rights to purchase or subscribe to any of the foregoing”.

1 SEC. 7. Section five hundred two point four (502.4), Code 1958,  
2 subsection eight (8) is amended by inserting a “period (.)” immedi-  
3 ately after the word “thereof” in line fifteen (15) and striking the  
4 remainder of said subsection.

1 SEC. 8. Section five hundred two point five (502.5), Code 1958,  
2 is amended by inserting the words “offer or” in line three (3) im-  
3 mediately preceding the word “sale”.

1 SEC. 9. Section five hundred two point five (502.5), Code 1958,  
2 is amended by striking all that part of subsection four (4) which  
3 follows the “semi-colon (;)” in line fifteen (15) and by inserting in  
4 lieu thereof the following: “any transaction pursuant to an offer to  
5 existing security holders or employees of the issuer, including per-  
6 sons who at the time of the transaction are holders of convertible  
7 securities, nontransferable warrants, or transferable warrants exer-  
8 cisable within ninety days of their issuance, if no commission or other  
9 remuneration (other than a standby commission) is paid or given  
10 directly or indirectly for soliciting any security holder in this state.”

1 SEC. 10. Section five hundred two point five (502.5), Code 1958,  
2 is amended by inserting the word “offer,” in line one (1) of subsec-  
3 tion five (5) immediately preceding the word “sale”.

1 SEC. 11. Section five hundred two point five (502.5), Code 1958,  
2 is amended by adding after the word “to” in line two (2) of subsec-  
3 tion six (6) the following: “the security holders of”.

1 SEC. 12. Section five hundred two point five (502.5), Code 1958,  
2 subsection eleven (11) is amended by inserting the words “offer or”  
3 in line one (1) immediately preceding the word “sale”; and by strik-  
4 ing from lines three (3), four (4), five (5), six (6) and seven (7)  
5 thereof the following: “which is a part of an issue which has there-  
6 tofore been lawfully sold and distributed to the public, in whole or  
7 in part, in this state; including as within this exemption any secu-  
8 rity”; and subsection eleven (11) is further amended by striking  
9 the word “such” in line seven (7) and substituting therefor the  
10 word “a”; and by striking from lines twelve (12), thirteen (13),  
11 fourteen (14) and fifteen (15) the following: “but excepting from  
12 this exemption securities theretofore sold only in exempt transac-  
13 tions under this section.”.



1 SEC. 13. Section five hundred two point five (502.5), Code 1958,  
2 is amended by striking all of the text of subsection twelve (12) and  
3 by inserting in lieu thereof the following: "Any offer or sale by a  
4 registered dealer of an outstanding security if such sale is not di-  
5 rectly or indirectly for the benefit of the issuer; such sale is at a  
6 price reasonably related to the current market price of such secu-  
7 rities at the time of sale and provided that information as to the  
8 issuer of such security is published in a recognized manual of secu-  
9 rities; such information to contain at least the names of the issuer's  
10 officers and directors, a balance sheet of the issuer as of a date within  
11 eighteen (18) months and a profit and loss statement for the fiscal  
12 year preceding that date or the most recent year of operation; and  
13 the issuer is a going concern. This exemption shall not apply to any  
14 security whose resale is prohibited by specific order of the commis-  
15 sioner of insurance."

1 SEC. 14. Section five hundred two point five (502.5), Code 1958,  
2 is amended by adding a new subsection thirteen (13) thereto as fol-  
3 lows: "Any transaction by a registered dealer, not directly or in-  
4 directly for the benefit of the issuer, pursuant to an unsolicited  
5 order or offer to buy; but the commissioner of insurance may by  
6 rule require that the customer acknowledge upon a specified form  
7 that the sale was unsolicited, and that a signed copy of each form be  
8 preserved by the dealer for a specified period."

1 SEC. 15. Section five hundred two point five (502.5), Code 1958,  
2 is amended by adding a new subsection fourteen (14) thereto as fol-  
3 lows: "Any offer (but not a sale) of a security for which a registra-  
4 tion statement has been filed under the Federal Securities Act of  
5 1933 and an application for registration has been filed under this  
6 act, if no stop order or refusal order is in effect and no public pro-  
7 ceeding or examination looking toward such an order is pending  
8 under either act."

1 SEC. 16. Section five hundred two point six (502.6), Code 1958,  
2 is hereby repealed and the following enacted in lieu thereof: "No  
3 securities, except securities exempt under section five hundred two  
4 point four (502.4) or unless sold in any transaction exempt under  
5 section five hundred two point five (502.5), shall be sold within this  
6 state unless such securities shall have been registered by notification  
7 or by qualification as provided in section five hundred two point seven  
8 (502.7)."

1 SEC. 17. Section five hundred two point seven (502.7), Code 1958,  
2 is hereby repealed and the following enacted in lieu thereof: "**Regis-**  
3 **tration of securities.** 1. Registration by notification. Any security  
4 may be registered by notification if the issuer thereof (together with  
5 any predecessors) has been in continuous operation for at least five  
6 (5) years, there has been no default during the current fiscal year or  
7 within the three (3) preceding fiscal years in the payment of prin-  
8 cipal, interest, or dividends on any security of the issuer (or any  
9 predecessor) with a fixed maturity or a fixed interest or dividend  
10 provision, the issuer (together with any predecessors) during the  
11 past three (3) fiscal years has had average net earnings, determined  
12 in accordance with generally accepted accounting practices, appli-

13 cable to all securities without a fixed maturity or a fixed interest or  
14 dividend provision outstanding at the date the application for regis-  
15 tration is filed (a) aggregating at least five per cent of the amount  
16 of such outstanding securities (as measured by the maximum offer-  
17 ing price or the market price on a day selected by the applicant  
18 within thirty (30) days of the date of filing the application, which-  
19 ever is higher, or book value on a day within ninety (90) days of  
20 the date of filing the application to the extent that there is neither  
21 a readily determinable market price nor a cash offering price), or  
22 (b) if no such securities are outstanding, then aggregating five per  
23 cent of the amount of such securities then offered for sale based upon  
24 the maximum public offering price at which such securities are to be  
25 offered for sale.

26 "Securities entitled to registration by notification shall be regis-  
27 tered by the filing by the issuer, any registered dealer or by the  
28 owner thereof in the office of the commissioner of insurance, of an  
29 application for registration by notification with respect to such se-  
30 curities containing the following:

- 31 a. Name of issuer. If incorporated, place of incorporation.
- 32 b. The location of the issuer's principal business office and of its  
33 principal office in this state, if any.
- 34 c. A description of the security, including amount of the issue.
- 35 d. Amount of securities to be offered in this state.
- 36 e. A statement of the facts which show that the security falls  
37 within one of the classes in this section defined.
- 38 f. The price at which the securities are to be offered for sale.
- 39 g. The rate of commission to be paid.
- 40 h. Financial statement of issuer as of current date.
- 41 i. Income statement of issuer for the last fiscal period.
- 42 j. Copy of the security to be issued.
- 43 k. If required under section five hundred two point nine (502.9),  
44 a consent to service of process meeting the requirements of that sec-  
45 tion.

46 "There shall be filed with such application payment of the fee pre-  
47 scribed in subsection three (3). A copy of the circular to be used in  
48 the public offering of the securities shall be filed in the office of the  
49 commissioner of insurance with the application or within such fur-  
50 ther time as the commissioner of insurance may allow.

51 "2. Registration by qualification. Any securities may be regis-  
52 tered by qualification as provided in this subsection. An application  
53 for registration may be filed by the issuer, the owner, or by any  
54 registered dealer. The commissioner of insurance may require the  
55 applicant to submit to him the following information respecting the  
56 issuer and such other information as he may in his judgment deem  
57 necessary to enable him to ascertain whether such securities shall be  
58 registered pursuant to the provisions of this section:

- 59 a. The names and addresses of the directors, trustees, and offi-  
60 cers, if the issuer be a corporation or association or trust organized  
61 or existing under the common law (as hereinbefore defined); of all  
62 partners, if the issuer be a partnership; and of the issuer, if the  
63 issuer be an individual.
- 64 b. The location of the issuer's principal business office and of  
65 its principal office in this state, if any.

66 c. The purposes of incorporation (if incorporated) and the gen-  
67 eral character of the business actually to be transacted by the issuer,  
68 and the purpose of the proposed issue.

69 d. A statement of the capitalization of the issuer; a balance  
70 sheet showing the amount and general character of its assets and  
71 liabilities on a day not more than ninety (90) days prior to the date  
72 of filing such balance sheet; a detailed statement of the plan upon  
73 which the issuer proposes to transact business; a copy of the secu-  
74 rity for which application for registration is made; and a copy of all  
75 circulars, prospectuses, advertisements, or other descriptions of such  
76 securities then prepared by or for such issuer and/or by or for such  
77 applicant (if the applicant shall not be the issuer) to be used for  
78 distribution or publication in this state.

79 e. A statement of the amount of the issuer's income, expenses,  
80 and fixed charges during the last fiscal year, or if in actual business  
81 less than one year, then for such time as the issuer has been in actual  
82 business.

83 f. A statement showing the price at which such security is pro-  
84 posed to be sold, together with the maximum amount of commission  
85 or other form of remuneration to be paid in cash or otherwise,  
86 directly or indirectly, for or in connection with the sale or offering  
87 for sale of such securities.

88 g. A detailed statement showing the items of cash, property,  
89 services, patents, good will, and any other consideration for which  
90 such securities have been or are to be issued in payment.

91 h. The amount of capital stock which is to be set aside and  
92 disposed of as promotion stock, and a statement of all stock issued  
93 from time to time as promotion stock.

94 i. If the issuer is a corporation, there shall be filed with the  
95 application a certified copy of its articles of incorporation with all  
96 amendments and of its existing bylaws. If the issuer is a trustee  
97 there shall be filed with the application a copy of all instruments  
98 by which the trust is created or declared and in which it is accepted  
99 and acknowledged. If the issuer is a partnership or an unincorpo-  
100 rated association, or joint-stock company, or any other form of or-  
101 ganization whatsoever, there shall be filed with the application a  
102 copy of its articles of partnership or association and all other papers  
103 pertaining to its organization.

104 "If the securities are also being registered under the Federal Secu-  
105 rities Act of 1933, the commissioner of insurance may accept, in lieu  
106 of the information required under paragraphs (a) through (i) of  
107 this subsection, three copies of the prospectus as of the date on which  
108 the application is filed under this act.

109 "If upon examination of an application for registration of secu-  
110 rities by notification or qualification the commissioner of insurance  
111 does not find any ground for denying or revoking the registration of  
112 such securities under section five hundred two point ten (502.10), he  
113 shall register such securities after which they may be sold by the  
114 issuer, the owner, or by any registered dealer, subject however, to  
115 the further order of the commissioner of insurance as hereinafter  
116 provided.

117 "3. Provisions applicable to all registrations of securities. When  
118 securities are registered by notification or by qualification, they may

119 be offered and sold by the issuer, the owner, or by any registered  
120 dealer. The commissioner of insurance shall keep a register showing  
121 the issuer, date of registration, amount in number and dollars of the  
122 securities registered and all orders with respect thereto which shall  
123 be open to public inspection. Every registration shall remain effective  
124 until revoked by the commissioner of insurance or until terminated  
125 upon request of the registrant with the consent of the commissioner  
126 of insurance. So long as a registration remains effective  
127 all outstanding securities of the class registered shall be considered  
128 to be registered for the purpose of any transaction other than original  
129 distributions of such securities, except that in the case of securities  
130 issued by a face amount certificate company or a redeemable  
131 security issued by an open-end management company or unit investment  
132 trust, as those terms are defined in the Federal Investment  
133 Company Act of 1940, only the amount of securities specified to be  
134 offered for sale in this state shall be registered by the registration  
135 but application for such securities may be made at any time to increase  
136 the amount of securities proposed to be offered in this state.  
137 So long as the registration remains effective the commissioner of  
138 insurance may require the registrant to file reports, not more often  
139 than semi-annually, to keep reasonably current the information pertaining  
140 to the registration.

141 "The commissioner of insurance shall have power to place such  
142 conditions, limitations, and restrictions on any registration as may  
143 be necessary to carry out the purpose of this chapter and the conditions,  
144 limitations and restrictions, if any, shall be entered in the register  
145 of securities referring to a formal order of the commissioner  
146 of insurance on file showing such conditions, limitations and restrictions.  
147

148 "For the filing of an application for the registration of securities  
149 by notification or qualification there shall be paid to the commissioner  
150 of insurance at the time of filing the application prescribed in  
151 this section a fee of one-tenth of one per cent of the maximum  
152 aggregate offering price of the securities proposed to be offered in  
153 this state, but such fee shall not be less than twenty-five (25) dollars  
154 nor more than one thousand (1000) dollars.

155 "If the application for registration shall be made by a registered  
156 dealer, the commissioner of insurance in his discretion may by rule,  
157 regulation, or order waive the filing or submission to him of all or  
158 any of the statements, exhibits, and documents, including certified  
159 public documents referred to in this section, and may require the  
160 applicant to file with him a statement with respect to such securities  
161 containing the following: Name of issuer; a brief description  
162 of the security; the maximum amount of the securities to be offered  
163 under the registration; the maximum price at which the securities  
164 are to be offered for sale; and to furnish to the commissioner of  
165 insurance such other information and data concerning the issuer  
166 and the securities as the commissioner of insurance may deem necessary  
167 to enable him to ascertain whether such securities shall be registered  
168 hereunder or such registration continued in effect.

169 "The commissioner of insurance may permit the omission of any  
170 item of information or document from any application. Any document  
171 filed under this act or a predecessor act may be incorporated

172 by reference in the application to the extent that the document is  
173 currently accurate.”.

1 SEC. 18. Section five hundred two point ten (502.10), Code 1958,  
2 is amended by striking the title and the first seven (7) lines of the  
3 text thereof and by inserting in lieu thereof the following: “Denial  
4 of or revocation of registration of securities. The commissioner of  
5 insurance may deny effectiveness to, or suspend or revoke the effec-  
6 tiveness of, the registration of any security if, after a reasonable  
7 notice and a hearing or upon examination into the affairs of the  
8 issuer of such securities, it shall appear that the sale of such secu-  
9 rities would work or tend to work a fraud upon the purchasers  
10 thereof, would be unfair, unjust, or inequitable to the purchasers  
11 thereof, or that the issuer:”.

1 SEC. 19. Section five hundred two point eleven (502.11), Code  
2 1958, is amended by striking the words “twenty-five” in line eight  
3 (8) of the sixth (6th) unnumbered paragraph of said section and  
4 inserting in lieu thereof the word “fifty (50)” and by striking the  
5 word “three” in line nine (9) of said paragraph and inserting in  
6 lieu thereof the word “five (5)”.

1 SEC. 20. Section five hundred two point eleven (502.11), Code  
2 1958, is further amended by striking all of the eighth (8th) un-  
3 numbered paragraph thereof and by inserting in lieu thereof the  
4 following: “The commissioner of insurance shall have the power,  
5 in connection with any dealer’s or salesman’s registration, to require  
6 the dealer or salesman to furnish the commissioner of insurance, in  
7 such form as he may designate, any information or reports deemed  
8 necessary to assist the commissioner of insurance in determining  
9 whether such registration should remain in force, and to make an  
10 investigation of the books, records, property, business and affairs of  
11 such dealer or salesman. No dealer shall sell or offer for sale any  
12 security after notice in writing given to it by the commissioner of  
13 insurance, that, in his opinion, the sale thereof would be unfair,  
14 unjust, or inequitable to the purchaser thereof, unless the commis-  
15 sioner of insurance shall subsequently in writing withdraw such  
16 objection to the sale thereof.”.

1 SEC. 21. Section five hundred two point eleven (502.11), Code  
2 1958, is further amended by adding the words “or owner” after the  
3 word “issuer” in the first (1st) line of the last unnumbered para-  
4 graph of said section; and by adding the words “or owner” after the  
5 word “issuer” in the seventh (7th) line of the said last unnumbered  
6 paragraph of said section; and by adding the words “the issuer”  
7 after the word “and” in the eleventh (11th) line of the last said un-  
8 numbered paragraph of said section.

1 SEC. 22. Section five hundred two point thirteen (502.13), Code  
2 1958, is amended by adding after the “comma (,)” in line six (6) in  
3 said section the following: “which funds shall not be invested or  
4 hypothecated.”.

1 SEC. 23. Section five hundred two point five (502.5), Code 1958,  
2 subsection nine (9) is amended by striking the words “capital stock”

3 in line one (1) and inserting in lieu thereof the following: "its  
4 securities".

Approved April 10, 1959.

---

CHAPTER 324

T T T SOCIETY

S. F. 178

AN ACT to declare National T T T Society a corporation, not for pecuniary profit and to confer upon such society all of the powers and duties relating to such corporations.

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

1 SECTION 1. Section five hundred four point five (504.5), Code  
2 1958, is hereby amended by inserting in line twenty-six (26) after  
3 the "colon (:)" the words, "National T T T Society,".

Approved March 12, 1959.

---

CHAPTER 325

INSURANCE TRADE PRACTICES

S. F. 261

AN ACT amending chapter five hundred seven B (507B), Code 1958, relating to insurance unfair trade practices, making it unlawful to give insurance as an inducement to any sale or exchange of property or services, and providing a penalty therefor.

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

1 SECTION 1. Amend section five hundred seven B point four  
2 (507B.4), Code 1958, by adding thereto a subsection ten (10) as fol-  
3 lows:

4 "It shall be unlawful for any insurer, its representatives or agents  
5 to knowingly enter into any contract, agreement or arrangement of  
6 any kind or character to provide insurance protection, to be given  
7 away by any person, firm or corporation, as an inducement for any  
8 sale of property or services offered generally to the public and it  
9 shall be unlawful for any such person, firm or corporation to give  
10 away any kind of insurance protection as an inducement for any sale  
11 or exchange of property or service offered generally to the public.  
12 However, this section shall not apply in cases where insurance is re-  
13 quired by law, or forms of liability or performance insurance carried  
14 by a seller of services, materials or property as a protection to the  
15 purchasers."

1 SEC. 2. Amend section five hundred seven B point eleven  
2 (507B.11), Code 1958, by adding thereto the following:

3 "Violation of subsection ten (10) of section five hundred seven B  
4 point four (507B.4) of this chapter shall be grounds for the revoca-

5 tion of the certificate of authority of a company or of the license of  
 6 an agent to do business in Iowa in addition to other penalties herein  
 7 provided, and any person, firm or corporation violating the provisions  
 8 of said subsection upon conviction shall be subject to a fine not to  
 9 exceed one thousand dollars (\$1,000.00)."

Approved March 23, 1959.

---

## CHAPTER 326

### LIFE INSURANCE INVESTMENTS

#### H. F. 39

AN ACT relating to the investment of funds of life insurance companies in real estate bonds and mortgages.

*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 1958, subsection nine (9), paragraph *a*, is hereby amended by strik-  
 3 ing from line thirteen (13) thereof the words, "sixty-six and two-  
 4 thirds" and substituting in lieu thereof the word "seventy-five (75)".

Approved March 9, 1959.

---

## CHAPTER 327

### FRATERNAL BENEFICIARY ASSOCIATIONS

#### S. F. 167

AN ACT to repeal section five hundred twelve point two (512.2), Code 1958, and to enact in lieu thereof a new section relating to the benefits that may be provided by a fraternal beneficiary association; and also to repeal section five hundred twelve point nine (512.9), Code 1958, and to enact in lieu thereof a new section defining the qualification for membership in a fraternal beneficiary association.

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

1 SECTION 1. Section five hundred twelve point two (512.2), Code  
 2 1958, is hereby repealed and the following enacted in lieu thereof:  
 3 "A society authorized to do business in this state may provide for the  
 4 payment of: (a) death benefits in any form; (b) endowment bene-  
 5 fits; (c) annuity benefits; (d) temporary or permanent disability  
 6 benefits as a result of disease or accident; (e) hospital, medical or  
 7 nursing benefits due to sickness or bodily infirmity or accident; (f)  
 8 monument or tombstone benefits to the memory of deceased members  
 9 not exceeding in any case the sum of three hundred (300) dollars,  
 10 and such benefits may be provided on the lives of members or, upon  
 11 application of a member, on the lives of the member's family, includ-  
 12 ing the member, the member's spouse and minor children, in the same  
 13 or separate certificates."

1 SEC. 2. Section five hundred twelve point nine (512.9), Code 1958,  
 2 is hereby repealed and the following enacted in lieu thereof: "A so-

3 ciety may admit to benefit membership any person not less than fif-  
 4 teen (15) years of age, nearest birthday, who has furnished evidence  
 5 of insurability acceptable to the society. Any such member who shall  
 6 apply for additional benefits more than six (6) months after becoming  
 7 a benefit member shall furnish additional evidence of insurability ac-  
 8 ceptable to the society.

9 "Any person admitted prior to attaining the full age of twenty-one  
 10 (21) years shall be bound by the terms of the application and certifi-  
 11 cate and by all the laws and rules of the society and shall be entitled  
 12 to all the rights and privileges of membership therein to the same  
 13 extent as though the age of majority had been attained at the time of  
 14 application. A society may also admit general or social members who  
 15 shall have no voice or vote in the management of its insurance affairs."

Approved April 28, 1959.

## CHAPTER 328

### CANCELLATION OF INSURANCE

#### H. F. 210

AN ACT relating to the cancellation of insurance policies.

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

1 SECTION 1. Section five hundred fifteen point eighty-one (515.81)  
 2 Code 1958, is hereby amended by striking from lines twenty-one (21)  
 3 and twenty-two (22) the words "giving five days notice of such can-  
 4 cellation, in which event" and inserting in lieu thereof the words  
 5 "service of notice in writing upon the insured which notice shall fix  
 6 the date of cancellation which shall be not less than five (5) days  
 7 after service of such notice. Such service of notice may be made in  
 8 person, or by mailing such notice to the insured at his post office  
 9 address as given in or upon the policy, or to such other address notice  
 10 of which the insured shall have given to the company in writing. A  
 11 post office department receipt of certified or registered mailing shall  
 12 be deemed proof of receipt of such notice. When cancelled by the  
 13 insurer,".

1 SEC. 2. Section five hundred eighteen point twenty-nine (518.29),  
 2 Code 1958, is hereby amended by striking from lines three (3) four  
 3 (4) five (5) the words "the association giving five days written notice  
 4 thereof to the insured." and inserting in lieu thereof the words "service  
 5 of notice in writing upon the insured which notice shall fix the date  
 6 of such cancellation which shall be not less than five days after service  
 7 of such notice. Such service of notice may be made in person, or by  
 8 mailing such notice to the insured at his post office address as given in  
 9 or upon the policy, or to such other address notice of which the insured  
 10 shall have given to the company in writing. A post office department  
 11 receipt of certified or registered mailing shall be deemed proof of  
 12 receipt\* of such notice.

\*According to enrolled Act.



13 "The provisions of this section shall be applicable to the cancella-  
 14 tion of reciprocal or interinsurance contracts and policies issued pur-  
 15 suant to chapter five hundred twenty (520)."

Approved April 23, 1959.

---

## CHAPTER 329

### FIRE INSURANCE POLICIES

S. F. 256

AN ACT relating to the form of standard policy insuring against the peril of fire.

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

1 SECTION 1. Section five hundred fifteen point one hundred thirty-  
 2 eight (515.138), Code 1958, is hereby amended by adding at the end  
 3 of the paragraph designated "Fifth":

4 "An insurer may issue a policy, either on an unspecified basis as  
 5 to coverage or for an indivisible premium, which contains coverage  
 6 against the peril of fire and substantial coverage against other perils,  
 7 if such policy includes provisions with respect to the peril of fire which  
 8 are the substantial equivalent of the minimum provisions of such  
 9 standard policy, provided further the policy is complete as to all its  
 10 terms of coverage without reference to any other document and is  
 11 approved in accordance with section five hundred fifteen point one  
 12 hundred nine (515.109)."

Approved May 6, 1959.

---

## CHAPTER 330

### LIABILITY INSURANCE OF STATE DEPARTMENTS

S. F. 409

AN ACT relating to liability insurance for commissions, departments, boards and agencies of the state and their employees.

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

1 SECTION 1. Section five hundred seventeen A point one (517A.1),  
 2 Code 1958, is amended by striking the last paragraph therefrom.

Approved May 1, 1959.

---

## CHAPTER 331

### BANKING DEPARTMENT SALARIES

H. F. 377

AN ACT to amend section five hundred twenty-four point seven (524.7), Code 1958, relating to salaries of the deputy superintendent of banking and bank examiners, thereby enabling the state banking board to compensate said employees on a basis comparable to the compensation provided to those in positions of similar responsibility by the federal bank supervisory departments.

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

1 SECTION 1. Section five hundred twenty-four point seven (524.7),  
 2 Code 1958, is hereby amended by striking from lines twenty-two (22)

3 and twenty-three (23) thereof the words "eighty-two hundred" and  
 4 inserting in lieu thereof the words "ten thousand"; and by striking  
 5 from line twenty-five (25) thereof the words "eighty-five hundred"  
 6 and inserting in lieu thereof the words "eleven thousand".

Approved April 23, 1959.

## CHAPTER 332

### BANK TELLER AT PARKING LOT

H. F. 124

AN ACT to amend section five hundred twenty-eight point fifty-one (528.51), Code 1958, relating to bank offices, to permit any bank for the convenience of its customers to establish on its parking lot a drive-up or walk-up teller's window for the sole and only purpose of receiving deposits and paying checks.

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

1 SECTION 1. Section five hundred twenty-eight point fifty-one  
 2 (528.51), Code 1958, is hereby amended by adding the following after  
 3 the period (.) in line sixteen (16) thereof:  
 4 "However, in addition to any privileges granted and subject to all  
 5 restrictions set forth in this section, any bank, for the convenience of  
 6 its customers, and upon approval by the state banking board and sub-  
 7 ject to that board's rules and regulations governing the operation of  
 8 bank offices, may establish a parking-lot office with one or more drive-  
 9 up or walk-up teller's windows, for the sole and only purpose of re-  
 10 ceiving deposits and paying checks, upon any parking-lot area which it  
 11 may own or lease. Such parking-lot area may by\* one that adjoins or  
 12 be one that is remote from the bank's own building and must be re-  
 13 mote from any other bank and remote from the parking-lot area of  
 14 any other bank. No bank shall be permitted to establish or maintain  
 15 more than one such parking-lot office."

Approved February 4, 1959.

\*According to enrolled Act.

## CHAPTER 333

### INSTALLMENT LOANS BY BANKS

S. F. 110

AN ACT to amend sections five hundred twenty-nine point three (529.3), five hundred twenty-nine point four (529.4), Code 1958, relating to installment loans by banks so as to enable banks to more fully develop home improvement and property development loan programs.

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

1 SECTION 1. Section five hundred twenty-nine point three (529.3),  
 2 Code 1958, is hereby amended by striking from line five (5) the words  
 3 "twenty-five hundred" and inserting in lieu thereof the words "five  
 4 thousand (5000)".

1 SEC. 2. Section five hundred twenty-nine point four (529.4), Code  
 2 1958, is hereby amended by striking from line three (3) the words  
 3 "thirty-seven months" and inserting in lieu thereof the words "five  
 4 (5) years".

Approved February 13, 1959.

---

## CHAPTER 334

### CREDIT UNIONS COMMITTEES

S. F. 239

AN ACT relating to the credit committee of credit unions.

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

1 SECTION 1. Section five hundred thirty-three point ten (533.10),  
 2 Code 1958, is hereby amended by striking the "period (.)" after the  
 3 word "unanimous" in line thirteen (13) and by inserting in lieu  
 4 thereof the following:

5 " , provided, however, that the credit committee of a credit union  
 6 with one hundred thousand (100,000.00) dollars or more in assets  
 7 and with the approval of the board of directors, may appoint one (1)  
 8 or more loan officers, who may be the treasurer or assistant treasurer,  
 9 and delegate to him or them, subject to conditions and regulations of  
 10 the credit committee, power to approve loans up to the maximum  
 11 which can be made without security, or in excess of such limit if  
 12 such excess is fully secured by shares. Each loan officer shall furnish  
 13 to the credit committee a record of each loan approved or not ap-  
 14 proved by him within seven (7) days of the date of the filing of the  
 15 application therefor. All loans not approved by a loan officer shall be  
 16 acted upon by the credit committee."

Approved March 18, 1959.

---

## CHAPTER 335

### CREDIT UNIONS

S. F. 240

AN ACT relating to credit unions.

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

1 SECTION 1. Section five hundred thirty-three point eighteen  
 2 (533.18), Code 1958, is hereby amended by striking all of said sec-  
 3 tion and inserting in lieu thereof a new section as follows:

4 "Annually or semi-annually, the board of directors may declare a  
 5 dividend from net earnings, which dividend shall be paid on all shares  
 6 outstanding at the end of the period for which the dividend is declared.  
 7 Shares which become fully paid up by the 10th day of any month of  
 8 such dividend period may, by action of the board of directors, be

9 entitled to a proportional part of said dividend calculated from the  
 10 first day of the month in which the payment is made in full. At any  
 11 meeting the members may establish a maximum dividend rate which  
 12 shall be binding on the directors until changed at a subsequent meet-  
 13 ing."

Approved March 18, 1959.

## CHAPTER 336

### CREDIT UNIONS

#### H. F. 319

AN ACT relating to records and files of credit unions, the admissibility as evidence of entries therein, and limiting the time for bringing actions on claims arising therefrom.

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

1 SECTION 1. Chapter five hundred thirty-three (533), Code 1958,  
 2 is amended by adding thereto the following:

3 "Credit unions shall not be required to preserve or keep their rec-  
 4 ords or files for a longer period than eleven (11) years next after the  
 5 first day of January of the year following the time of the making or  
 6 filing of such records or files; provided, however, that signature,  
 7 identification records, and ledger sheets showing balances in favor of  
 8 members of such credit unions shall not be destroyed.

1 SEC. 2. "No liability shall accrue against any credit union destroy-  
 2 ing any such records after the expiration of the time provided in this  
 3 Act, and in any cause or proceedings in which any such records or  
 4 files may be called in question or be demanded of the credit union or  
 5 any officer or employee thereof, a showing that such records or files  
 6 have been destroyed in accordance with the terms of this Act shall be  
 7 a sufficient excuse for the failure to produce them. Nothing herein  
 8 shall require credit unions to retain any class of records or files for  
 9 the period of limitation of actions provided herein; but any records,  
 10 files or class of records not deemed necessary for the conduct of the  
 11 current business of credit unions, or future examinations thereof, or  
 12 for defense in the event of litigation, may be destroyed within such  
 13 period.

14 "For the purpose of assisting credit unions in the retention of only  
 15 necessary records and files, or for the destruction of those which are  
 16 obsolete or unnecessary, credit unions are authorized to destroy such  
 17 records and files or classes thereof within the period of limitation of  
 18 actions upon the joint recommendation of the superintendent of bank-  
 19 ing and a credit union review board relating to records consisting of  
 20 the directors of the Iowa credit union league.

1 SEC. 3. "Any writing or record, or a photostatic or photographic  
 2 reproduction thereof, of any credit union whether in the form of an  
 3 entry in a book or otherwise, made as a memorandum or record of  
 4 any act, transaction, occurrence or event, shall be admissible in evi-

5 dence in proof of said act, transaction, occurrence or event, if made  
6 in the regular course of business.

1 SEC. 4. "All causes of action against a credit union based upon a  
2 claim or claims inconsistent with an entry or entries in any credit  
3 union record or ledger, made in the regular course of business, shall  
4 be deemed to have accrued, and shall accrue, one (1) year after the  
5 date of such entry or entries; and no action founded upon such a cause  
6 may be brought after the expiration of ten (10) years from the date  
7 of such accrual. Any such existing cause of action may be com-  
8 menced in any court of competent jurisdiction within one (1) year  
9 after the effective date of this Act."

Approved February 26, 1959.

## CHAPTER 337

### CREDIT UNIONS

S. F. 293

AN ACT relating to credit unions.

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

1 SECTION 1. Chapter five hundred thirty-three (533), Code 1958,  
2 is hereby amended by adding thereto a new section as follows:

3 "Any two (2) or more credit unions organized under the laws of the  
4 state of Iowa may consolidate into a single credit union upon the ap-  
5 proval, by a two-thirds vote of the members of each such credit union,  
6 of a plan of consolidation setting forth the terms and conditions  
7 thereof and the mode of carrying the same into effect, and upon ap-  
8 proval of the Superintendent of banking in the following situations:

9 1. Upon dissolution, discontinuance, disbandment or other termina-  
10 tion of any organization, body or group from which membership is  
11 drawn, or of any of such bodies composing the membership of a credit  
12 union, as defined in the bylaws.

13 2. Upon consolidation of two (2) or more organizations, bodies or  
14 groups from which membership is drawn.

15 3. When the membership is no longer large enough to continue the  
16 normal operations of a credit union.

17 Any member not present at such a meeting may, within the next  
18 twenty (20) days, vote in favor of the merger by signing a statement  
19 in form approved by the superintendent of banking and such vote shall  
20 have as full force and effect as if cast at such meeting. Such action  
21 by the members of such credit unions may be taken at any annual or  
22 special meeting of said credit unions, and if proposed at any annual or  
23 special meeting a summary of the plan of consolidation shall be in-  
24 cluded in the notice of the meeting."

Approved April 28, 1959.

## CHAPTER 338

## BUILDING AND LOAN AND SAVINGS AND LOAN ASSOCIATIONS

## S. F. 320

AN ACT to amend, revise and codify the statutes relating to building and loan associations and savings and loan associations.

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

1 Chapter five hundred thirty-four (534), Code 1958, is hereby re-  
2 pealed and the following enacted in lieu thereof:

1 SECTION 1. Short title. This chapter may be cited as "Savings  
2 and Loan Association chapter."

1 SEC. 2. Definitions. When used in this chapter, the following  
2 words and phrases shall have the following meanings, except to the  
3 extent that any such word or phrase is specifically qualified by its  
4 context:

5 1. "Association" shall mean a corporation organized under the  
6 provisions of this chapter to promote thrift and home ownership by  
7 providing for its members a co-operative and mutual plan for sav-  
8 ing money and investing money so saved in home loans to its mem-  
9 bers. These "associations" shall be known as building and loan asso-  
10 ciations or savings and loan associations or savings associations.  
11 "Foreign companies" shall be any other savings and loan associa-  
12 tion or building and loan association or organization, incorporated  
13 for the purposes specified herein under the laws of another state or  
14 country.

15 2. "Supervisor" shall mean the supervisor of savings and loan  
16 associations.

17 3. "Dividend" shall mean that part of the net earnings of an  
18 association which is declared payable on share accounts from time  
19 to time by the board of directors and is the cost of savings money  
20 to the association.

21 4. "Gross income" shall mean the sum for an accounting period  
22 of the following:

23 a. Operating income.

24 b. Real estate income.

25 c. All profits actually received during such accounting period  
26 from the sale of securities, real estate, or other property.

27 d. Other nonrecurring income.

28 5. "Regular lending area" shall mean the county in which the  
29 home office of an association is located, and the counties of the state  
30 or adjoining state immediately adjoining and abutting on such  
31 county, or any additional area within fifty miles from the home office  
32 whether within or without the state, whichever is the greater.

33 6. "Impaired condition" shall mean a condition in which the assets  
34 of an association do not have an aggregate value equal to the aggre-  
35 gate amount of liabilities of the association to its creditors, its mem-  
36 bers and all other persons.

37 7. "Insured association" shall mean an association the share ac-  
38 counts of which are insured wholly or in part by the federal savings  
39 and loan insurance corporation.

40 8. "Member" shall mean a person owning a share account of an  
41 association, and a person borrowing from or assuming or obligated  
42 upon a loan held by an association, or purchasing property securing  
43 a loan held by an association and any contract purchaser from the  
44 association. A joint and survivorship relationship, whether of in-  
45 vestors or borrowers, constitutes a single membership.

46 9. "Net earnings" shall mean gross income for an accounting pe-  
47 riod less the aggregate of the following:

48 a. Operating expenses.

49 b. Real estate expenses.

50 c. All losses actually sustained during such accounting period  
51 from the sale of securities, real estate or other property, or such  
52 portion of such losses as shall not have been charged to reserves,  
53 pursuant to the provisions of this chapter.

54 d. All interest paid, or due but unpaid, on borrowed money.

55 e. Other nonrecurring charges.

56 10. "Operating expenses" shall mean all expenses actually paid,  
57 or due but unpaid, by an association during an accounting period,  
58 excluding the following:

59 a. Real estate expenses.

60 b. Other nonrecurring charges.

61 That portion of prepaid expenses which is not apportionable to  
62 the period may be excluded from operating expenses, in which event  
63 operating expenses for future periods shall exclude that portion of  
64 such prepaid expenses apportionable thereto.

65 11. "Operating income" shall mean all income actually received by  
66 an association during an accounting period, excluding the following:

67 a. Foreclosed real estate income.

68 b. Other nonrecurring income.

69 12. "Real estate expenses" shall mean all expenses actually paid,  
70 or due but unpaid, in connection with the ownership, maintenance,  
71 and sale of real estate (other than office building or buildings and  
72 real estate held for investment) by an association during an account-  
73 ing period, excluding capital expenditures and losses on the sale of  
74 real estate.

75 13. "Real estate income" shall mean all income actually received  
76 by an association during an accounting period from real estate owned  
77 (other than from office building or buildings and real estate held for  
78 investment) excluding profit from sales of real estate.

79 14. "Real estate loan" shall mean any loan or other obligation  
80 secured by real estate, whether in fee or in a leasehold extending or  
81 renewable automatically for a period of at least fifty years.

82 15. "Home loan" shall mean a real estate loan on a dwelling or  
83 dwellings for not more than four families, the principal use of which  
84 is for residential purposes. A "home" is the same as "home prop-  
85 erty" and constitutes the homestead of the owner. A home on a  
86 farm is a home.

87 16. "Share account or shares" shall mean that part of the savings  
88 liability of the association which is credited to the account of the  
89 holder thereof.

90 17. "Savings liability" shall mean the aggregate amount of share  
91 accounts of members, including dividends credited to such accounts,  
92 less redemptions and withdrawals.

93 18. "Withdrawal value" shall mean the amount credited to a share  
94 account of a member, less lawful deductions therefrom, as shown by  
95 the records of the association.

96 19. "Insured mortgage" is a mortgage covered in part by insur-  
97 ance, which insurance has been formally submitted to and approved  
98 by the supervisor or by the federal home loan bank of the area in  
99 which the association is located.

1 **SEC. 3. Incorporation and organization.**

2 1. *Petition for certificate of incorporation.* At any time hereafter  
3 any five or more individuals (hereinafter referred to as the "incor-  
4 porators"), citizens of this state may form an association to promote  
5 thrift and home financing, subject to approval as hereinafter pro-  
6 vided in this chapter by signing and acknowledging, before an offi-  
7 cer competent to take acknowledgments of deeds, two copies of a  
8 petition for a certificate of incorporation in the form prescribed by  
9 the savings and loan supervisor, and of the bylaws in a form ap-  
10 proved by the savings and loan supervisor, which shall be filed with  
11 the savings and loan supervisor in the office of the auditor of state  
12 accompanied by an incorporation fee.

13 2. *Articles.* The articles of incorporation shall show:

14 a. The names and residences of the incorporators.  
15 b. The name of the association and its principal place of busi-  
16 ness.  
17 c. The purpose for which such association is formed.  
18 d. The terms and plan of becoming and continuing a member.  
19 e. The plan of making loans.  
20 f. The plan of distributing profits.  
21 g. The plan of equalizing losses.  
22 h. The plan and terms of withdrawal of members.  
23 i. The plan of providing for payment of expenses.  
24 j. The terms of paying in savings by subscribers and of savings  
25 liability.

26 k. The term of corporate existence.

27 l. The manner of electing officers and filling vacancies.

28 3. *Approval of articles—certificate of authority.*

29 a. The proposed articles of incorporation for any proposed new  
30 association, together with proposed bylaws, shall be presented to the  
31 auditor of state and by him submitted to the state executive council  
32 and if it finds that they are in conformity with the law and based  
33 upon a plan equitable in all respects to its members, and further  
34 finds from the best sources at its command and from such investiga-  
35 tion as it may deem necessary, that the proposed incorporators are  
36 persons of good character, ability and responsibility; that a reason-  
37 able necessity exists for such new institution in the community to  
38 be served; that it can be established and operated without undue  
39 injury to existing local thrift and home financing institutions and  
40 that the proposed name of such institution is not similar to that of  
41 any other association operating in the same community and is not  
42 misleading or deceitful, the executive council shall attach thereto its  
43 certificate of approval and enter its approval of record, and there-  
44 upon such articles of incorporation shall be recorded in the office of  
45 the secretary of state and in the office of the recorder of the county



46 in which the association's principal place of business is to be situ-  
47 ated and then be filed in the office of the auditor of state who shall  
48 at that time issue a certificate authorizing the association to transact  
49 business as a building and loan or savings and loan association.

50 b. If the executive council does not affirmatively find as to each  
51 and all of the said requirements it shall enter its disapproval of  
52 record together with a statement of its findings and conclusions and  
53 a certificate of incorporation shall not be issued. Upon such dis-  
54 approval the executive council shall, by registered mail, notify one,  
55 or all, of the proposed incorporators of its disapproval together with  
56 the reasons for such disapproval, and thereupon, the proposed in-  
57 corporators, if not satisfied with such action, may within sixty days  
58 after the mailing of such notice appeal to the district court of Iowa  
59 in and for the county in which the principal place of business of the  
60 proposed association is to be located from such findings and dis-  
61 approval by serving a notice of such appeal upon the auditor of  
62 state, setting forth in general terms the decisions appealed from and  
63 the grounds of the appeal and by filing with the clerk of the said  
64 court, within such sixty days, a duly verified petition stating the  
65 facts and the grounds of complaint and having attached thereto a  
66 copy of the proposed articles of incorporation and bylaws and a copy  
67 of the findings and conclusions of the executive council. Such appeal  
68 shall be triable as a mandamus proceeding in equity and the findings  
69 and decisions of the executive council shall be binding upon the court  
70 unless overcome by clear and convincing proof. Any party aggrieved  
71 by the order, judgment, or decree of the court may appeal therefrom  
72 to the supreme court of Iowa.

73 c. Before a certificate of authority to do business shall be issued  
74 to any such new association, the incorporators shall pay to the treas-  
75 urer of the incorporators committee, in cash, an amount equal to not  
76 less than ten per cent of the required minimum savings liability,  
77 which fund shall be in addition to the required minimum paid-in  
78 savings liability and shall, upon issuance of a certificate of incorpo-  
79 ration, be paid to the association and shall be set up as a special  
80 reserve to be designated "reserve for the operating expenses". Such  
81 special reserve shall be used only for the purpose of paying the costs  
82 and expenses of organization and for paying or contributing toward  
83 payment of the operating expenses of such new association during  
84 any period or periods during which the association's earnings shall  
85 not be sufficient to pay all its expenses in addition to paying divi-  
86 dends to its members at such reasonable rate as shall be approved by  
87 the supervisor. Such "reserve for operating expenses" shall be used  
88 only for the purposes herein specified and shall be subject to be re-  
89 funded in full or in part to the contributors as hereinafter provided.

90 d. After five years from the date of incorporation, the amounts  
91 contributed by the incorporators to such reserve for operating ex-  
92 penses may be refunded to the contributors thereto, but the amounts  
93 refunded shall at no time be in excess of accumulated net earnings  
94 remaining after paying all expenses and paying or making allow-  
95 ances for payment of reasonable dividends to shareholders since the  
96 date of incorporation, and crediting at least the minimum amount  
97 required to general reserve. In addition to refunding the amounts  
98 contributed to such "reserve for operating expenses", the association

99 may also pay to such contributors interest on the amounts contrib-  
 100 uted, at rates not in excess of the dividend rates paid members since  
 101 date of incorporation. No such refund shall be made, or interest paid,  
 102 without first obtaining written approval of the supervisor.

103 e. In case of dissolution or liquidation of an association before  
 104 such contributions to such "reserve for operating expenses" have  
 105 been refunded, the contributors thereto shall be entitled to such  
 106 refunds out of moneys or assets remaining, if any, after payment  
 107 of all debts, expenses, costs, and other liabilities, including refund  
 108 to all members of the amounts paid in and credited on their share  
 109 accounts.

110 f. The corporate existence of an association shall begin when  
 111 the articles have been submitted and approved as required by this  
 112 section and when the secretary of state has issued a certificate of  
 113 incorporation. The corporate existence shall be perpetual unless  
 114 otherwise limited or unless terminated as provided for herein.

115 g. Amendments or renewed and substituted articles of incor-  
 116 poration may be approved from time to time at any regular or spe-  
 117 cial meeting of stockholders and shall be submitted for approval and  
 118 processed in the same general manner as outlined in subsection 3 of  
 119 this section.

120 h. No notices of incorporation or amendments need be pub-  
 121 lished.

122 i. The executive council shall keep a record of its proceedings  
 123 with reference to such associations.

124 j. The executive council shall have the power and it shall be its  
 125 duty, to revoke any certificate of authority given to any association  
 126 whenever it appears to said council that said association is transact-  
 127 ing business illegally, or is unjust and oppressive to its members or  
 128 the public. Before any such revocation shall be declared, the execu-  
 129 tive council shall first give thirty days written notice of its inten-  
 130 tions to revoke to the association involved and to the federal home  
 131 loan bank. Said notice shall fix a time and place for hearing on the  
 132 intended revocation and a permanent record shall be made of the  
 133 proceedings, hearing and findings and parties so involved and noti-  
 134 fied shall be furnished with a copy thereof. The association may  
 135 appeal any such finding of revocation to the district court within  
 136 ten days from receipt of a copy thereof. Trial shall be in equity and  
 137 de novo.

#### 1 SEC. 4. Organization.

2 1. *Incorporators committee — treasurer — cash payment — bond.*  
 3 The incorporators shall appoint an incorporators committee and a  
 4 treasurer thereof. The subscribers to the savings shall pay in cash  
 5 to such treasurer on their subscriptions, before a certificate of in-  
 6 corporation is issued, an aggregate amount to be determined in rela-  
 7 tion to the population of the city in which the home office of the  
 8 association is to be located, on the following basis:

9 a. In cities having not to exceed ten thousand population the  
 10 minimum paid-in savings liability shall be fifty thousand dollars.

11 b. In cities having more than ten thousand but less than fifty  
 12 thousand population, the minimum paid-in savings liability shall be  
 13 one hundred thousand dollars.

14 c. In cities having more than fifty thousand population and less  
15 than one hundred thousand population, the minimum paid-in savings  
16 liability shall be one hundred and fifty thousand dollars; and

17 d. In cities having more than one hundred thousand population,  
18 the minimum paid-in savings liability shall be two hundred thousand  
19 dollars.

20 The population of any such city shall be determined by the said  
21 supervisor in accordance with the latest federal decennial census.

22 The treasurer of the incorporators committee shall file with the  
23 said supervisor a fidelity bond, signed by himself and an authorized  
24 surety company acceptable to the supervisor, in a penal sum at least  
25 equal to the required paid-in savings liability and expense fund as  
26 hereinbefore required, payable to the supervisor of building and loan  
27 associations. Such bond shall assure the safekeeping and delivery to  
28 the association, after issuance of a certificate of incorporation, and  
29 after the association's authorized officers have filed the required  
30 bonds of all of such required paid-in savings liability and expense  
31 fund, or in the event of failure to complete organization, such bond  
32 shall assure the return to the persons providing such paid-in savings  
33 liability and expense funds of the amounts contributed thereto by  
34 them, less any necessary cost and expenses.

35 2. *Commencement of business.* The association may commence  
36 business when the minimum savings liability as provided herein-  
37 before shall have been paid in and the other provisions of this chap-  
38 ter in relation thereto have been complied with.

1 SEC. 5. Access to books and records—communication with mem-  
2 bers.

3 1. *Exclusiveness of access.* Every member shall have the right  
4 to inspect such books and records of an association as pertain to his  
5 loan or savings investment. Otherwise, the right of inspection and  
6 examination of the books and records shall be limited (a) to the  
7 supervisor or his duly authorized representative as provided in this  
8 chapter (b) to persons duly authorized to act for the association,  
9 and (c) to any federal instrumentality or agency authorized to in-  
10 spect or examine the books and records of an insured association or  
11 of an uninsured member by the federal home loan bank. The ac-  
12 counts and loans of members shall be kept confidential by the associ-  
13 ation, its directors, officers and employees, and by the supervisor,  
14 his examiners and representatives, and no member or any other  
15 person shall have access to the books and records or shall possess a  
16 partial or complete list of the members except upon express action  
17 and authority of the board of directors.

18 2. *Communication with members.* In the event, however, that any  
19 member or members desire to communicate with other members of  
20 the association with reference to any question pending or to be pre-  
21 sented for consideration at a meeting of the members, the association  
22 shall furnish upon request a statement of the approximate number  
23 of members of the association at the time of such request, and an  
24 estimate of the cost of forwarding such communication. The re-  
25 questing member or members shall then submit the communication  
26 to the supervisor who, if he finds it to be appropriate, truthful and  
27 in the best interests of the association and all its members, shall

28 execute a certificate setting out such findings, forward the certificate  
29 together with the communications to the association, and direct that  
30 the communication be prepared and mailed by the association to the  
31 members upon the requesting member's or members' payment to it  
32 of the expenses of such preparation and mailing.

33 3. *Applicability of section to federal associations.* Insofar as the  
34 provisions of this section are not inconsistent with federal law, such  
35 provisions shall apply to federal savings and loan associations whose  
36 home offices are located in this state, and to the members thereof  
37 except that the communication provided for in subsection 2 shall be  
38 submitted to the federal home loan bank board, Washington, D. C.,  
39 in the case of a federal savings and loan association and forwarded  
40 only upon that board's certificate and direction.

1 SEC. 6. **Financial statement.** Every association shall prepare and  
2 publish annually in the month of January in a newspaper of gen-  
3 eral circulation in the county in which the home office of such associ-  
4 ation is located, and shall deliver to each member upon application  
5 therefor, a statement of its financial condition in the form pre-  
6 scribed or approved by the supervisor.

1 SEC. 7. **Indemnity Bonds.**

2 1. *Domestic companies — bonds — custody.* The officers and em-  
3 ployees of any domestic association who sign or endorse checks or  
4 handle any funds or securities of such association shall give such  
5 bonds or fidelity insurance as the board of directors may require;  
6 and no such officer shall be deemed qualified to enter upon the duties  
7 of his office until his bond is approved by the board of directors and  
8 by the auditor of state. Such bonds shall be deposited and filed with  
9 the auditor of state. Such associations may in connection with ob-  
10 taining such bonds or insurance acquire and hold membership in  
11 mutual insurance or bonding companies. No such bond shall be ter-  
12 minated or canceled because of failure to pay premium or for any  
13 other cause until after ten days written notice to the supervisor of  
14 intention to cancel such bond.

15 2. *Additional bonds.* All such bonds shall be increased or addi-  
16 tional securities required by the board of directors or the auditor of  
17 state when it becomes necessary to protect the interests of the asso-  
18 ciation or its members.

19 3. *Disqualified sureties.* No director shall be accepted as surety on  
20 such bonds, and no person shall be accepted as surety on the bond of  
21 more than one office of said association.

22 4. *Liability of directors.* The directors shall be individually liable  
23 for loss to the association or its members caused by their failure to  
24 require a compliance with the provisions of this section.

1 SEC. 8. **Transactions of officers, directors, employees.** It shall be  
2 unlawful for an officer, director or employee of an association:

3 1. To solicit, accept or agree to accept, directly or indirectly, from  
4 any person other than the association any gratuity, compensation or  
5 other personal benefit for any action taken by the association or for  
6 endeavoring to procure any such action.

7 2. To make a real estate loan to a director, officer or employee of  
8 the association, or to any attorney or firm of attorneys, regularly

9 serving the association in the capacity of attorney at law, or to any  
10 partnership in which any such director, officer, employee, attorney  
11 or firm of attorneys has any interest, and no real estate loan shall  
12 be made to any corporation in which any of such parties are stock-  
13 holders, except that with the prior approval of its board of directors  
14 a real estate loan may be made to a corporation in which no such  
15 party owns more than fifteen per cent of the total outstanding stock  
16 and in which the stock owned by all such parties does not exceed  
17 twenty-five per cent of the total outstanding stock: Provided, that  
18 nothing herein shall prohibit an association from making loans on  
19 the security of a first lien on the home property owned and occupied  
20 by a director, officer or employee of an association, or by an attorney  
21 or member of a firm of attorneys regularly serving the association  
22 in the capacity of attorney at law upon a two-thirds vote of the  
23 directors, the interested director not voting.

24 3. To have any interest, direct or indirect, in the purchase at less  
25 than its face value of any evidence of a savings liability or other  
26 indebtedness issued by the association or other assets at less than  
27 their fair market value.

1 **SEC. 9. Records.**

2 1. Complete and adequate records of all accounts and of all min-  
3 utes of proceedings of the members, directors and executive commit-  
4 tee shall be maintained at all times at the office of the association.

5 2. Every association shall maintain membership records, which  
6 shall show the name and address of the member, whether the mem-  
7 ber is a share account holder, or a borrower, or a share account  
8 holder and borrower, and the date of membership thereof. In the case  
9 of account holding members, the association shall obtain a card con-  
10 taining the signature of the owner of such account or his duly au-  
11 thorized representative and shall preserve such signature card in the  
12 records of the association.

13 3. Associations shall not be required to preserve or keep their  
14 records or files for a longer period than eleven years next after the  
15 first day of January of the year following the time of the making or  
16 filing of such records or files; provided, however, that ledger sheets  
17 showing unpaid accounts in favor of members of such savings and  
18 loan association shall not be destroyed.

19 4. No liability shall accrue against any association, destroying  
20 any such records after the expiration of the time provided in sub-  
21 section 3, and in any cause or proceedings in which any such rec-  
22 ords or files may be called in question or be demanded of the associ-  
23 ation or any officer or employee thereof, a showing that such records  
24 and files have been destroyed in accordance with the terms of this  
25 chapter shall be a sufficient excuse for the failure to produce them.

26 5. All causes of action against an association based upon a claim  
27 or claims inconsistent with an entry or entries in any savings and  
28 loan association record or ledger, made in the regular course of  
29 business, shall be deemed to have accrued, and shall accrue, one year  
30 after the date of such entry or entries; and no action founded upon  
31 such a cause may be brought after the expiration of ten years from  
32 the date of such accrual.

33 6. The provisions of this chapter, so far as applicable, shall apply  
34 to the records of federal savings and loan associations.

35 7. Any association may cause any or all records kept by such as-  
36 sociation to be copied or reproduced by any photostatic, photographic  
37 or microfilming process which correctly and permanently copies, re-  
38 produces or forms a medium for copying or reproducing the original  
39 record on a film or other durable material and such association may  
40 thereafter dispose of the original record. Any such copy or repro-  
41 duction shall be deemed to be an original record for all purposes and  
42 shall be treated as an original record in all courts or administrative  
43 agencies for the purpose of its admissibility in evidence. A facsimile,  
44 exemplification or certified copy of any such copy or reproduction  
45 reproduced from a film record shall, for all purposes, be deemed a  
46 facsimile, exemplification or certified copy of the original.

1 SEC. 10. **Savings liability.** The savings liability of an association  
2 is not limited, but shall consist only of the aggregate amount of  
3 share accounts of its members, plus dividends credited to such ac-  
4 counts, less redemption and withdrawal payments. Except as lim-  
5 ited by the board of directors from time to time, a member may make  
6 additions to his share account in such amounts and at such times as  
7 he may elect. Share accounts shall be opened for cash. The mem-  
8 bers of an association shall not be responsible for any losses which  
9 its savings liability shall not be sufficient to satisfy, and share ac-  
10 counts shall not be subject to assessment, nor shall the holders  
11 thereof be liable for any unpaid installments on their accounts.  
12 Dividends shall be declared in accordance with the provisions of this  
13 chapter. No association shall prefer one of its share accounts over  
14 any other share account as to the right to participate in dividends  
15 as to time or amount. No preference between share account mem-  
16 bers shall be created with respect to the distribution of assets upon  
17 voluntary or involuntary liquidation, dissolution, or winding up of  
18 an association. No association shall have power to contract with  
19 respect to the savings liability in a manner inconsistent with the  
20 provisions of this chapter.

1 SEC. 11. **Share accounts.**

2 1. *Ownership.* Share accounts may be opened and held solely and  
3 absolutely in his own right by, or in trust for, any person, including  
4 an adult or minor individual, male or female, single or married, a  
5 partnership, association, fiduciary corporation, or political subdivi-  
6 sion or public or government unit or any other corporation or legal  
7 entity. Share accounts shall be represented only by the account of  
8 each share account holder on the books of the association, and shall  
9 be transferable only on the books of the association and upon proper  
10 application by the transferee and upon acceptance of the transferee  
11 as a member upon terms approved by the board of directors. The  
12 association may treat the holder of record of a share account as the  
13 owner thereof for all purposes without being affected by any notice  
14 to the contrary unless the association has acknowledged in writing  
15 notice of a pledge of such share account.

16 2. *Evidence of ownership.* An account book may be issued to each  
17 share account holder on the books of the association and such ac-  
18 count book shall, if issued, indicate the withdrawal value of the share

19 account. A separate certificate for a share account may be issued in  
20 lieu of an account book in form to be approved by the supervisor.

21 3. *Duplicate account books and certificates.* Upon the filing with  
22 an association by any one of the holders of record as shown by the  
23 books of the association, or by his legal representative, of an affi-  
24 davit to the effect that the account book or certificate evidencing his  
25 share account with the association has been lost or destroyed, and  
26 that such account book or certificate has not been pledged or as-  
27 signed in whole or in part, such association shall issue a new account  
28 book or certificate in the name of the holder or holders of record,  
29 such book stating that it is issued in lieu of one lost or destroyed,  
30 and the association shall in no way be liable thereafter on account of  
31 the original account book, provided that the board of directors shall,  
32 if in its judgment it is necessary, require a bond in an amount it  
33 deems sufficient to indemnify the association against any loss which  
34 might result from the issuance of such new account book or certifi-  
35 cate.

36 4. *Minors.* An association and any federal savings and loan asso-  
37 ciation may issue share accounts to any minor as the sole and abso-  
38 lute owner of such share account, and pay withdrawals and act with  
39 respect to such accounts on the order of such minor. Any payment  
40 or delivery of rights to any minor, or a receipt of acquittance signed  
41 by a minor, who holds a share account, shall be a valid and sufficient  
42 release and discharge of such institution for any payment so made or  
43 delivery of right to such minor. In the case of a minor, the receipt,  
44 acquittance or other action required by the institution to be taken by  
45 the minor shall be binding upon such minor with like effect as if he  
46 were of full age and legal capacity. The parent or guardian of such  
47 minor shall not in his capacity as parent or guardian have the power  
48 to attach or in any manner to transfer any share account issued to  
49 or in the name of such minor, provided, however, that in the event  
50 of the death of such minor the receipt of acquittance of either par-  
51 ent or of a person standing in loco parentis to such minor shall be a  
52 valid and sufficient discharge of such institution for any sum or sums  
53 not exceeding the aggregate one thousand dollars unless the minor  
54 shall have given written notice to the institution not to accept the  
55 signature of such parent or person.

56 5. *Joint accounts.* When a share account is opened in any associa-  
57 tion or federal savings and loan association in the name of two or  
58 more persons, whether minor or adult, in such form that the moneys  
59 in the account are payable to either or the survivor or survivors then  
60 such account and all additions thereto shall be the property of such  
61 person as joint tenants. The moneys in such account may be paid to  
62 or on the order of any one of such persons during their lifetimes or  
63 to or on the order of any one of the survivors of them after the death  
64 of any one or more of them upon presentation of the pass or account  
65 book or other evidence of ownership as required by the articles or  
66 bylaws of the association. The opening of the account in such form  
67 shall, in the absence of fraud or undue influence, be conclusive evi-  
68 dence in any act or proceedings to which either the association or  
69 the surviving party or parties is a party, of the intention of all of  
70 the parties to the account to vest title to such account and the addi-  
71 tions thereto in such survivor or survivors. By written instructions

72 given to the institution by all the parties to the account, the signa-  
73 tures of more than one of such persons during their lifetime or of  
74 more than one of the survivors after the death of any one of them  
75 may be required on any check, receipt or withdrawal order, in which  
76 case the institution shall pay the moneys in the account only in ac-  
77 cordance with such instructions, but no such instructions shall limit  
78 the right of the survivor or survivors to receive the moneys in the  
79 account.

80 Payment of all or any of the moneys in such account as provided  
81 in the preceding paragraph of this section shall discharge the insti-  
82 tution from liability with respect to the moneys so paid, prior to  
83 receipt by the institution of a written notice from any one of them  
84 directing the institution not to permit withdrawals in accordance  
85 with the terms of the account or the instructions. After receipt of  
86 such notice an institution may refuse, without liability to honor any  
87 check, receipt, or withdrawal order on the account pending deter-  
88 mination of the rights of the parties. No institution paying any  
89 survivor in accordance with the provisions of this subsection shall  
90 thereby be liable for any estate, inheritance or succession taxes  
91 which may be due this state.

92 6. *Pledge to association of share account in joint tenancy.* The  
93 pledge to any association or federal savings and loan association of  
94 all or part of a share account in joint tenancy signed by that person  
95 or those persons who are authorized in writing to make withdrawals  
96 from the account shall, unless the terms of the share account provide  
97 specifically to the contrary, be a valid pledge and transfer to the  
98 association of that part of the account pledged, and shall not oper-  
99 ate to sever or terminate the joint and survivorship ownership of  
100 all or any part of the account.

101 7. *Accounts of administrators, executors, guardians, custodians,*  
102 *trustees and other fiduciaries.* Any association or federal savings and  
103 loan association may accept share accounts in the name of any ad-  
104 ministrator, custodian, executor, guardian, trustee, or other fiduciary  
105 in trust for a named beneficiary or beneficiaries. Any such fiduciary  
106 shall have power to vote as a member as if the membership were held  
107 absolutely, to open and to make additions to, and to withdraw any  
108 such account in whole or in part. The withdrawal value of such ac-  
109 counts, and dividends thereon, or other rights relating thereto may  
110 be paid or delivered, in whole or in part to such fiduciary without  
111 regard to any notice to the contrary as long as such fiduciary is liv-  
112 ing. The payment or delivery to any such fiduciary or a receipt or  
113 acquittance signed by any such fiduciary to whom any such payment  
114 or any such delivery of rights is made shall be a valid and sufficient  
115 release and discharge of an institution for the payment or delivery  
116 so made. Whenever a person holding an account in a fiduciary capac-  
117 ity dies and no written notice of the revocation or termination of the  
118 fiduciary relationship shall have been given to an institution and the  
119 institution has no notice of any other disposition of the beneficial  
120 estate, the withdrawal value of such account and dividends thereon,  
121 or other rights relating thereto may, at the option of an institution,  
122 be paid or delivered, in whole or in part, to the beneficiary or bene-  
123 ficiaries. Whenever an account shall be opened by any person, de-  
124 scribing himself in opening such account as trustee for another and



125 no other or further notice of the existence and terms of a legal and  
126 valid trust than such description shall have been given in writing to  
127 such association, in the event of the death of the person so described  
128 as trustee, the withdrawal value of such account or any part thereof,  
129 together with the dividends or interest thereon, may be paid to the  
130 person for whom the account was thus stated to have been opened,  
131 and such account and all additions thereto shall be the property of  
132 such person. The payment or delivery to any such beneficiary, bene-  
133 ficiaries or designated person, or a receipt or acquittance signed by  
134 such beneficiary, beneficiaries or designated person for any such  
135 payment or delivery shall be a valid and sufficient release and dis-  
136 charge of an institution for the payment or delivery so made. No  
137 institution paying any such fiduciary or beneficiary in accordance  
138 with the provisions of this subsection shall thereby be liable for any  
139 estate, inheritance or succession taxes which may be due this state.

140 8. *Pay on death accounts.* Any association and any federal sav-  
141 ings and loan association may issue share accounts in the name of  
142 one or more persons with the provision that upon the death of the  
143 owner or owners thereof the proceeds thereof shall be the property  
144 of the person or persons designated by the owner or owners and  
145 shown by the record of such association, but such proceeds shall be  
146 subject to the debts of the decedent and the payment of Iowa inher-  
147 itance tax, if any, provided, however, that six months after the date  
148 of the death of the owner the receipt or acquittance of the person so  
149 designated shall be a valid and sufficient release and discharge of such  
150 association for the delivery of such share account or the payment so  
151 made.

152 9. *Powers of attorney or share account.* Any association or fed-  
153 eral savings and loan association may continue to recognize the  
154 authority of an attorney authorized in writing to manage or to make  
155 withdrawals either in whole or in part from the share account of a  
156 member until it receives written notice or is on clear actual notice of  
157 the revocation of his authority. For the purpose of this subsection,  
158 written notice of the death or adjudication of incompetency of such  
159 member shall constitute written notice of revocation of the authority  
160 of his attorney. No such institution shall be liable for damages, pen-  
161 alty or tax by reason of any payment made pursuant to this subsec-  
162 tion.

163 10. *Share accounts as legal investments.* Administrators, execu-  
164 tors, custodians, guardians, trustees, and other fiduciaries of every  
165 kind and nature, insurance companies, business and manufacturing  
166 companies, banks, credit unions and all other types of financial in-  
167 stitutions, charitable, educational, eleemosynary and public corpora-  
168 tions and organizations, and municipalities and other public corpo-  
169 rations and bodies, and public officials hereby are specifically  
170 authorized and empowered to invest funds held by them, without any  
171 order of any court in share account of insured savings associations  
172 which are under state supervision, and in accounts of federal sav-  
173 ings and loan associations organized under the laws of the United  
174 States and under federal supervision, and such investment shall be  
175 deemed and held to be legal investments for such funds.

176 Whenever, under the laws of this state or otherwise, a deposit of  
177 securities is required for any purpose, the securities made legal in-

178 vestments by this section shall be acceptable for such deposits, and  
179 whenever, under the laws of this state or otherwise, a bond is re-  
180 quired with security such bond may be furnished, and the securities  
181 made legal investments by this section in the amount of such bond,  
182 when deposited therewith, shall be acceptable as security without  
183 other security.

184 The provisions of this section are supplemental to any and all  
185 other laws relating to and declaring what shall be legal investments  
186 for the persons, corporations, organizations, and officials referred to  
187 in this section and the laws relating to the deposit of securities and  
188 the making and filing of bonds for any purpose.

1       **SEC. 12. Members general rights.**

2       1. *Voting.* Each member shall have one vote for each one hundred  
3 dollars in his share account owned and held by him at any election,  
4 and may vote the same by proxy, but no person shall vote more than  
5 ten per cent of the savings liability at the time of said election ex-  
6 cepting that proxies held and voted by an individual member or a  
7 proxy committee shall not be included in said ten per cent limitation.  
8 Every proxy shall be in writing and shall, unless otherwise specified  
9 in the proxy, continue in force for eleven months from date thereof.  
10 No proxies shall be voted at any meeting unless such proxies have  
11 been on file with the secretary of the association for verification at  
12 least five days before the date of the meeting. Anyone depositing or  
13 transferring savings as collateral security shall be deemed the owner  
14 of such share account within the meaning of this section. Notice of  
15 the regular annual meeting of members of an association shall be  
16 given by publishing said notice in a newspaper of general circula-  
17 tion in the county in which the office of said association is located at  
18 least thirty (30) days before the date set for said annual meeting.  
19 Proxies may be revoked by any member upon written notice to the  
20 secretary of an association; by execution of a written proxy to an-  
21 other agent; or by personal attendance by the member at the mem-  
22 bers' meetings.

23       2. *Withdrawals.* The terms of withdrawal of a member from such  
24 association shall be such that any withdrawing member shall receive  
25 a sum not less than he has paid into said association less withdrawals  
26 and legal charges against the account, unless losses have occurred to  
27 said association, during the time that said withdrawing member was  
28 a member, which exceed the amount of the profits, or any fund cre-  
29 ated with which to pay such losses, and in that case such withdraw-  
30 ing member shall be charged with his proportionate share of the  
31 excess of the losses over the profits, and no more. Such association  
32 may provide by its articles of incorporation or bylaws or by resolu-  
33 tion of its board of directors, the order in which withdrawals shall  
34 be paid, and when dividends shall cease on share accounts on which  
35 withdrawal demands have been made and what portion of the associ-  
36 ation funds or receipts shall be used for payment of withdrawals.

37       3. *Association lien on share accounts.* Every such association shall  
38 at all times have a lien upon the savings of a member as security for  
39 repayment of money loaned him and as security for his other in-  
40 debtedness to the association and such lien shall attach and continue  
41 without assignment or pledge to or possession by the association of

42 any evidence of such ownership. Such lien may be enforced to satis-  
 43 fy any past due indebtedness by charging such indebtedness to the  
 44 debtor's share account.

45 4. *Redemption.* At any time funds are on hand for the purpose  
 46 the association shall have the right to redeem by lot or otherwise,  
 47 as the board of directors may determine, all or any part of any of its  
 48 share account on a dividend date by giving thirty days' notice by  
 49 registered mail addressed to the account holders at their last ad-  
 50 dresses recorded on the books of the association. No association shall  
 51 redeem any of its share accounts when the association is in an im-  
 52 paired condition or when it has applications for withdrawal which  
 53 have been on file more than thirty days and have not been reached  
 54 for payment. The redemption price of share accounts redeemed shall  
 55 be the full value of the account redeemed, as determined by the board  
 56 of directors, but in no event shall the redemption value be less than  
 57 the withdrawal value. If the aforesaid notice of redemption shall  
 58 have been duly given, and if on or before the redemption date the  
 59 funds necessary for such redemption shall have been set aside so as  
 60 to be and continue to be available therefor, dividends upon the ac-  
 61 counts called for redemption shall cease to accrue from and after the  
 62 dividend date specified as the redemption date, and all rights with  
 63 respect to such accounts shall forthwith, after such redemption date,  
 64 terminate, except only the right of the account holder of record to  
 65 receive the redemption value without interest. All share accounts  
 66 which have been validly called for redemption must be tendered for  
 67 payment within ten years from the date of redemption designated in  
 68 the redemption notice, otherwise they shall be cancelled and forfeited  
 69 for the use of the school fund of the county in which the association  
 70 has its principal place of business and all claims of such account hold-  
 71 ers against the association shall be barred forever. Redemption shall  
 72 not be made, however, of such share accounts held by a member-  
 73 director which are necessary to qualify his acting as director.

1 **SEC. 13. Defamation of institutions prohibited—malicious circu-**  
 2 **lation of reports.** Whoever maliciously or with intent to deceive  
 3 makes, publishes, utters, repeats, or circulates any false report con-  
 4 cerning any building and loan or savings and loan association which  
 5 imputes or tends to impute, insolvency or unsound financial condi-  
 6 tion or financial embarrassment, or which may tend to cause or pro-  
 7 voke or aid in causing or provoking a general withdrawal of funds  
 8 from such association, or which may otherwise injure or tend to  
 9 injure the business or good will of such building and loan or savings  
 10 and loan association, shall be guilty of felony and shall be fined not  
 11 more than five thousand dollars or be imprisoned for not more than  
 12 five years in the penitentiary or be punished by both such fine and  
 13 imprisonment.

1 **SEC. 14. Limitation on members' savings.** Associations having  
 2 assets of five hundred thousand dollars or less shall not accept from  
 3 any one member savings liability of more than ten thousand dollars.  
 4 Associations having assets in excess of five hundred thousand dollars  
 5 shall not accept from any one member savings liability in excess of  
 6 ten per cent of its assets. These limitations shall not apply to share

7 accounts issued to the United States government, or to any other  
8 federal government agency or instrumentality.

1 **SEC. 15. Banking prohibited.** It shall be unlawful for any associ-  
2 ation to receive investments of money from members without issu-  
3 ing evidence of savings liability for the same, or to transact a bank-  
4 ing business.

1 **SEC. 16. Deposits of funds by associations.** Funds of such associ-  
2 ations may be deposited in any state or national bank insured by the  
3 federal deposit insurance corporation on certificate of deposit, or the  
4 usual bank pass book credit, subject to check by the proper desig-  
5 nated officers of such association or in the federal home loan bank  
6 of the district in which Iowa is located.

1 **SEC. 17. Investments.** Every association shall have power to in-  
2 vest in securities and real estate as follows:

3 1. In securities without limit, in obligations of, or guaranteed as to  
4 principal and interest by, the United States or this state; in stock of  
5 a federal home loan bank of which it is eligible to be a member, and  
6 in any obligation or consolidated obligations of any federal home loan  
7 bank or banks; in stock or obligation of the federal savings and loan  
8 insurance corporation; in stock or obligations of a national mortgage  
9 association or any successor or successors thereto; in demand, time  
10 or savings deposits with any bank or trust company the deposits of  
11 which are insured by the federal deposit insurance corporation; in  
12 stock or obligations of any corporation or agency of the United States  
13 or this state, or in deposits therewith to the extent that such corpo-  
14 ration or agency assists in furthering or facilitating the association's  
15 purposes or powers; in share accounts of any association operating  
16 under the provisions of this chapter and of any federal savings and  
17 loan association; in bonds, notes, or other evidences of indebtedness  
18 which are a general obligation of any city, town, village, county,  
19 school district, or other municipal or political subdivision of this  
20 state.

21 2. In real estate purchased at sheriff's sale or at any other sale,  
22 public or private, judicial or otherwise, upon which the association  
23 has a lien or claim, legal or equitable; in real estate accepted by the  
24 association in satisfaction of any obligation; in real estate purchased  
25 for sale or improvement and sale, upon contracts, at the cost of land  
26 and improvements, when such contracts are executed concurrently  
27 with or prior to such purchase, such transactions to be subject to all  
28 the limitations herein provided with respect to real estate loans; in  
29 real estate acquired by the association in exchange for real estate  
30 owned by the association; in real estate acquired by the association  
31 in connection with salvaging the value of property owned by the  
32 association; an amount not exceeding the sum of its reserves and  
33 undivided profits in the purchase and development of real estate for  
34 the purpose of producing income or for sale or for improvement  
35 thereof and the erection of buildings thereon for sale or rental pur-  
36 poses. Title to all real estate shall be taken and held in the name of  
37 the association and such title shall immediately be recorded in accord-  
38 ance with law.

1     **SEC. 18. Investment—home office buildings.** Any such associa-  
2 tion may invest an amount not to exceed five per cent of its paid-in  
3 savings liability or such additional amounts as are authorized by the  
4 supervisor in unencumbered real estate for use wholly or partly as  
5 its business office.

1     **SEC. 19. General powers.** Every such association shall have the  
2 following general powers:

3     1. *General corporate power.* To sue and be sued, complain and  
4 defend in any court of law or equity; to purchase, acquire, hold, and  
5 convey real and personal estate consistent with its objects and pow-  
6 ers; to mortgage, pledge, or lease any real or personal estate owned  
7 by the association and to authorize such pledgee to repledge same;  
8 to take property by gifts, devise or bequest; to have a corporate seal.  
9 which may be affixed by imprint, facsimile, or otherwise; to appoint  
10 officers, agents, and employees as its business shall require and allow  
11 them suitable compensation; to provide for life, health and casualty  
12 insurance for its officers and employees and to adopt and operate  
13 reasonable bonus plans and retirement benefits for such officers and  
14 employees to enter into payroll savings plans; to adopt and amend  
15 bylaws; to insure its accounts with the federal savings and loan in-  
16 surance corporation and qualify as a member of a federal home loan  
17 bank; to become a member of, deal with, or make contributions to  
18 any organization to the extent that such organization assists in fur-  
19 furthering or facilitating the association's purposes or powers and to  
20 comply with conditions of membership; to accept savings as provided  
21 in this chapter together with such other powers as are otherwise  
22 expressly provided for in this chapter.

23     2. *Loans on security of share accounts.* To make loans on the sole  
24 security of share accounts. No such loan shall exceed the withdrawal  
25 value of the accounts owned or otherwise pledged for or by the bor-  
26 rower. No such loan shall be made when an association has applica-  
27 tions for withdrawal which have been on file more than sixty days  
28 and not been reached for payment.

29     3. *Mortgage loans.* To make first mortgage loans on real estate  
30 under the limitations and conditions imposed elsewhere in this chap-  
31 ter.

32     4. *Insured and guaranteed loans.* To make any loan, secured or  
33 unsecured, which is insured or guaranteed in any manner and in any  
34 amount by the United States or any instrumentality thereof or by  
35 this state or any instrumentality thereof.

36     5. *Dealing with successors in interest.* In the case of loans made  
37 under subsections 2, 3 and 4 of this section, in the event the owner-  
38 ship of the real estate security or any part thereof becomes vested  
39 in a person other than the party or parties originally executing the  
40 security instruments, and provided there is not an agreement in  
41 writing to the contrary, an association may, without notice to such  
42 party or parties, deal with successor or successors in interest with  
43 reference to said mortgage and the debt thereby secured in the same  
44 manner as with such party or parties, and may forbear to sue or  
45 may extend time for payment of or otherwise modify the terms of  
46 the debt secured thereby, without discharging or in any way affecting  
47 the original liability of such party or parties thereunder or upon the  
48 debt thereby secured.

- 49     **6. *Property improvement loans.*** To make property improvement  
50 loans to home owners and other property owners for maintenance,  
51 repair, modernization, improvement and equipment of their proper-  
52 ties, with or without security provided that no such loan without  
53 security shall exceed three thousand, five hundred dollars, and pro-  
54 vided further that not in excess of fifteen per cent of the assets of the  
55 association shall be so invested, said fifteen per cent to be exclusive  
56 of the thirty per cent of assets power set out in section 23\* hereof.  
57 Such loans shall be amortized to mature in not to exceed five years.
- 58     **7. *Power to purchase and to lend upon loans.*** The power to make  
59 loans shall include (a) the power to purchase loans of any type that  
60 the association may make, (b) the power to make loans upon the  
61 security of loans of any type that the association may make, and  
62 (c) the power to sell any loans of the type the association is author-  
63 ized to make. Loans under (a) and (c) may be outside regular lend-  
64 ing area if restricted to loans insured partially by an instrumentality  
65 of the United States or by any other insurer approved by the federal  
66 home loan bank or the supervisor.
- 67     **8. *Participation loans.*** An association may participate with other  
68 lenders in the origination or purchase of an interest in loans of any  
69 type that such an association may otherwise make, provided that the  
70 other participants are instrumentalities of or corporations owned  
71 wholly or in part by the United States or this state, or are associa-  
72 tions or corporations insured by the federal savings and loan insur-  
73 ance corporation or the federal deposit insurance corporation or are  
74 life insurance companies with assets in excess of one hundred million  
75 dollars, such loans to be within or without the regular lending area  
76 of the association.
- 77     **9. *Servicing loans.*** To service mortgages subject to such regula-  
78 tions and restrictions as may be prescribed by the supervisor, pro-  
79 vided such mortgages originally are made by such association and  
80 subsequently sold. The maximum principal amount of mortgages  
81 thus serviced by an association at any one time shall not exceed  
82 twenty-five per cent of the amount of the savings liability of such  
83 association.
- 84     **10. *Fiscal agent.*** Any such association which is a member of a  
85 federal home loan bank shall have power to act as fiscal agent of the  
86 United States and, when designated for the purpose by the secretary  
87 of the treasury, it shall perform under such regulations as he may  
88 prescribe all such reasonable duties as fiscal agent of the United  
89 States as he may require, and shall have power to act as agent for  
90 any United States government instrumentality. An association may  
91 also handle travelers checks and money orders.
- 92     **11. *Purchase of contracts.*** Any such association may buy and sell  
93 vendors' real estate contracts; provided, however, that all such con-  
94 tracts shall contain forfeiture provisions as provided for in chapter  
95 six hundred fifty-six (656), and provided further that the require-  
96 ments for loans as set forth in section 21 shall be applicable to making  
97 and buying of such contracts, except that at the time of purchase of  
98 such vendors' contracts the association shall not purchase any such  
99 contract for more than ninety per cent of the value of the real estate  
100 therein described appraised as required by section 21. No associa-

\*Section 21 probably intended.

101 tion shall hereafter invest more than fifteen per cent of its assets in  
102 such vendors' contracts authorized by this subsection. Said fifteen  
103 per cent shall be considered as included within the thirty per cent of  
104 assets lending power set out hereinafter.

105 12. *Lock boxes.* Any association may own, rent to its members,  
106 lock boxes for storage or safekeeping of securities and valuables.

107 13. *Power to borrow.* If and when an association is not a member  
108 of a federal home loan bank, it shall have power to borrow not more  
109 than an aggregate amount equal to one-fourth of its savings liability  
110 on the date of borrowing. If and when an association is a member  
111 of a federal home loan bank, it shall have power to secure advances  
112 of not more than an aggregate amount equal to one-half of its savings  
113 liability. Within such amount equal to one-half of its savings lia-  
114 bility, the association may borrow from sources other than such fed-  
115 eral home loan bank an aggregate amount not in excess of ten per  
116 cent of its savings liability. A subsequent reduction of savings lia-  
117 bility shall not affect in any way outstanding obligations for bor-  
118 rowed money. All such loans and advances may be secured by prop-  
119 erty of the association.

120 14. *Automatic authorization.* Any association may have the right  
121 to participate in any new or additional powers or activities hereafter  
122 granted to such association under this chapter immediately upon the  
123 effective date of such additional authority, if authorized by the ar-  
124 ticles of incorporation of such association.

1 SEC. 20. **Emergency operations.** In the event an association's  
2 offices are destroyed by enemy attack or by natural disaster, such  
3 association may operate from such temporary headquarters as may  
4 be necessary until such time as it is again able to resume operations  
5 in its normal location.

6 Such association may, with the approval of the supervisor, make  
7 loans beyond its regular lending area within this state in the event  
8 of an emergency resulting in the destruction of home financing facil-  
9 ities in any community in this state.

1 SEC. 21. **Loan requirements.**

2 1. *Loan plans.* Real estate loans may be made as authorized by  
3 this chapter, or upon any other loan plan approved by the supervisor.  
4 No real estate loan shall be made until two qualified persons selected  
5 by the board of directors shall have submitted a signed appraisal of  
6 the real estate securing such loan. If it is an uninsured mortgage  
7 no such loan shall be made to exceed ninety per cent of said appraised  
8 value. Any loans insured by the federal housing administration or  
9 which are guaranteed by the servicemen's readjustment Act of 1944,  
10 as amended, or which are guaranteed or insured, in whole or in part,  
11 by any other duly constituted federal instrumentality or private cor-  
12 poration approved by the federal home loan bank or the supervisor  
13 which qualify for such insurance or guarantee, may be made regard-  
14 less of the requirements for other loans otherwise contained in this  
15 section.

16 Payments on real estate loans shall be applied first to the payment  
17 of interest of the unpaid balance of the loan and the remainder to  
18 the reduction of principal; provided that if the loan is in default in  
19 any manner, payments may be applied by the mortgagee in any man-

20 ner approved by the association and provided by the contract between  
21 the parties.

22 2. *Terms of loans.* All installment loans shall be repayable within  
23 twenty-five years or, if an insured or guaranteed loan, within the  
24 period acceptable to the insuring or guaranteeing agency. Loans of  
25 any type that such an association may make on a monthly installment  
26 basis may also be made without full amortization of principal; Pro-  
27 vided, That except for insured or guaranteed loans, interest shall be  
28 payable at least semiannually and any such loan may be made for  
29 an amount not in excess of fifty per cent of the value and for a term  
30 of not more than five years: And provided further, That if the mem-  
31 bers have authorized loans to be made without full amortization up  
32 to such higher percentage such loans may be made for an amount  
33 not in excess of sixty per cent of the value and for a term of not  
34 more than three years: And provided further, That, if the members  
35 have authorized loans to be made without full amortization up to  
36 such higher percentage, such loans, if made, for the purpose of con-  
37 struction, may be made for an amount not in excess of eighty per  
38 cent of the value and for a term of not more than one year.

39 3. *Home loans.* Every such association may originate and make  
40 first mortgage amortized real estate loans for not to exceed thirty-  
41 five thousand dollars secured by home property situated within the  
42 regular lending area of the association. Such loans may also be made  
43 without the regular lending area but within the state of Iowa when  
44 the loans are insured wholly or partially by any instrumentality of  
45 the United States government. Home loans may be made in excess  
46 of the thirty-five thousand dollar limitation when made under the  
47 thirty per cent of assets lending power hereinafter set out.

48 4. *Other loans.* Every such association may use an aggregate  
49 amount not exceeding thirty per cent of the assets at the time of  
50 such use, or a larger amount with the approval of the supervisor,  
51 to make loans as follows:

52 a. Home loans, which are either direct-reduction home loans or  
53 not, but which exceed thirty-five thousand dollars each, regardless of  
54 where the home property securing the loan is situated so long as  
55 within this state.

56 b. Home loans of any amount, which are direct-reduction home  
57 loans, but which are secured by home property situated beyond the  
58 regular lending area.

59 c. Home loans of any amount which are not direct-reduction  
60 home loans, regardless of where the home property securing the loan  
61 is situated so long as within this state.

62 d. Other real estate loans, whether amortized or unamortized,  
63 regardless of amount thereof or location of real estate securing the  
64 loan so long as within this state.

65 This power is herein referred to as the "thirty per cent of assets  
66 lending power." A subsequent reduction of savings liability shall not  
67 affect in any way outstanding loans made under the thirty per cent  
68 of assets lending power.

69 5. Every loan shall be evidenced by a note for the amount of the  
70 loan. The note shall specify the amount, rate of interest, terms of  
71 repayment and may contain all other terms of the loan contract. The  
72 notes evidencing loans may be in negotiable form.



73 6. Every real estate loan shall be secured by an instrument con-  
74 stituting a first lien upon the real estate securing the loan. Such  
75 instrument shall be considered a mortgage and shall provide specifi-  
76 cally for full protection to the association with respect to such loan  
77 and additional advances and the usual insurance risks, taxes, assess-  
78 ments, other governmental levies, maintenance, and repairs. It may  
79 provide for an assignment of rents, which assignment shall be abso-  
80 lute upon the borrower's default, becoming operative upon written  
81 demand made by the association. All such mortgages shall be re-  
82 corded in accordance with the law of this state.

83 7. Any mortgage made by an association under the provisions of  
84 this chapter may be made to secure existing debts or obligations, to  
85 secure debts or obligations created simultaneously with the execution  
86 of the mortgage, to secure future advances necessary to protect the  
87 security, and to secure future advances to be made at the option of  
88 the parties up to a total amount stated in the mortgage, and all such  
89 debts obligations and future advances shall, from and as of the time  
90 the mortgage is filed for record as provided by the laws of this state,  
91 be secured by such mortgage equally with, and have the same prior-  
92 ity over the rights of all persons who subsequent to the recording  
93 of such mortgage acquire any rights in or liens upon the mortgaged  
94 real estate, as the debts and obligations secured thereby at the time  
95 of the filing of the mortgage for record.

96 8. An association may pay taxes, assessments, insurance premi-  
97 ums, and other similar charges for the protection of its real estate  
98 loans. All such payments shall be added to the unpaid balance of the  
99 loan and shall be equally secured by the first lien on the property as  
100 provided above. An association may require life insurance to be  
101 assigned as additional collateral upon any real estate loan. In such  
102 event the association shall obtain a first lien upon such policy and  
103 may advance premiums thereon, and such premium advances shall  
104 be added to the unpaid balance of the loan and shall be equally se-  
105 cured by the first lien on the property as provided above. No associa-  
106 tion may require that any such insurance must be purchased from or  
107 through the association as a condition to any loan.

108 9. An association may require the borrower to pay monthly in  
109 advance, in addition to interest or interest and principal payments,  
110 the equivalent of one-twelfth of the estimated annual taxes, assess-  
111 ments, insurance premiums, and other charges upon the real estate  
112 securing a loan, or any of such charges, so as to enable the associa-  
113 tion to pay such charges as they become due from the funds so re-  
114 ceived. The amount of such monthly charges may be increased or  
115 decreased so as to provide reasonably for the payment of the esti-  
116 mated annual taxes, assessments, insurance premiums, and other  
117 charges. The association may carry such funds in trust in an ac-  
118 count or may credit the same to the indebtedness and advance money  
119 for taxes, insurance or other charges. Every association shall keep a  
120 record of the status of taxes, assessment, insurance premiums, and  
121 other charges on all real estate securing its loans and on all real and  
122 other property owned by it.

123 10. All real estate loans may be prepaid in part or in full, at any  
124 time, and the association shall not charge for such privilege of

125 anticipatory payment an amount greater than one and one-half per  
126 cent of the amount of such anticipatory payment.

127 11. Every association may require borrowing members to pay all  
128 reasonable expenses incurred in connection with the making, closing,  
129 disbursing, extending, readjusting, or renewing of real estate loans.  
130 Every association also may require borrowing members to pay the  
131 cost of all other necessary and incidental services rendered by the  
132 association or by others for the association in connection with real  
133 estate loans in such reasonable amounts as may be fixed by the board  
134 of directors. No director, officer, or employee of an association shall  
135 receive any fee or other compensation of any kind in connection with  
136 procuring any loan for an association, except for services actually  
137 rendered as above provided. The association shall furnish a loan  
138 settlement statement to each borrower upon the closing of the loan,  
139 indicating the charges and fees such borrower has paid or obligated  
140 himself to pay the association or to any other person in connection  
141 with such loan. A copy of such statement shall be retained in the  
142 records of the association.

1 SEC. 22. **Interest rates variable.** The rate or rates of interest,  
2 premium commission and other fees to be charged on loans made by  
3 such associations and the basis on which different interest rates and  
4 charges shall be determined shall from time to time be fixed by the  
5 bylaws of the association but interest charged shall not exceed the  
6 maximum interest rate authorized by law.

1 SEC. 23. **Contracts for savings programs.**

2 1. *School savings.* An association shall have power to contract  
3 with the proper authorities of any public or nonpublic elementary  
4 or secondary school or other institution of higher learning, or any  
5 public or charitable institution caring for minors, for the participa-  
6 tion and implementation by the association in any school or institu-  
7 tional thrift or savings plan, and it may accept share accounts at  
8 such a school or institution, either by its own collector or by any  
9 representative of the school or institution which becomes the agent  
10 of the association for such purpose.

11 2. *Payroll savings plans.* An association shall have power to con-  
12 tract with any corporation of any type for investment in such asso-  
13 ciation by employees under a payroll savings plan.

1 SEC. 24. **Conversion.**

2 1. *Conversion into federal savings and loan association.* Any as-  
3 sociation of this state doing a home-financing business may convert  
4 itself into a federal savings and loan association in accordance with  
5 the provisions of section 5 of the home owners' loan Act of 1933, as  
6 now or hereafter amended, upon a vote of fifty-one per cent or more  
7 of the votes of the members cast at an annual meeting or at any  
8 special meeting called to consider such action. A copy of the minutes  
9 of the proceedings of such meetings of the members, verified by the  
10 affidavit of the secretary or an assistant secretary, shall be filed in  
11 the office of the supervisor within ten days after the date of such  
12 meeting. A sworn copy of the proceedings of such meeting when so  
13 filed, shall be presumptive evidence of the holding and action of such  
14 meeting. Within three months after the date of such meeting, the

15 association shall take such action in the manner prescribed and au-  
16 thorized by the laws of the United States as shall make it a federal  
17 savings and loan association. There shall be filed with the supervisor  
18 a copy of the charter issued to such federal savings and loan associa-  
19 tion by the federal home loan bank board or a certificate showing the  
20 organization of such association as a federal savings and loan asso-  
21 ciation, certified by the secretary or assistant secretary of the federal  
22 home loan bank board. A similar copy of the charter, or of such cer-  
23 tificate, shall be filed by the association with the secretary of state.  
24 No failure to file any such instruments either with the supervisor of\*  
25 the secretary of state shall affect the validity of such conversion.  
26 Upon the grant to any association of a charter by the federal home  
27 loan bank board, the association receiving such charter shall cease  
28 to be an association incorporated under this chapter and shall no  
29 longer be subject to the supervision and control of the supervisor.  
30 Upon the conversion of any association into a federal savings and  
31 loan association, the corporate existence of such association shall not  
32 terminate, but such federal association shall be deemed to be a con-  
33 tinuation of the entity of the association so converted and all prop-  
34 erty of the converted association, including its rights, titles, and  
35 interests in and to all property of whatever kind, whether real, per-  
36 sonal, or mixed, and things in action, and every right, privilege,  
37 interest and asset of any conceivable value or benefit then existing,  
38 or pertaining to it, or which would inure to it, shall immediately by  
39 act of law and without any conveyance or transfer and without any  
40 further act or deed remain and be vested in and continue and be the  
41 property of such federal association into which the state association  
42 has converted itself, and such federal association shall have, hold,  
43 and enjoy the same in its own right as fully and to the same extent  
44 as the same was possessed, held, and enjoyed by the converting as-  
45 sociation, and such federal association as of the time of the taking  
46 effect of such conversion shall continue to have and succeed to all  
47 the rights, obligations, and relations of the converting association.  
48 All pending actions and other judicial proceedings to which the con-  
49 verting state association is a party shall not be deemed to have  
50 abated or to have discontinued by reason of such conversion, but may  
51 be prosecuted to final judgment, order or decree in the same manner  
52 as if such conversion into such federal association had not been made  
53 and such federal association resulting from such conversion may  
54 continue such action in its corporate name as a federal association,  
55 and any judgment, order, or decree may be rendered for or against  
56 it which might have been rendered for or against the converting  
57 state association theretofore involved in such judicial proceedings.  
58 Any association or corporation, which has heretofore converted itself  
59 into a federal savings and loan association under the provisions of  
60 the home owners' loan Act of 1933 and has received a charter from  
61 the federal home loan bank board, shall hereafter be recognized as a  
62 federal savings and loan association, and its federal charter shall be  
63 given full credence by the courts of this state to the same extent as  
64 if such conversion had taken place under the provisions of this sec-  
65 tion; provided, however, that there shall have been compliance with

\*According to enrolled Act.

66 the foregoing requirements with respect to the filing with the super-  
 67 visor of a copy of the federal charter or a certificate showing the  
 68 organization of such association as a federal savings and loan asso-  
 69 ciation. All such conversions are hereby ratified and confirmed, and  
 70 all obligations of such an association which has so converted shall  
 71 continue as valid and subsisting obligations of such federal savings  
 72 and loan association, and the title to all of the property of such an  
 73 association shall be deemed to have continued and vested, as of the  
 74 date of issuance of such federal charter, in such federal savings and  
 75 loan association as fully and completely as if such conversion had  
 76 taken place since the enactment of this chapter pursuant to this sec-  
 77 tion.

78 2. *Conversion into state-chartered association.* Any federal sav-  
 79 ings and loan association may convert itself into an association under  
 80 this chapter upon a vote of fifty-one per cent or more of the votes of  
 81 members of such federal savings and loan association cast at an an-  
 82 nual meeting or at any special meeting called to consider such action.  
 83 Copies of the minutes of the proceedings of such meetings of mem-  
 84 bers, verified by the affidavit of the secretary or an assistant secre-  
 85 tary, shall be filed in the office of the supervisor and mailed to the  
 86 federal home loan bank board, Washington, D. C., within ten days  
 87 after such meeting. Such verified copies of the proceedings of the  
 88 meetings when so filed shall be presumptive evidence of the holding  
 89 and action of such meeting. At the meeting at which conversion is  
 90 voted upon, the members shall also vote upon the directors who shall  
 91 be the directors of the state-chartered association after conversion  
 92 takes effect. Such directors then shall execute two copies of the  
 93 petition for certificate of incorporation provided for in this chapter  
 94 and two copies of the bylaws, as provided in this chapter. The super-  
 95 visor may insert in the certificate of incorporation, at the end of the  
 96 paragraph preceding the testimonium clause, the following:

97 "This association is incorporated by conversion from a federal  
 98 savings and loan association."

99 Each of the directors chosen for the association shall sign and  
 100 acknowledge the petition for certificate of incorporation as sub-  
 101 scribed thereto and the proposed bylaws as incorporators of the asso-  
 102 ciation. The provisions of this section shall, so far as applicable,  
 103 apply to such conversion under this section. The supervisor may  
 104 provide, by regulation, for the procedure to be followed by any such  
 105 federal savings and loan association converting into an association  
 106 under this section. All the provisions regarding property and other  
 107 rights contained in the preceding subsection shall apply, in reverse  
 108 order, to the conversion of a federal savings and loan association into  
 109 an association incorporated under this section, so that the state-  
 110 chartered association shall be a continuation of the corporate entity  
 111 of the converting federal association and continue to have all of its  
 112 property and rights.

1 SEC. 25. **Members rights on conversion.** When such conversion  
 2 and transfer of assets are made to a federal savings and loan associ-  
 3 ation all members, including borrowing members, in the state associ-  
 4 ation shall become members in the federal savings and loan associ-  
 5 ation and shall be entitled to receive evidence of their investment

6 and membership in the federal association in lieu of membership in  
7 the state association, in such amounts and upon such terms and con-  
8 ditions as shall be approved by the boards of directors of such state  
9 and federal association.

1     **SEC. 26. Liquidation.** If only a portion of the assets and business  
2 of a state association is transferred to a federal savings and loan  
3 association such state association may continue in business for the  
4 purpose of liquidating its remaining assets and if authorized by a  
5 three-fourths vote of the savings liability represented at any mem-  
6 bers meeting it may from time to time make additional transfers of  
7 assets to such federal savings and loan association or may transfer  
8 such remaining assets to trustees who shall liquidate the same in the  
9 manner authorized, but after any such partial or complete transfer  
10 of assets no such state association shall accept any further savings.

1     **SEC. 27. Rights of creditors.** The rights of creditors of a state  
2 association shall not be impaired by such transfer of assets to a fed-  
3 eral savings and loan association and they shall have the same rights  
4 to follow and satisfy their claims out of all transferred assets as if no  
5 transfer had been made, or they may elect to accept the obligations  
6 of such federal savings and loan association in satisfaction of their  
7 claims against such state association.

1     **SEC. 28. Association under receivership.** A state association in  
2 receivership may convert and transfer all or part of its assets to a  
3 federal savings and loan association if in such case the court having  
4 jurisdiction of the receivership shall after due notice and hearing  
5 approve such conversion and transfer.

1     **SEC. 29. Approval by state auditor.** Before any conversion and  
2 transfer of assets are made to a federal savings and loan association  
3 the proposed plan of conversion and transfer shall either before or  
4 after it is authorized by the members be submitted in writing to the  
5 auditor of state who shall issue to the state association his written  
6 approval thereof if he finds that the proposed plan is legal and that  
7 the requirements of law have been complied with.

1     **SEC. 30. Report of conversion filed.** When such conversion and  
2 transfer are made the president and secretary of the state associa-  
3 tion shall file with the recorder of the county in which the principal  
4 place of business of such association is located and with the auditor  
5 of state a written report showing in general terms the nature of such  
6 conversion and transfer together with true copies of the agreements  
7 entered into and transfers made and the resolutions of members and  
8 directors authorizing the same.

1     **SEC. 31. Federal associations having same rights.** Every federal  
2 savings and loan association incorporated under the provisions of  
3 home owners' loan Act of 1933, as now or hereafter amended, and  
4 the holders of share accounts issued by any such association shall  
5 have all the rights, powers, and privileges and shall be entitled to  
6 the same exemptions and immunities, as savings and loan associa-  
7 tions organized under the laws of this state and members thereof are  
8 entitled to.

1     **SEC. 32. Reorganization—liquidation.** Any savings and loan as-  
2     sociation, including one in receivership, may reorganize under any  
3     plan approved by its board of directors and by the supervisor. Such  
4     reorganization may include reduction of savings credits of its mem-  
5     ber, not pledged as security for real estate loans, and may also in-  
6     clude segregation of assets of uncertain or doubtful value by transfer  
7     thereof to trustees for management and liquidation or by transfer to  
8     a separate fund within the association, to be managed and liquidated  
9     by the association for the benefit of the members whose savings  
10    credits have been reduced in connection with such segregation.

1     **SEC. 33. Voluntary liquidation.** Building and loan or savings and  
2     loan associations, by a vote of three-fourths of the members of such  
3     association represented in person or by proxy, may go into voluntary  
4     liquidation upon such plan as shall be determined upon by the mem-  
5     bers at their meeting.

1     **SEC. 34. Supervision during liquidation.** During the period of  
2     voluntary liquidation of any such association, the supervisor shall  
3     have substantially the same powers and duties as to supervision as  
4     before such liquidation, and the persons in charge of such voluntary  
5     liquidation shall furnish and deposit with the supervisor such bonds  
6     as he shall require and approve, and shall semiannually, or oftener  
7     if required by the supervisor report to him fully as to their doings  
8     and progress, and as to the financial condition of the association.  
9     Upon completion of such liquidation they shall file with the super-  
10    visor a verified final report of such liquidation and disbursement of  
11    proceeds and upon approval of such report the supervisor shall issue  
12    a written order discharging the liquidators, and their duties shall  
13    thereupon cease.

1     **SEC. 35. Transfer of mortgages—maturity.** In case any such as-  
2     sociation resolves to go into voluntary liquidation, it shall have power  
3     after crediting the mortgages given by the borrowing member with  
4     the full book value of the stock, to sell and assign such mortgages to  
5     a similar building and loan association, or to any other parties who  
6     will hold the same upon the terms under which such mortgage was  
7     given to the association. In that event the said mortgage shall be  
8     held to become due, if no other time can be agreed upon between the  
9     mortgagor and the association, within three years after the assign-  
10    ment thereof.

1     **SEC. 36. Consolidation with other companies.** Any building and  
2     loan or savings and loan association organized under the laws of this  
3     state shall have authority to consolidate its business and membership  
4     with one or more building and loan or savings and loan associations  
5     of the same class organized under the laws of this state and to trans-  
6     fer to such association or associations its entire assets subject to its  
7     existing liabilities.

1     **SEC. 37. Approval by executive council.** The plan of such con-  
2     solidation, when approved by the board of directors of each of the  
3     associations, shall be reduced to writing and submitted to the state  
4     executive council, and if they find that the plan is in conformity with

5 the law, and equitable in all respects to the members of both associa-  
6 tions, they shall attach thereto their certificate of approval.

1 **SEC. 38. Approval by members.** Such plan shall be submitted to  
2 the members of both associations, either at the regular meeting or  
3 at special meetings called for that purpose, and if approved by a vote  
4 of three-fourths of the members of each association, voted in person  
5 or by proxy at said meeting, the same shall then be filed in the office  
6 of the auditor of state, who shall issue a certificate authorizing the  
7 consolidation.

1 **SEC. 39. Manner of voting.** At such meetings the members may  
2 vote in person, or by proxy, or by written ballot mailed or otherwise  
3 delivered to the secretary at or before the time of meeting.

1 **SEC. 40. Consolidation under receivership.** In any case where a  
2 receiver has been appointed for any such association, its membership  
3 and business may in like manner be consolidated with, and its assets  
4 transferred to, another such association of the same class, but in such  
5 case the receiver shall act in place of the board of directors, and the  
6 plan must also be approved by the court by which the receiver was  
7 appointed.

1 **SEC. 41. Examinations—supervisor.**

2 1. *Supervisor.* The auditor of state shall appoint as a deputy, to  
3 be known as "supervisor of savings and loan associations", a person  
4 who shall be required to have at least five years practical experience  
5 in savings and loan association management, examination or super-  
6 vision. Commencing with the effective date of this chapter said  
7 supervisor or his successors shall be appointed for a term of four  
8 years, subject to removal by the executive council for good cause,  
9 after due hearing. Such supervisor's salary shall be fixed by the  
10 auditor of state, subject to the approval of the comptroller and gov-  
11 ernor. In addition thereto he shall receive his necessary traveling  
12 expenses.

13 2. *Authority—general.* The supervisor of savings and loan associa-  
14 tions shall have general supervision of all savings and loan associa-  
15 tions doing business in this state.

16 He may, with the approval of the auditor of state, appoint exam-  
17 iners and assistants necessary to properly execute the duties of his  
18 office. Any examiner so appointed shall have had at least one year of  
19 actual experience as examiner, officer, or employee, of a savings and  
20 loan association.

21 Before entering upon their duties, the supervisor of savings and  
22 loan associations and each examiner appointed by him shall take an  
23 oath of office and shall each give bond to the state, signed by a re-  
24 sponsible surety company, in the penal sum of two thousand dollars,  
25 conditioned upon faithful and impartial discharge of his duty and  
26 on proper accounting for all funds and other valuables which may  
27 come into his hands. Such bonds shall be approved by and filed with  
28 the auditor of state, together with oaths of office of such officer.

29 The supervisor shall have the right to pass further regulations  
30 deemed necessary to enable savings and loan associations to properly  
31 carry on the activities authorized under this chapter and which are  
32 not inconsistent with the provisions of this chapter.

33 3. *Duties.* The supervisor shall, at least once each year without  
34 previous notice, examine or cause examination and audit to be made  
35 into the affairs of every association subject to this chapter. If an  
36 association is insured under the provisions of title IV of the national  
37 housing Act, as now or hereafter amended, the supervisor may, in  
38 lieu of such examination and audit accept any examination or audit  
39 made by the federal savings and loan insurance corporation. Any  
40 such association may, in lieu of such examination and audit by the  
41 supervisor, at the option of the supervisor be audited by a certified  
42 public accountant, or by a public accountant qualified and licensed  
43 to practice accountancy under the provisions of the Code of Iowa. At  
44 least two copies of each examination or audit report, signed and veri-  
45 fied by the accountant making it, shall promptly be filed with the  
46 supervisor. Whenever, in the judgment of the supervisor, the con-  
47 dition of any association renders it necessary or expedient to make  
48 an extra examination or audit or to devote any extraordinary atten-  
49 tion to its affairs, the supervisor shall cause such work to be done.  
50 A copy of every examination or audit report shall be furnished to  
51 the association examined, exclusive of confidential comments made  
52 by the examiner, and a copy of every report and comments and any  
53 other information pertaining to an association may be furnished to  
54 the federal home loan bank board, federal home loan bank, and fed-  
55 eral savings and loan insurance corporation. A copy of such exam-  
56 ination or audit report shall be presented to the board of directors  
57 at its next regular or special meeting and their action thereon shall  
58 be recorded in the minutes, and two certified copies of such minutes  
59 shall be transmitted to the supervisor.

60 4. *Supervisor's authority—examinations.* The supervisor and ex-  
61 aminers shall have full access to all books and papers of an associa-  
62 tion which relate to its business, and to books, records, and papers  
63 kept by an officer, director, agent, or employee relating to, or upon  
64 which any record of its business is kept, and may summon witnesses  
65 and administer oaths or affirmations, in the examination of the di-  
66 rectors, officers, agents, or employees of any such association, or any  
67 other person, in relation to its affairs, transactions and condition,  
68 and may require and compel the production of records, books, papers,  
69 contracts, or other documents by court order, if not voluntarily pro-  
70 duced.

71 5. *Expenses and per diem.* If the examination is made by the  
72 auditor in person, he shall receive his actual expenses. If by another,  
73 his actual expenses plus \$25.00 per diem which shall be paid by the  
74 association examined in either case.

75 6. *Record required.* A record of such examination shall be kept in  
76 the auditor's office, showing in detail as to each association all mat-  
77 ters connected with the conduct of the business, its financial stand-  
78 ing and everything touching its solvency, plan of business and in-  
79 tegrity.

80 Such examinations and reports, and other information connected  
81 therewith, shall be kept confidential in the office of the auditor of  
82 state and the supervisor of savings and loan associations, and shall  
83 not be subject to publication or disclosure to others except as in this  
84 chapter provided. Members of such associations, other than their



85 officers and directors, shall not be entitled to inspection of any such  
86 records or information, and shall not be entitled to any information  
87 relative to the names of the members of any association, or the  
88 amounts invested by them, as disclosed in the auditor's office, or in  
89 the records of any such association.

90 7. *Revocation of authority.* If any such association refuse to sub-  
91 mit to such examination, the auditor shall revoke its certificate of  
92 authority.

93 8. *Supervisor's annual report.* The supervisor of savings and loan  
94 associations shall, as of December 31 of each year, prepare and pub-  
95 lish a report showing in general terms the condition of all savings  
96 and loan associations doing business in this state, and containing  
97 such other general information as in his judgment shall seem des-  
98 irable. Such reports shall also list the names of all examiners and  
99 other assistants employed by him, together with the respective sal-  
100 aries and expenses, and shall list all receipts from savings and loan  
101 associations, and shall show all expenditures made on account of the  
102 supervision and examination of such associations.

1 SEC. 42. **Dividends.** After making such provision as it deems ad-  
2 visable for absorbing immediate and possible future losses, the board  
3 of directors of such association shall annually, semiannually, or  
4 quarterly declare and apportion as a dividend to members, accord-  
5 ing to its articles of incorporation, such portion of the association's  
6 net profits as it may deem available and as may be otherwise author-  
7 ized under this chapter. Members shall participate in dividends in  
8 proportion to their respective investments therein. Dividends for a  
9 particular month shall be paid only on sums invested by a member  
10 prior to the tenth day of that month.

1 SEC. 43. **Reserve for contingencies.** As of June 30 and December  
2 31 of each year, before declaring any dividends, the board of direc-  
3 tors shall transfer and credit to a general reserve account an amount  
4 equivalent to not less than two per cent of the net earnings of the  
5 association for the preceding six months, called the "accounting  
6 period", such transfers to be made at the end of each six months  
7 accounting period, until such general reserve account is equal to at  
8 least five per cent of the total amount paid in by members and cred-  
9 ited on share accounts. The above action shall be taken March 31,  
10 June 30, September 30 and December 31 of each year and the divi-  
11 dends and reserve periods correspondingly adjusted if dividends  
12 are paid quarterly. If at any time thereafter such general reserve  
13 account shall on account of losses be reduced to less than five per  
14 cent of the amount paid in and credited on share accounts, such  
15 transfers and credits thereto shall be resumed and continued until  
16 such reserve is again equal to at least five per cent of the total amount  
17 paid in and credited on share accounts of members. The reserve ac-  
18 count so established shall at all times be maintained and used for the  
19 sole purpose of absorbing losses incurred by the association and for  
20 no other purposes. An association may establish such other and addi-  
21 tional special reserves as may be ordered by its board of directors.

1     **SEC. 44. Expenditures and expenses.** All expenditures and ex-  
2     penses for management and conducting the affairs of such associa-  
3     tions, not including membership fees and charges for closing loans,  
4     shall be paid upon the receipts of interest, premiums, and other  
5     sources of profit. Said associations may thus use for expenses in any  
6     one year a sum not in excess of the following percentages of their  
7     assets, as shown by the last annual report, to wit:

8     1. Associations with assets not in excess of one hundred thousand  
9     dollars, three per cent per annum.

10    2. Associations with assets in excess of one hundred thousand dol-  
11    lars and less than three hundred thousand dollars, two and one-half  
12    per cent.

13    3. Associations with assets in excess of three hundred thousand  
14    dollars and less than five hundred thousand dollars, two and one-  
15    quarter per cent.

16    4. Associations with assets in excess of five hundred thousand dol-  
17    lars and less than eight hundred thousand dollars one and three-  
18    quarters per cent.

19    5. Associations with assets in excess of eight hundred thousand  
20    dollars, one and one-half per cent.

1     **SEC. 45. Compensation of officers and agents.** No officers, em-  
2     ployee, or agent of any association shall receive directly or indirectly  
3     any salary or other compensation, except for services actually ren-  
4     dered. Any compensation paid in violation of this section may be  
5     recovered by the association or by any shareholder or borrower, in  
6     the name and for the use of such association, within three years from  
7     the receipt of such illegal compensation, from the person accepting  
8     the same, or from any officer knowingly consenting to the allowance  
9     thereof.

1     **SEC. 46. Conservatorship—operation—termination.** If the super-  
2     visor, as a result of any examination or from any report made to  
3     him shall find that any savings and loan association is violating the  
4     provisions of its certificate of incorporation, or bylaws, or the laws  
5     of this state, or of the United States, or any lawful order of the  
6     supervisor, or is conducting its business in an unsafe manner, he  
7     may by an order, direct discontinuance of such violation or unsafe  
8     practice, and conformance with all requirements of law. No con-  
9     servator shall be appointed for a solvent association where such vi-  
10    olation or unsafe practice can be corrected otherwise. If any such  
11    association shall refuse or neglect to comply with such order within  
12    the time specified therein, or if it shall appear to the supervisor that  
13    any such association is in an unsafe condition or is conducting its  
14    business in an unsafe manner, or if he shall find that an impairment  
15    of capital exists to such extent that it threatens loss to the members,  
16    or if any association refuses to submit its books, papers, and ac-  
17    counts to the inspection of the supervisor or his representative, he,  
18    by written order signed by himself and the auditor of state, may  
19    appoint a conservator to take charge of the association and manage  
20    its business until the supervisor shall permit the board of directors  
21    to resume management of the business or shall reorganize the asso-  
22    ciation, or until a receiver shall be appointed to liquidate its affairs.  
23    Any conservator so appointed shall, subject to approval of the super-

24 visor and auditor of state, have all the rights, powers, and privileges  
25 possessed by the officers, board of directors, and members of the  
26 association. The conservator shall not retain special council or other  
27 experts, or incur any expenses other than normal operating expenses,  
28 or liquidate assets, except in the ordinary course of operations. The  
29 directors and officers shall remain in office and the employees shall  
30 remain in their respective positions, but the supervisor may remove  
31 any director, officer, or employee. While the association is in charge  
32 of a conservator, members of such association shall continue to make  
33 payments to the association in accordance with the terms and con-  
34 ditions of their contracts and the conservator, in his discretion, may  
35 permit members to withdraw as such in the ordinary course of busi-  
36 ness, or under, and subject to such rules and regulations as the super-  
37 visor may prescribe and the conservator shall have power to accept  
38 savings but any such savings thereon received by the conservator  
39 may be segregated if the supervisor shall so order in writing and if  
40 so ordered such savings shall not be subject to offset and shall not  
41 be used to liquidate any indebtedness of such association existing at  
42 the time the conservator was appointed for it, or any subsequent  
43 indebtedness incurred for the purpose of liquidating the indebtedness  
44 of such association existing at the time such conservator was ap-  
45 pointed. All expenses of the association during such conservatorship  
46 shall be paid by the association. The appointment of a conservator  
47 shall be evidenced by the supervisor issuing a certificate, signed by  
48 himself and by the auditor of state, delivered to the president, or the  
49 vice-president, or to at least three members of the board of directors  
50 of the association, certifying that a conservator has been appointed  
51 pursuant to this section. Within six months from the date upon  
52 which the conservator shall take charge of an association, the super-  
53 visor shall determine whether or not he shall restore the manage-  
54 ment of the association to the board of directors. Such determina-  
55 tion shall be evidenced by the supervisor's certificate under the seal  
56 of his office, delivered to the president, or vice-president, or to the  
57 board of directors of the association, that the conservator forthwith  
58 is redelivering the management of the association to the board of  
59 directors of the association then in office. After the management of  
60 the association shall have been redelivered to the board of directors  
61 of an association, the association shall thenceforth be managed and  
62 operated as though no conservator had been appointed. At any time  
63 prior to the redelivery of the management to the board of directors,  
64 the supervisor shall determine whether such association shall be re-  
65 quired to reorganize. Such determination shall be evidenced by a  
66 certificate, signed by the supervisor, and by the auditor of state,  
67 under the seal of his office, delivered to an executive officer of the  
68 association stating that unless the association reorganize under the  
69 laws of this state within a period of sixty days from the date of such  
70 certificate, or within such further time as the supervisor shall ap-  
71 prove, the supervisor shall proceed to liquidate the association. If  
72 the association has the insurance protection provided by title IV of  
73 the national housing Act, as now or hereafter amended, a signed and  
74 sealed copy of each order and certificate mentioned in this section  
75 shall be promptly sent by the supervisor by registered mail to the  
76 federal savings and loan insurance corporation, Washington, D. C.

77 If the association is insured by the federal savings and loan insur-  
 78 ance corporation, that corporation shall be named receiver if the  
 79 supervisor and auditor have determined the need for a receivership.

1 SEC. 47. **Quo warranto—receiver.** When any building and loan or  
 2 savings and loan association is conducting its business illegally, or  
 3 in violation of its articles of incorporation or bylaws, or is practic-  
 4 ing deception upon its members or the public, or is pursuing a plan  
 5 of business that is injurious to the interests of its members, or its  
 6 affairs are in an unsafe condition, the auditor of state shall notify  
 7 the directors thereof, and, if they shall fail to put its affairs upon a  
 8 safe basis, he shall advise the attorney general thereof, who shall  
 9 take the necessary steps to wind up its affairs in the manner pro-  
 10 vided by law. In such proceedings a receiver may be appointed by  
 11 the court and such proceedings shall be the exclusive liquidation or  
 12 insolvency proceeding and a receiver shall not be appointed in any  
 13 other proceedings. The provisions for notice, hearing, findings and  
 14 review set out under the above section shall also apply to this section.

1 SEC. 48. **Foreign associations.** If any foreign building and loan  
 2 or savings and loan association, as in this chapter defined, desires to  
 3 transact business within this state, it shall furnish to the state execu-  
 4 tive council a certified copy of its articles of incorporation, or charter  
 5 and bylaws, and a certified copy of the state laws under which it is  
 6 organized, together with a report for the year next preceding, ver-  
 7 fied by its president, vice-president, secretary, and at least three  
 8 directors, which report shall show:

- 9 1. The amount of its authorized savings liability and the par value  
 10 of its shares, if any.
- 11 2. The increase in savings liability.
- 12 3. The withdrawal from savings liability during the year.
- 13 4. The amount of savings liability in force at the end of the year.
- 14 5. A detailed statement of all funds received during the year and  
 15 all disbursements.
- 16 6. The salaries paid each of its officers.
- 17 7. A detailed statement of its assets and liabilities at the end of  
 18 such year and the nature thereof.
- 19 8. Any other matters of fact which the council may require.

1 SEC. 49. **Approval by council—certificate of authority.** Upon re-  
 2 ceipt of such report the council, if it finds therefrom that the associ-  
 3 ation is properly managed, that its financial condition is satisfactory,  
 4 and that its business is conducted upon a safe and reliable plan and  
 5 one equitable to its members, shall so certify upon such copy and  
 6 statement, and, the same being filed with the auditor, he shall issue a  
 7 like certificate as in the case of domestic associations.

1 SEC. 50. **Conditions attending approval.** No building and loan or  
 2 savings and loan association, incorporated under the laws of any  
 3 other state or country, shall be authorized to do business in this  
 4 state, whose articles of incorporation are not found by the executive  
 5 council to be in substantial compliance with the laws of this state,  
 6 and affording equal security and protection to the members thereof.

1 SEC. 51. **Deposit by foreign association.** Every such foreign  
 2 building and loan or savings and loan association, before the state

3 auditor shall issue to it a certificate, shall comply with the follow-  
4 ing provisions:

5 1. It shall deposit with the auditor of state one hundred thousand  
6 dollars, either in cash, or bonds of the United States or of the state  
7 of Iowa, or of any county or municipal corporation of the state, or  
8 notes secured by first mortgage, on real estate, or a like amount in  
9 such other security as shall be satisfactory to said auditor.

10 2. Such foreign association may collect and use the interest on any  
11 securities so deposited as long as it fulfills its obligations and complies  
12 with the provisions of this chapter. It may also exchange them  
13 for other securities of equal value and satisfactory to said auditor.

1 SEC. 52. **Liability of deposit.** The deposit made with the auditor  
2 of state shall be held as security for all claims of resident members  
3 of the state against said association, and shall be liable for all judgments  
4 or decrees thereon, and subject to the payment of the same.

1 SEC. 53. **Auditor of state as process agent.** Such foreign associa-  
2 tions shall also file with the auditor of this state a duly authorized  
3 copy of a resolution adopted by the board of directors of such associa-  
4 tion, stipulating and agreeing that, if any legal process or notice  
5 affecting such association be served on the said state auditor, and a  
6 copy thereof be mailed, postage prepaid, by the party procuring and  
7 issuing the same, or his attorney, to said association, addressed to  
8 its home office, then such service and mailing of such process or  
9 notice shall have the same effect as personal service on said associa-  
10 tion within this state.

1 SEC. 54. **Manner of service.** When proceedings have been com-  
2 menced against, or affecting any foreign building and loan or sav-  
3 ings and loan association, as contemplated in section 56, and notice  
4 has been served upon the auditor of the state, the same shall be by  
5 duplicate copies, one of which shall be filed in his office, and the other  
6 mailed by him, postage prepaid, to the home office of such associa-  
7 tion.

1 SEC. 55. **Amendment to articles.** All foreign building and loan or  
2 savings and loan associations shall file with the auditor of state,  
3 within ten days after their adoption, a duly certified copy of any  
4 amendment or amendments to their articles of incorporation or by-  
5 laws that may have been adopted.

1 SEC. 56. **Fees—foreign associations.** Foreign building and loan  
2 or savings and loan associations shall pay to the auditor of state the  
3 following fees, which shall be paid by him into the state treasury:  
4 For each application to do business in this state, two hundred dol-  
5 lars; for each certificate of authority and each annual renewal there-  
6 of, one hundred dollars; for filing each annual statement of the  
7 assets of the association as shown by the statement filed, amounts to  
8 fifty thousand dollars or less, six dollars; if more than fifty thousand  
9 dollars and less than one hundred thousand dollars, ten dollars; if  
10 more than one hundred thousand dollars and less than two hundred  
11 and fifty thousand dollars, twenty dollars; if more than two hundred  
12 and fifty thousand dollars, and less than five hundred thousand dol-  
13 lars, forty dollars; if more than five hundred thousand dollars and

14 less than one million dollars, sixty dollars; and if more than one mil-  
15 lion dollars, one hundred dollars.

1 **SEC. 57. Sale of stock if unauthorized foreign company.** It shall  
2 be unlawful for an agent, solicitor or other person to sell stock or  
3 solicit share accounts or solicit persons to subscribe for same in any  
4 association named in section 51 which has not been authorized to do  
5 business in this state, and any person convicted of so doing shall be  
6 punished by a fine of not less than fifty nor more than two hundred  
7 dollars and shall be committed to the county jail until the fine and  
8 costs are paid.

1 **SEC. 58. Annual statement.** All associations doing business in  
2 this state shall, on or before the first day of February of each year;  
3 file with the auditor of state a detailed report and financial statement  
4 of their business for the year ending the thirty-first day of Decem-  
5 ber next preceding, and such report shall be verified by the president  
6 and secretary or by three directors of the association, and such re-  
7 port shall show:  
8 1. The date when the association was incorporated.  
9 2. The increase in savings liability.  
10 3. The amount of withdrawals during the year.  
11 4. The total savings liability at the end of the year.  
12 5. A statement of the assets and liabilities at the end of the year.  
13 6. The salary paid to each of its officers during the year.

1 **SEC. 59. Additional report by foreign company.** All foreign build-  
2 ing and loan or savings and loan associations shall, in addition to the  
3 above, report the name of each shareholder or member of such asso-  
4 ciation residing within the state, together with the post office ad-  
5 dress of each and the number of shares or investment owned by  
6 each of said persons on the first day of January preceding.

1 **SEC. 60. Violations.** If an association shall fail or refuse to fur-  
2 nish the auditor of state the report required in sections 59 and 60 it  
3 shall forfeit the sum of twenty-five dollars for every day such report  
4 shall be withheld and the auditor of state may maintain an action in  
5 the name of the state to recover such penalty and the same shall be  
6 paid into the treasury of the state.

1 **SEC. 61. Fees.**

2 1. *Payable to state auditor.* Associations shall pay fees by deliver-  
3 ing to the supervisor a check payable to the state auditor.

4 2. *Incorporation fee.* Simultaneously with the filing with the su-  
5 pervisor of a certificate of incorporation, the corporation shall pay  
6 an incorporation fee of one hundred dollars.

7 3. *Change of location or change of name.* There shall accompany  
8 each application to the supervisor for leave to change the location of  
9 the home office or to change the name of the association a fee of fifty  
10 dollars.

11 4. *Supervision and examination fee.* At the time of filing its an-  
12 nual report each association shall pay to the auditor of state, an  
13 annual filing fee of fifty dollars. The supervisor may assess against  
14 any association the actual and necessary expenses incidental to any  
15 examinations, or to supervision, or to any special audit made pur-

16 suant to an order of the supervisor acting under authority of this  
17 chapter.

18 5. *Merger fee.* At the time of filing with the supervisor any merger  
19 agreement, the association proposing to so merge shall submit there-  
20 with a fee of one hundred fifty dollars, which fee shall be paid in  
21 equal parts by the associations parties to the proposed merger.

22 6. *For reorganization, transfer of assets, and dissolution.* There  
23 shall accompany every proposed plan of reorganization, every pro-  
24 posal for the transfer of assets in bulk, and every certificate of dis-  
25 solution, filed with the supervisor for approval, a fee of fifty dollars.

26 7. *For approval of supervisor.*

27 The supervisor is authorized, in his discretion, to charge a fee of  
28 not exceeding ten dollars upon each application for his approval, as  
29 provided by this chapter.

1 SEC. 62. **Discrimination in foreign states.** When by the laws of  
2 any other state, territory, country or nation, or by the decision or  
3 rulings of the appropriate and proper officers thereof, any greater  
4 taxes, fines, penalties, licenses, fees, deposits of money or other secu-  
5 rities, or other obligations or prohibitions, are demanded of building  
6 and loan or savings and loan associations of this state, as a condition  
7 to be complied with before doing business in this state, so long as  
8 such laws continue in force, the same requirements, obligations, and  
9 prohibitions of whatever kind shall be imposed on all building and  
10 loan or savings and loan associations of such other state, territory,  
11 country or nation doing business in this state, and upon their agents.  
12 It is hereby made the duty of the auditor of state to enforce the pro-  
13 visions of this section.

1 SEC. 63. **Revocation of certificate.** If a certificate of authority to  
2 do business shall have been issued to any association, and it shall  
3 violate any of the provisions of this chapter, the auditor of state may  
4 revoke the same.

1 SEC. 64. **Criminal offenses.** If any officer, director, or agent of  
2 any building and loan or savings and loan association shall knowingly  
3 and willfully swear falsely to any statement in regard to any matter  
4 in this chapter required to be made under oath, he shall be guilty of  
5 perjury. If any director of any such association shall vote to declare  
6 a dividend greater than has been earned; or if any officer or director  
7 or any agent or employee of any such association shall issue, utter, or  
8 offer to utter, any warrant, check, order, or promise to pay of such  
9 association, or shall sign, transfer, cancel, or surrender any note,  
10 bond, draft, mortgage, or other evidence of indebtedness belonging to  
11 such association, or shall demand, collect, or receive any money from  
12 any member or other person in the name of such association without  
13 being authorized to do so by the board of directors in pursuance of  
14 its lawful power; or if any such officer, director, agent, or employee  
15 shall embezzle or convert to his own use, or shall use or pledge for  
16 his own benefit or purpose, any moneys, securities, credits, or other  
17 property belonging to the association, or shall knowingly do or at-  
18 tempt to do business for such association that has not procured and  
19 does not hold the certificate of authority therefor as in this chapter  
20 provided, or shall knowingly make or cause to be made any false

21 entries in the books of the association, or shall, with the intent to  
22 deceive any person making an examination in this chapter required  
23 to be made, exhibit to the person making the examination any false  
24 entry, paper, or statement, or shall knowingly do or solicit business  
25 for any building and loan or savings and loan association which has  
26 not procured the required certificate therefor, he shall be fined in  
27 any sum not exceeding ten thousand dollars, or imprisoned in the  
28 penitentiary not exceeding ten years, or punished by both such fine  
29 and imprisonment.

1     **SEC. 65. Acknowledgments by employees.** No public officer quali-  
2 fied to take acknowledgments or proofs of execution of written in-  
3 struments shall by reason of his membership in or being an officer  
4 of or employment by a savings and loan association interested in  
5 such instrument be disqualified from taking and certifying to the  
6 acknowledgment or proof of execution of any written instrument in  
7 which such association is interested, and any such acknowledgment  
8 or proof heretofore taken or certified is hereby legalized and declared  
9 valid.

1     **SEC. 66. Unincorporated associations.**

2     1. *Statutes applicable.* All unincorporated organizations, associa-  
3 tions, societies, partnerships, or individuals conducting and carrying  
4 on a business, the purpose of which is to create a fund derived from  
5 periodical payments by members of such organizations, associations,  
6 societies, or other persons, upon contracts or otherwise, as well as  
7 from fines, forfeitures, incidental fees, and payment of premiums  
8 and interest; which fund is to be loaned or advanced to members of  
9 the organization, associations, society, or to the persons making such  
10 periodical payments, for the purpose of enabling them to acquire the  
11 ownership or free possession of real estate, or personal property, or  
12 to construct buildings, or any or all of such purposes, shall be deemed  
13 building and loan associations; and the provisions of this chapter  
14 shall apply to all such building and loan associations as far as the  
15 same can be made applicable to unincorporated organizations, asso-  
16 ciations, societies, partnerships, or individuals.

17     2. *Statement of resources, liabilities, and plan.* Every such unin-  
18 corporated organization, association, society, partnership, or indi-  
19 vidual conducting and carrying on the business defined in this sec-  
20 tion shall, before transacting any business in this state, submit to  
21 the executive council a full and complete sworn statement of the re-  
22 sources and liabilities of such organization, association, society, part-  
23 nership, or individual, and of the proposed plan or method of doing  
24 business.

25     3. *Deposit of securities.* No such unincorporated building and  
26 loan association shall be permitted to carry on its business within  
27 this state unless it shall first deposit with the auditor of state at  
28 least fifty thousand dollars of first mortgages and negotiable notes  
29 in the same amount secured thereby upon real estate in the state,  
30 bearing interest at a rate not less than five per cent per annum,  
31 which said mortgages shall in no case exceed one-half the actual  
32 value of the real estate upon which they are taken.

33     4. *Additional deposits.* The auditor of state shall have power and  
34 authority to require that such further amount of such securities shall



35 be deposited with him as in his judgment may thereafter be neces-  
36 sary to protect the members of such building and loan association,  
37 or the persons making periodical payments thereto.

38 5. *Securities held in trust.* The notes, mortgages, and securities  
39 so deposited with the auditor of state shall, with all interest and  
40 accumulations thereon, be held in trust by him for the purpose of  
41 fulfilling and carrying out all contracts made by such building and  
42 loan associations with the members thereof, and with the persons  
43 making periodical payments thereto.

44 6. *Approval—certificate of authority.* If the executive council ap-  
45 proves the plan or method of business of any such building and loan  
46 association, it shall indorse its approval upon the statement of the  
47 resources and liabilities and plan of business presented to it, and  
48 such statement shall thereupon be filed in the office of the auditor of  
49 state, who shall issue a certificate to such building and loan associa-  
50 tion to transact business within the state, if such association has  
51 deposited with him the mortgages and securities required by the  
52 other provisions of this chapter.

53 7. *Officers to give bonds—approval.* Every officer of such build-  
54 ing and loan association who signs or indorses checks, or handles  
55 any of the funds or securities thereof, shall give such bond or fidelity  
56 insurance for the faithful performance of his duty in such sum as  
57 the auditor of state may require, and no such officer shall be deemed  
58 qualified to enter upon the duties of his office until his bond is ap-  
59 proved by, and deposited with, the auditor of state. And any such  
60 bond may be increased or additional sureties required by the audi-  
61 tor of state whenever in his judgment it becomes necessary to pro-  
62 tect the interest of the association or its members, or persons making  
63 periodical payments of money thereto.

64 8. *Examination.* The auditor of state may at any time he may see  
65 proper make, or cause to be made, an examination of any such build-  
66 ing and loan association, or he may call upon it for a report of its  
67 condition upon any given day which has passed, as often as four  
68 times each year, which report shall contain the information herein-  
69 after required.

70 9. *Expense of examination.* The expense of making such examina-  
71 tion shall be paid by the building and loan association, and if made  
72 by the auditor in person he shall be paid his necessary expenses only;  
73 if made by an examiner designated by the auditor, he shall receive  
74 not to exceed twenty-five dollars a day for the time employed by him,  
75 and his necessary expenses.

76 10. *Annual reports.* On or before the first day of February of each  
77 year, every such building and loan association shall file with the audi-  
78 tor of state its annual report in writing for the year ending on the  
79 thirty-first day of December preceding, giving a complete statement  
80 in detail of all of its receipts from all sources, and all disbursements  
81 made during such year, arranged and itemized as may be required  
82 by the auditor of state. Such report shall also show the number of  
83 members or persons making periodical payments to such association,  
84 the number and amount of loans made to such persons, the interest  
85 received therefrom, the number and amounts of mortgages, con-  
86 tracts or other securities held by the association, the actual cash  
87 value of the real estate securing such mortgages or contracts, the

88 salary paid to each of its officers during the preceding year, the  
89 assets and liability of the association at the end of the year, and any  
90 other matters which in the judgment of the auditor of state may be  
91 required to give him full information as to the business transacted  
92 by such building and loan association.

93 11. *Failure to furnish reports.* If any such building and loan as-  
94 sociation shall fail or refuse to furnish the auditor of state the report  
95 required in subsection 10, the officers or persons conducting the busi-  
96 ness of such building and loan association shall forfeit the sum of  
97 twenty-five dollars for each day that such report is withheld, and the  
98 auditor of state may maintain an action, jointly or severally, against  
99 them in the name of the state to recover such penalty, and the same  
100 shall be paid into the state treasury when recovered by him.

101 12. *Criminal offenses.* If any officer or agent of any such building  
102 and loan association, or any person conducting the business thereof,  
103 shall knowingly and wilfully swear falsely to any statement in re-  
104 gard to any matter in this chapter required to be made under oath,  
105 he shall be guilty of perjury and punished accordingly. And if any  
106 officer, agent or employee of any such association, or any person  
107 transacting the business thereof, shall issue, utter, or offer to utter,  
108 any warrant, check, order, or promise to pay of such association, or  
109 shall sign, transfer, cancel, or surrender any note, bond, draft, mort-  
110 gage, or other evidence of indebtedness belonging to such associa-  
111 tion, or shall demand, collect, or receive any money from any member  
112 or other person in the name of such association without being au-  
113 thorized so to do; or if any such officer, agent, or employee of such  
114 association, or any person transacting the business thereof, shall  
115 embezzle, convert to his own use, or shall use or pledge for his own  
116 benefit or purpose, any moneys, securities, credits, or other property  
117 belonging to the association, or shall knowingly solicit, transact, or  
118 attempt to transact any business for any such association which has  
119 not procured and does not hold the certificate of authority from the  
120 auditor of state to transact business in this state as provided herein;  
121 or shall knowingly make, or cause to be made, any false entries in the  
122 books of the association, or shall, with intent to deceive any person  
123 making an examination of such association, as herein provided,  
124 exhibit to the person making the examination any false entry, paper,  
125 or statement, he shall be fined in a sum not exceeding ten thousand  
126 dollars or imprisoned in the penitentiary not exceeding ten years or  
127 punished by both such fine and imprisonment.

128 13. *Revocation of certificate—receiver.* If any such building and  
129 loan association holding a certificate of authority to transact busi-  
130 ness within this state issued by the auditor as herein provided, shall  
131 violate any of the provisions of this chapter, or shall fail to deposit  
132 with the auditor of state such further amount of mortgages or secu-  
133 rities as he may require under this chapter, the auditor of state shall  
134 at once revoke such certificate and notify the executive council of the  
135 revocation thereof; and under the direction of the executive council,  
136 application shall be made by the attorney general to the proper court  
137 for the appointment of a receiver to wind up the affairs of the asso-  
138 ciation; and in such proceedings the amount due from the borrowing  
139 members or persons making periodical payments upon contracts or  
140 mortgages given by them, shall be ascertained in the manner pro-

141 vided in section 47; and the amount owing upon such mortgages or  
142 contracts from members of the association or persons making peri-  
143 odical payments thereto, shall be treated and considered as due and  
144 payable within a reasonable time, to be fixed by the court after the  
145 appointment of a receiver.

1     **SEC. 67. Directors.**

2     1. *Association managed by board of directors.* The business of the  
3 association shall be managed by a board of directors of not less than  
4 five or more than fifteen as determined and elected by ballot from  
5 among the members by a plurality of the votes of the members pres-  
6 ent in person or by proxy. If authorized by vote of the members the  
7 directors may elect all directors. At all times at least two-thirds of  
8 the directors shall be bona fide residents of this state.

9     2. *Qualifications required of directors.* In order to qualify as a  
10 director, a member of an association must hold a share account, the  
11 withdrawal value of which is at least two hundred dollars; provided  
12 that, if the assets of the association exceed five hundred thousand  
13 dollars, such member must hold a share account the withdrawal value  
14 of which is at least five hundred dollars; and provided further, if  
15 the assets exceed two and one-half million dollars, the withdrawal  
16 value of such account must be at least one thousand dollars. A direc-  
17 tor shall automatically cease to be a director when he ceases to be a  
18 member, or when the net equity above share loans of all share ac-  
19 counts in the association held by him aggregates less than the mini-  
20 mum required to be eligible for election as a director, provided no  
21 action of the board of directors shall be invalidated through the par-  
22 ticipation of such director in such action.

23     3. *Classification of directors.* At the first annual meeting, the  
24 directors shall by majority vote be divided into three classes of as  
25 nearly equal numbers as possible. The term of office of directors of  
26 the first class shall expire at the annual meeting next after the first  
27 election; of the second class, one year thereafter; and of the third  
28 class, two years thereafter; and at each annual election thereafter  
29 directors shall be chosen for a full term of three years to succeed  
30 those whose terms expire.

31     4. *Number of directors increased only by members.* The number  
32 of directors within the limits hereinabove specified may be subse-  
33 quently increased only by vote of the members.

34     5. *Vacancy caused by increase filled.* If the members fail to elect  
35 a director to fill each vacancy created by any such increase, the direc-  
36 tors may fill such vacancy by electing a director to serve until the  
37 next annual meeting of the members, at which time a director shall  
38 be elected to fill the vacancy for the unexpired term for the class of  
39 director in which such vacancy exists.

40     6. *Classifications of new directors.* Whenever under the provisions  
41 hereof the number of directors is changed and vacancies caused by  
42 such change are filled, the directors so elected shall be classified in  
43 accordance with the provisions hereof, so that each of the three  
44 classes shall always contain numbers as nearly equal as possible.

45     7. *Vacancy on board filled by directors.* Any vacancy among di-  
46 rectors, not so filled by the members, may be filled by a majority vote  
47 of the remaining directors, though less than a quorum, by electing  
48 a director to serve until the next annual meeting of the members, at

49 which time a director shall be elected to fill the vacancy for the unex-  
50 pired term for the class of director in which such vacancy exists. In  
51 event of a vacancy on the board of directors from any cause, the re-  
52 maining directors shall have full power and authority to continue  
53 direction of the association until such vacancy is filled.

1     **SEC. 68. Right to declaratory judgment.** At any time after any  
2 controversy has arisen between the supervisor and an association  
3 with respect to any question of law or regulation or with respect to  
4 any question involving immeasurable or irreparable damage to the  
5 association, and prior to an administrative or judicial hearing, the  
6 association or the supervisor may apply to any court of competent  
7 jurisdiction in the county in which the home office of the association  
8 is located for a declaratory judgment as to such question, and such  
9 court shall have and shall take jurisdiction and decide the contro-  
10 versy on its merits in accordance with the weight of the evidence,  
11 and such court shall have full power to enforce its orders.

1     **SEC. 69. Corporations heretofore incorporated.**

2     1. The name, rights, powers, privileges, and immunities of every  
3 such corporation heretofore incorporated under the laws of this state  
4 repealed and revised by this Act shall be governed, controlled, con-  
5 strued, extended, limited, and determined by the provisions of this  
6 chapter to the same extent and effect as if such corporation had been  
7 incorporated pursuant hereto, and the articles of association, cer-  
8 tificate of incorporation, or charter, however entitled, bylaws and  
9 constitution, or other rules of every such corporation heretofore  
10 made or existing are hereby modified, altered, and amended to con-  
11 form to the provisions of this chapter, as the same are inconsistent  
12 with the provisions of this chapter; except that the obligations of  
13 any such existing corporation, whether between such corporation  
14 and its members, or any of them, or any other person or persons, or  
15 any valid contract between the members of any such corporation, or  
16 between such corporation and any other person or persons, existing  
17 at the time this chapter takes effect, shall not be in any way impaired  
18 by the provisions of this chapter, and, with such exceptions, every  
19 such corporation shall possess the rights, powers, privileges and im-  
20 munities and shall be subject to the duties, liabilities, disabilities,  
21 and restrictions conferred and imposed by this chapter notwithstand-  
22 ing anything to the contrary in its certificate of incorporation, by-  
23 laws, constitution or rules.

24     2. All obligations heretofore contracted may be enforced. All obli-  
25 gations to any such corporation heretofore contracted shall be en-  
26 forceable by it and in its name, and demands, claims, and rights of  
27 action against any such corporation may be enforced against it as  
28 fully and completely as they might have been enforced heretofore.

29     3. *Chapter controlling.* Insofar as the provisions of this chapter  
30 are inconsistent with the provisions of any other law affecting sav-  
31 ings association the provisions of this chapter shall control.

32     4. *Separability.* If any provisions, clause, or phrase of this chap-  
33 ter or the application thereof to any person or circumstance is held  
34 invalid such invalidity shall not affect other provisions or applica-

35 tions of this chapter which can be given effect without the invalid  
36 provisions or application, and to this end the provisions of this chap-  
37 ter are declared to be separable.

Approved April 9, 1959.

## CHAPTER 339

### CHATTEL LOANS

#### H. F. 235

AN ACT to amend chapter five hundred thirty-six (536), Code 1958, relating to the making of small loans so as to increase the maximum amount of loan under said chapter, to regulate the rate of interest on such loans, and to amend section five hundred thirty-five point six (535.6), Code 1958, relating to penalties for excessive interest.

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

1 SECTION 1. Section five hundred thirty-five point six (535.6), Code  
2 1958, is amended by striking from line eight (8) thereof the word  
3 "three" and inserting in lieu thereof the word "five (5)".

1 SEC. 2. Section five hundred thirty-six point one (536.1), Code  
2 1958, is amended by striking from line five (5) the word "three" and  
3 inserting in lieu thereof the word "five (5)".

1 SEC. 3. Section five hundred thirty-six point twelve (536.12), Code  
2 1958, is amended by striking from line nine (9) the word "three" and  
3 inserting in lieu thereof the word "five (5)".

1 SEC. 4. Section five hundred thirty-six point thirteen (536.13),  
2 Code 1958, is hereby amended as follows:

3 1. By striking from line two (2) of subsection five (5) the word  
4 "three" and inserting in lieu thereof the word "five (5)".

5 2. By striking from line three (3) of subsection six (6) the word  
6 "three" and inserting in lieu thereof the word "five (5)".

1 SEC. 5. Section five hundred thirty-six point fifteen (536.15),  
2 Code 1958, is hereby amended by striking from lines eight (8) and  
3 fourteen (14) the word "three" and inserting in each instance the  
4 word "five (5)".

1 SEC. 6. Section five hundred thirty-six point sixteen (536.16),  
2 Code 1958, is hereby amended by striking from line two (2) the word  
3 "three" and inserting in lieu thereof the word "five (5)".

1 SEC. 7. Section five hundred thirty-six point eighteen (536.18),  
2 Code 1958, is hereby amended by striking from lines nine (9) and  
3 eighteen (18) the word "three" and inserting in each instance the  
4 word "five (5)".

1 SEC. 8. Section five hundred thirty-six point thirteen (536.13),  
2 Code 1958, is amended by striking all of line one (1) of subsection four  
3 (4) thereof and by inserting in lieu thereof the following: "Begin-  
4 ning July 4, 1959, and until such"; and by striking from line eight

5 (8) of subsection four (4) thereof the words "and one-half"; and by  
6 striking the period at the end of subsection four (4) and inserting a  
7 comma in lieu thereof and adding thereto the following: "but not  
8 exceeding three hundred dollars (\$300.00), and one and one-half per-  
9 cent (1½%) per month on any part of the unpaid principal balance  
10 of the loan in excess of three hundred dollars (\$300.00)."

1 SEC. 9. Section five hundred thirty-six point four (536.4), Code  
2 1958, is hereby amended as follows:

3 1. By striking from line four (4) thereof the word "such" and in-  
4 serting in lieu thereof the words "a thorough and complete";

5 2. By striking from line seven (7) thereof the word "or" and in-  
6 serting in lieu thereof the word "and";

7 3. By inserting after the word "investigation" in line seven (7)  
8 thereof the following: "that the applicant can have a reasonable ex-  
9 pectancy of a successful lending business at the location of the office  
10 for which application is made, and that there is a real need and neces-  
11 sity in that community for additional lending facilities to adequately  
12 serve the local people, and that said applicant is one who will com-  
13 mand the respect of and confidence from the people in that commu-  
14 nity;".

1 SEC. 10. Chapter five hundred thirty-six (536), Code 1958, is  
2 amended by adding thereto the following new section:

3 "Beginning with his 1959 annual report, the superintendent of  
4 banking shall, in listing the names of licensees under this chapter,  
5 indicate if the licensee is one of a chain of two or more such licensees,  
6 the name of the owner and the address of the principal place of busi-  
7 ness of each owner, a summary of individual reports of each such  
8 licensed office indicating its location, the name of licensee, capital, sur-  
9 plus, reserves, loans receivable, cash and due from banks, real estate,  
10 borrowed money, net worth, total assets, total liabilities and such other  
11 pertinent and related information as may be necessary or desirable to  
12 give a correct and full picture of the total assets and total liabilities  
13 of each such licensee."

1 SEC. 11. Section five hundred thirty-six point eleven (536.11),  
2 Code 1958, is hereby amended as follows:

3 1. By striking from line thirteen (13) thereof the words "twenti-  
4 eth day of January" and inserting in lieu thereof the words "fifteenth  
5 day of March".

1 SEC. 12. Chapter five hundred thirty-six (536), Code 1958, is  
2 amended by adding thereto the following new section:

3 "Every licensee when making a loan hereunder shall require a state-  
4 ment in writing from each applicant setting forth a description of all  
5 installment indebtedness of such applicant by giving the amount of  
6 each such loan and the name of the lender."

Approved March 30, 1959.

## CHAPTER 340

## PUBLIC WAREHOUSES

S. F. 544

AN ACT to define a public warehouse engaged in the business of storing goods for profit, as provided by section five hundred forty-two point fifty-eight (542.58), Code 1958.

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

1 Section five hundred forty-two point fifty-eight (542.58), Code  
2 1958, is hereby amended by adding a new subsection thereto as fol-  
3 lows:

4 "A public warehouse shall mean a warehouse which is engaged in  
5 the business of storing goods for others for profit, which issues ne-  
6 gotiable or non-negotiable warehouse receipts to the owner of goods  
7 stored therein, operating under a bailor-bailee relationship, offering  
8 and making available its facilities to the public generally under uni-  
9 form tariffs or schedules of charges and rates for various commodi-  
10 ties, products or services and always holding out or utilizing its  
11 facilities for public storage for hire and not for storage of any com-  
12 modities or products directly or indirectly owned or controlled by the  
13 warehouse owner or operator."

Approved May 5, 1959.

## CHAPTER 341

## FOREIGN ACKNOWLEDGMENTS

H. F. 443

AN ACT relating to foreign acknowledgments.

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

1 SECTION 1. Section five hundred fifty-eight point thirty-nine  
2 (558.39), Code 1958, is hereby amended by adding the following  
3 paragraph:

4 "Any instrument affecting real estate situated in this state which  
5 has been or may be acknowledged or proved in a foreign state or coun-  
6 try and in conformity with the laws of that foreign state or country,  
7 shall be deemed as good and valid in law as though acknowledged or  
8 proved in conformity with the existing laws of this state."

Approved April 27, 1959.

## CHAPTER 342

## GIFTS TO MINORS

S. F. 172

AN ACT relating to gifts of securities and money to minors and to make uniform the law with reference thereto.

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

1 SECTION 1. In this Act, unless the context otherwise requires:  
2 1. An "adult" is a person who has attained the age of twenty-one  
3 (21) years.

4 2. A "bank" is a bank, trust company, national banking associa-  
5 tion, savings bank or industrial bank.

6 3. A "broker" is a person lawfully engaged in the business of ef-  
7 fecting transactions in securities for the account of others. The term  
8 includes a bank which effects such transactions. The term also in-  
9 cludes a person lawfully engaged in buying and selling securities for  
10 his own account, through a broker or otherwise, as a part of a regular  
11 business.

12 4. "Court" means the supreme court, district courts, and such other  
13 courts, inferior to the supreme court, as the general assembly may  
14 establish or has established.

15 5. "The custodial property" includes:

16 a. All securities and money under the supervision of the same cus-  
17 todian for the same minor as a consequence of a gift or gifts made to  
18 the minor in a manner prescribed in this Act;

19 b. The income from the custodial property; and

20 c. The proceeds, immediate and remote, from the sale, exchange,  
21 conversion, investment, reinvestment or other disposition of such  
22 securities, money and income.

23 6. A "custodian" is a person so designated in a manner prescribed  
24 in this Act.

25 7. A "guardian" of a minor includes the general guardian, guard-  
26 ian, tutor or curator of his property, estate or person.

27 8. An "issuer" is a person who places or authorizes the placing of  
28 his name on a security, other than as a transfer agent, to evidence that  
29 it represents a share, participation or other interest in his property  
30 or in an enterprise or to evidence his duty or undertaking to perform  
31 an obligation evidenced by the security, or who becomes responsible  
32 for or in place of any such person.

33 9. A "legal representative" of a person is his executor or the ad-  
34 ministrator, general guardian, guardian, committee, conservator,  
35 tutor or curator of his property or estate.

36 10. A "member" of a "minor's family" means any of the minor's  
37 parents, grandparents, brothers, sisters, uncles and aunts, whether  
38 of the whole blood or the half blood, or by or through legal adoption.

39 11. A "minor" is a person who has not attained the age of twenty-  
40 one (21) years.

41 12. A "security" shall include any note, stock, treasury stock, bond,  
42 debenture, evidence of indebtedness, certificate of interest in an oil,  
43 gas, or mining lease, collateral trust certificate, preorganization cer-  
44 tificate, preorganization subscription, any transferable share, invest-  
45 ment contract, or beneficial interest in title to property, interest in or  
46 under a profit-sharing or participating agreement or scheme, or any  
47 other instrument commonly known as a security. The term does not  
48 include a security of which the donor is the issuer. A security is in  
49 "registered form" when it specifies a person entitled to it or to the  
50 rights it evidences and its transfer may be registered upon books main-  
51 tained for that purpose by or on behalf of the issuer.

52 13. A "transfer agent" is a person who acts as authenticating trust-  
53 tee, transfer agent, registrar or other agent for an issuer in the regis-  
54 tration of transfers of its securities or in the issue of new securities  
55 or in the cancellation of surrendered securities.



56 14. A "trust company" is a bank authorized to exercise trust pow-  
57 ers.

1 SEC. 2.

2 1. An adult person may, during his lifetime, make a gift of a secu-  
3 rity or money to a person who is a minor on the date of the gift.

4 a. If the subject of the gift is a security in registered form, by  
5 registering it in the name of the donor, another adult person or a  
6 trust company, followed, in substance, by the words: "as custodian  
7 for ..... under the Iowa Uniform Gifts to Minors Act";  
8 name of minor

9 b. If the subject of the gift is a security not in registered form, by  
10 delivering it to an adult person other than the donor or a trust com-  
11 pany, accompanied by a statement of gift in the following form, in  
12 substance, signed by the donor and the person designated as custo-  
13 dian:

14 "GIFT UNDER THE IOWA UNIFORM GIFTS TO MINORS ACT

15 I, ....., hereby deliver to ..... as custo-  
16 name of donor name of custodian  
17 dian for ....., under the Iowa Uniform Gifts to Minors  
18 name of minor

19 Act, the following security (ies) :

20 (insert an appropriate description of the security or securities de-  
21 livered sufficient to identify it or them)

22 .....  
23 (signature of donor)

24 ..... hereby acknowledges receipt of the above de-  
25 (name of custodian)  
26 scribed security (ies) as custodian for the above minor under the  
27 Iowa Uniform Gifts to Minors Act.

28 Dated: .....  
29 (signature of custodian)"

30 c. If the subject of the gift is money, by paying or delivering it to  
31 a broker or a bank for credit to an account in the name of the donor,  
32 another adult person or a bank with trust powers, following, in sub-  
33 stance, by the words: "as custodian for ..... under the  
34 (name of minor)

35 Iowa Uniform Gifts to Minors Act".

36 2. Any gift made in a manner prescribed in subsection one (1)  
37 may be made to only one (1) minor and only one (1) person may be  
38 the custodian.

39 3. A donor who makes a gift to a minor in a manner prescribed in  
40 subsection one (1) shall promptly do all things within his power to  
41 put the subject of the gift in the possession and control of the custo-  
42 dian, but neither the donor's failure to comply with this subsection,  
43 nor his designation of an ineligible person as custodian affects the con-  
44 summation of the gift.

1 SEC. 3.

2 1. A gift made in a manner prescribed in this Act is irrevocable  
3 and conveys to the minor indefeasibly vested legal title to the secu-  
4 rity or money given, but no guardian of the minor has any right,  
5 power, duty or authority with respect to the custodial property ex-  
6 cept as provided in this Act.

7 2. By making a gift in a manner prescribed in this Act, the donor  
8 incorporates in his gift all the provisions of this Act and grants to  
9 the custodian, and to any issuer, transfer agent, bank, broker or third  
10 person dealing with a person designated as custodian, the respective  
11 powers, rights and immunities provided in this Act.

1 SEC. 4.

2 1. The custodian shall collect, hold, manage, invest and reinvest  
3 the custodial property.

4 2. The custodian shall pay over to the minor for expenditure by  
5 him, or expend for the minor's benefit, so much of or all the custo-  
6 dial property as the custodian deems advisable for the support, main-  
7 tenance, education and benefit of the minor in the manner, at the  
8 time or times, and to the extent that the custodian in his discretion  
9 deems suitable and proper, with or without court order, with or with-  
10 out regard to the duty of himself or of any other person to support  
11 the minor or his ability to do so, and with or without regard to any  
12 other income or property of the minor which may be applicable or  
13 available for any such purpose.

14 3. The court, on the petition of a parent or guardian of the minor  
15 or of the minor, if he has attained the age of fourteen (14) years,  
16 may order the custodian to pay over to the minor for expenditure by  
17 him or to expend so much of or all the custodial property as is neces-  
18 sary for the minor's support, maintenance or education.

19 4. To the extent that the custodial property is not so expended, the  
20 custodian shall deliver or pay it over to the minor on his attaining  
21 the age of twenty-one (21) years or, if the minor dies before at-  
22 taining the age of twenty-one (21) years, he shall thereupon deliver  
23 or pay it over to the estate of the minor.

24 5. The custodian, notwithstanding statutes restricting investments  
25 by fiduciaries, shall invest and reinvest the custodial property as  
26 would a prudent man of discretion and intelligence who is seeking a  
27 reasonable income and the preservation of his capital, except that he  
28 may, in his discretion and without liability to the minor or his estate,  
29 retain a security given to the minor in a manner prescribed in this  
30 Act.

31 6. The custodian may sell, exchange, convert or otherwise dispose  
32 of custodial property in the manner, at the time or times, for the price  
33 or prices and upon the terms he deems advisable. He may vote in  
34 person or by general or limited proxy a security which is custodial  
35 property. He may consent, directly or through a committee or other  
36 agent, to the reorganization, consolidation, merger, dissolution or  
37 liquidation of an issuer, a security which is custodial property, and  
38 to the sale, lease, pledge or mortgage of any property by or to such  
39 an issuer, and to any other action by such an issuer. He may execute  
40 and deliver any and all instruments in writing which he deems ad-  
41 visable to carry out any of his powers as custodian.

42 7. The custodian shall register each security which is custodial  
43 property and in registered form in the name of the custodian, fol-  
44 lowed, in substance by the words: "as custodian for .....  
45 (name of  
46 ..... under the Iowa Uniform Gifts to Minors Act". The cus-  
47 minor)

48 todian shall hold all money which is custodial property in an account

49 with a broker or in a bank in the name of the custodian, followed, in  
 50 substance, by the words: "as custodian for ..... under  
 51 (name of minor)  
 52 the Iowa Uniform Gifts to Minors Act". The custodian shall keep all  
 53 other custodial property separate and distinct from his own property  
 54 in a manner to identify it clearly as custodial property.

55 8. The custodian shall keep records of all transactions with respect  
 56 to the custodial property and make them available for inspection at  
 57 reasonable intervals by a parent or legal representative of the minor  
 58 or by the minor, if he has attained the age of fourteen (14) years.

59 9. A custodian has, with respect to the custodial property, in addi-  
 60 tion to the rights and powers provided in this Act, all the rights and  
 61 powers which a guardian has with respect to property not held as  
 62 custodial property.

1 SEC. 5.

2 1. A custodian may act without compensation for his services.

3 2. Unless he is a donor, a custodian is entitled to reimbursement  
 4 from the custodial property for his reasonable expenses incurred in  
 5 the performance of his duties and may receive from the custodial  
 6 property reasonable compensation for his services determined by a  
 7 direction by the donor when the gift is made; or, if no such direc-  
 8 tion, by order of the court after submission by the custodian of an  
 9 itemized claim or report setting forth his services, from time to time,  
 10 as long as such custodian continues to serve.

11 3. Except as otherwise provided in this Act, a custodian shall not  
 12 be required to give a bond for the performance of his duties.

13 4. A custodian not compensated for his services is not liable for  
 14 losses to the custodial property unless they result from his bad faith,  
 15 intentional wrongdoing or gross negligence or from his failure to  
 16 maintain the standard of prudence in investing the custodial prop-  
 17 erty provided in this Act.

1 SEC. 6. No issuer, transfer agent, bank, broker or other person  
 2 acting on the instructions of or otherwise dealing with any person  
 3 purporting to act as a donor or in the capacity of a custodian is re-  
 4 sponsible for determining whether the person designated by the pur-  
 5 ported donor or purporting to act as a custodian has been duly desig-  
 6 nated or whether any purchase, sale or transfer to or by or any other  
 7 act of any person purporting to act in the capacity of custodian is in  
 8 accordance with or authorized by this Act, or is obliged to inquire  
 9 into the validity or propriety under this Act of any instrument or  
 10 instructions executed or given by a person purporting to act as a  
 11 donor or in the capacity of a custodian, or is bound to see to the appli-  
 12 cation by any person purporting to act in the capacity of a custodian  
 13 of any money or other property paid or delivered to him.

1 SEC. 7.

2 1. Only an adult member of the minor's family, a guardian of the  
 3 minor or a trust company is eligible to become successor custodian.  
 4 A successor custodian has all the rights, powers, duties and immuni-  
 5 ties of a custodian designated in a manner prescribed by this Act.

6 2. A custodian, other than the donor, may resign and designate his  
 7 successor by:

- 8 a. Executing an instrument of resignation designating the succes-  
 9 sor custodian; and
- 10 b. Causing each security which is custodial property and in regis-  
 11 tered form to be registered in the name of the successor custodian fol-  
 12 lowed, in substance, by the words: "as custodian for .....  
 13 (name of minor)  
 14 under the Iowa Uniform Gifts to Minors Act"; and
- 15 c. Delivering to the successor custodian the instrument of resigna-  
 16 tion, each security registered in the name of the successor custodian  
 17 and all other custodial property, together with any additional instru-  
 18 ments required for the transfer thereof.
- 19 3. A custodian, whether or not a donor, may petition the court for  
 20 permission to resign and for the designation of a successor custodian.
- 21 4. If the person designated as custodian is not eligible, renounces  
 22 or dies before the minor attains the age of twenty-one (21) years,  
 23 the guardian of the minor shall be successor custodian. If the minor  
 24 has no guardian, a donor, his legal representative, the legal repre-  
 25 sentative of the custodian, an adult member of the minor's family, or  
 26 the minor, if he has attained the age of fourteen (14) years, may  
 27 petition the court for the designation of a successor custodian.
- 28 5. A donor, the legal representative of a donor, an adult member  
 29 of the minor's family, a guardian of the minor or the minor, if he has  
 30 attained the age of fourteen (14) years, may petition the court that,  
 31 for cause shown in the petition, the custodian be removed and a suc-  
 32 cessor custodian be designated or, in the alternative, that the custo-  
 33 dian be required to give bond for the performance of his duties.
- 34 6. Upon the filing of a petition as provided in this section, the court  
 35 shall grant an order, directed to the custodian and all other interested  
 36 persons and returnable on such notice as the court may require, to  
 37 show cause why the relief prayed for in the petition should not be  
 38 granted and, in due course, grant such relief as the court finds to be  
 39 in the best interests of the minor.

- 1 SEC. 8.
- 2 1. The minor, if he has attained the age of fourteen (14) years, or  
 3 the legal representative of the minor, an adult member of the minor's  
 4 family, or a donor or his legal representative may petition the court  
 5 for an accounting by the custodian or his legal representative.
- 6 2. The court, in a proceeding under this Act or otherwise, may re-  
 7 quire or permit the custodian or his legal representative to account  
 8 and, if the custodian is removed, shall so require and order delivery  
 9 of all custodial property to the successor custodian and the execution  
 10 of all instruments required for the transfer thereof.

- 1 SEC. 9.
- 2 1. This Act shall be so construed as to effectuate its general pur-  
 3 pose to make uniform the law of those states which enact it.
- 4 2. This Act shall not be construed as providing an exclusive method  
 5 for making gifts to minors.

- 1 SEC. 10. This Act may be cited as the "Iowa Uniform Gifts to  
 2 Minors Act".

- 1 SEC. 11. If any provision of this Act or the application thereof to  
 2 any person or circumstances is held invalid, the 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 severable.

1 SEC. 12. Section three (3) of chapter six hundred sixty-eight  
2 (668), Code 1958, and all other laws of this state contrary to the  
3 provisions of this Act, shall not apply to the custodial property of a  
4 minor held by the custodian under this Act.

Approved April 17, 1959.

## CHAPTER 343

### CEMETERY TRUST FUNDS

H. F. 232

AN ACT relating to the investment of cemetery trust funds.

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

1 SECTION 1. Section five hundred sixty-six point five (566.5), Code  
2 1958, and section five hundred sixty-six point six (566.6), Code 1958,  
3 are hereby repealed and the following enacted in lieu thereof:

4 "Any such trustee shall have authority to receive and invest all  
5 moneys and property, so donated or bequeathed, and that portion of  
6 cemetery lot sales and permanent charges made against cemetery lots  
7 which has been set aside in a perpetual care fund, in such authorized  
8 investments and in the manner prescribed in section six hundred  
9 eighty-two point twenty-three (682.23) of the Code, or as the same  
10 may be hereafter amended.

1 SEC. 2. Section five hundred sixty-six point fifteen (566.15), Code  
2 1958, is hereby amended by striking from lines nine (9), ten (10) and  
3 and eleven (11) the words, "as are now set forth in section 511.8,  
4 except subsections 9 to 13, inclusive," and by inserting in lieu thereof  
5 the words, "and in the manner prescribed in section six hundred  
6 eighty-two point twenty-three (682.23) of the Code,".

Approved April 23, 1959.

## CHAPTER 344

### CLAIMS AGAINST HIGHWAY CONTRACTORS

H. F. 708

AN ACT to amend section five hundred seventy-three point eight (573.8), Code 1958, relating to filing of claims against contractors on highway work.

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

1 SECTION 1. Section five hundred seventy-three point eight (573.8),  
2 Code 1958, is hereby amended by inserting the following sentence fol-  
3 lowing the period after the word "contract" in line four (4): "In  
4 case of contracts for improvements on the farm-to-market highway

5 system paid from farm-to-market funds, claims shall be filed with the  
6 auditor of the state highway commission."

Approved May 15, 1959.

---

## CHAPTER 345

### PUBLIC CONSTRUCTION CONTRACTS

H. F. 663

AN ACT relating to payments on the contract price of public construction contracts.

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

1 SECTION 1. Chapter five hundred seventy-three (573), Code 1958,  
2 is hereby amended by adding thereto the following:  
3 "Notwithstanding anything in this Code to the contrary, when at  
4 least ninety-five (95) percent of any contract for the construction  
5 of public improvements has been completed to the satisfaction of the  
6 public contracting authority and owing to conditions beyond the  
7 control of the construction contractor the remaining work on the con-  
8 tract cannot proceed for a period of more than sixty (60) days, such  
9 public contracting authority may make full payment for the com-  
10 pleted work and enter into a supplemental contract with the con-  
11 struction contractor involved on the same terms and conditions so far  
12 as applicable thereto for the construction of the work remaining to  
13 be done, provided however, that the contractor's bondsman consents  
14 thereto and agrees that the bond shall remain in full force and effect."

Approved June 2, 1959.

---

## CHAPTER 346

### VETERINARIAN'S LIEN

H. F. 47

AN ACT to amend chapter five hundred eighty-one (581), Code 1958, relating to veter-  
inarian's lien.

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

1 SECTION 1. Section five hundred eighty-one point one (581.1),  
2 Code 1958, is hereby amended by striking all of said section after the  
3 word "any" in line four (4) thereof and substituting in lieu thereof  
4 the following: "product used and for the actual and reasonable value  
5 of any professional service rendered by him in connection with live-  
6 stock, providing claim for said lien is filed as hereinafter provided."

1 SEC. 2. Section five hundred eighty-one point three (581.3), Code  
2 1958, is hereby amended by striking the word "biological" from lines  
3 six (6), seven (7), and eight (8) thereof.

Approved March 9, 1959.

## CHAPTER 347

## CORPORATIONS LEGALIZED

H. F. 720

AN ACT to legalize certain corporations.

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

1 SECTION 1. Section five hundred ninety-one point one (591.1),  
2 Code 1958, is hereby reenacted effective as of July 4, 1959.

1 SEC. 2. Section five hundred ninety-one point two (591.2), Code  
2 1958, is hereby reenacted effective as of July 4, 1959.

1 SEC. 3. Section five hundred ninety-one point three (591.3), Code  
2 1958, is hereby amended by striking in line two (2) of such section  
3 the figures "1954" and by inserting in lieu thereof the figures, "1959"  
4 and, as so amended, said section is hereby reenacted effective as of  
5 July 4, 1959.

1 SEC. 4. Section five hundred ninety-one point four (591.4), Code  
2 1958, is hereby amended by striking in line three (3) of such section  
3 the figures, "1954", and by inserting in lieu thereof the figures, "1959"  
4 and, as so amended, said section is hereby reenacted effective as of  
5 July 4, 1959.

1 SEC. 5. Section five hundred ninety-one point six (591.6), Code  
2 1958 is hereby amended as follows:

3 1. By striking in line four (4) the word and figures, "and 1954",  
4 and by inserting in lieu thereof the word and figures, ", 1954 and  
5 1958";

6 2. By striking in line thirteen (13) the word and figures, "and  
7 1954" and by inserting in lieu thereof the word and figures, ", 1954  
8 and 1958".

9 As so amended, said section is hereby reenacted effective as of July  
10 4, 1959.

1 SEC. 6. Section five hundred ninety-one point eight (591.8), Code  
2 1958, is hereby reenacted effective as of July 4, 1959.

1 SEC. 7. Section five hundred ninety-one point ten (591.10), Code  
2 1958, is hereby reenacted effective as of July 4, 1959.

1 SEC. 8. Section five hundred ninety-one point eleven (591.11),  
2 Code 1958, is hereby reenacted effective as of July 4, 1959.

Approved April 27, 1959.

## CHAPTER 348

## SCHOOL DISTRICTS LEGALIZED

H. F. 680

AN ACT to legalize and validate proceedings providing for the organization, reorganization, enlargement or change in the boundaries of school corporations.

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

1 SECTION 1. All proceedings taken prior to January 2, 1959 pur-  
2 porting to provide for the organization, reorganization, enlargement,

3 or change in the boundaries of any school corporation in this state  
4 and not heretofore declared invalid by any court are hereby legalized,  
5 validated and confirmed.

1 SEC. 2. The foregoing shall not be construed to affect any litiga-  
2 tion that may be pending at the time this Act becomes effective involv-  
3 ing the organization, reorganization, enlargement or change in bound-  
4 aries of any school corporation.

Approved April 22, 1959.

## CHAPTER 349

### SCHOOL DISTRICTS LEGALIZED

S. F. 74

AN ACT to legalize and validate proceedings providing for the organization, reorgani-  
zation, enlargement or change in the boundaries of school corporations.

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

1 SECTION 1. All proceedings taken prior to July 1, 1958 purport-  
2 ing to provide for the organization, reorganization, enlargement, or  
3 change in the boundaries of any school corporation in this state and  
4 not heretofore declared invalid by any court are hereby legalized,  
5 validated and confirmed.

1 SEC. 2. The foregoing shall not be construed to affect any litiga-  
2 tion that may be pending at the time this Act becomes effective in-  
3 volving the organization, reorganization, enlargement or change in  
4 boundaries of any school corporation.

1 SEC. 3. This Act being of immediate importance shall be in full  
2 force and effect from and after its passage and publication in the  
3 Clarksville Star, a newspaper published at Clarksville, Iowa, and The  
4 Marion Sentinel, a newspaper published at Marion, Iowa, without  
5 expense to the state.\*

Approved February 5, 1959.

I hereby certify that the foregoing Act, Senate File 74, was published in The Clarks-  
ville Star, Clarksville, Iowa, February 12, 1959, and in The Marion Sentinel, Marion,  
Iowa, February 11, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

\*According to enrolled Act.

## CHAPTER 350

### DIVORCE COUNTERCLAIM

H. F. 154

AN ACT relating to defendant's counterclaim for divorce.

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

1 SECTION 1. Section five hundred ninety-eight point ten (598.10),  
2 Code 1958, is hereby amended by striking from line two the words



3 "cross petition" and by inserting in lieu thereof the word "counter-  
4 claim".

Approved April 23, 1959.

---

## CHAPTER 351

### MUNICIPAL COURT OFFICERS

H. F. 76

AN ACT relating to temporary appointment to fill vacancy of the office of clerk or bailiff of the municipal court, and protection of appointee's accrued rights.

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

1 SECTION 1. Section six hundred two point six (602.6), Code 1958,  
2 is hereby amended by adding the following paragraph thereto:  
3 "If the office of clerk or bailiff becomes vacant, the judge or judges  
4 shall immediately designate a temporary acting clerk or bailiff, as the  
5 case may be, who shall qualify forthwith and serve until the vacancy  
6 is filled as herein provided. Such temporary appointment and service  
7 shall be without prejudice to any rights to which such appointee may  
8 be entitled by virtue of his regular employment."

Approved March 24, 1959.

---

## CHAPTER 352

### MUNICIPAL COURT FILES AND FEES

H. F. 38

AN ACT relating to destruction of certain files and papers, and providing for the disposition of unclaimed fees, costs, and funds by the clerk of municipal court.

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

1 SECTION 1. Section six hundred two point thirteen (602.13), Code  
2 1958, is hereby amended by striking the word "informations," in line  
3 ten (10) and inserting in lieu thereof the following: "cases tried or  
4 otherwise disposed of,"; also by adding to said section the following:  
5 "He may also destroy all papers which are ten (10) years old or  
6 older which have no further use. The clerk shall turn over to the city  
7 treasurer all fees, costs and funds in his possession and unclaimed by  
8 the persons entitled thereto for ten years."

Approved April 24, 1959.

## CHAPTER 353

## SALARIES IN MUNICIPAL COURTS

H. F. 451

AN ACT relating to the salaries of judges, clerks and bailiffs of municipal 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 1958, is hereby amended by striking all of lines one (1) through  
3 thirty-three (33) and inserting in lieu thereof the following:

4 "The annual salary of each municipal judge shall be eight thousand  
5 dollars (\$8,000.00). Upon the designation of any judge or judges of  
6 the municipal court to act as judge or judges of the juvenile court,  
7 the annual salary of such municipal court judge or judges so acting  
8 shall be increased in the sum of five hundred dollars (\$500.00).

9 "Each clerk shall receive an annual salary of four thousand two  
10 hundred dollars (\$4,200.00) in cities of less than thirty thousand  
11 (30,000) inhabitants; five thousand dollars (\$5,000.00) in cities of  
12 thirty thousand (30,000) and less than seventy thousand (70,000)  
13 inhabitants; five thousand eight hundred dollars (\$5,800.00) in cities  
14 of seventy thousand (70,000) and less than one hundred fifty thousand  
15 (150,000) inhabitants; seven thousand dollars (\$7,000.00) in cities  
16 of one hundred fifty thousand (150,000) or more inhabitants. The  
17 salary of any clerk of a municipal court whose judge or judges act as  
18 judge of the juvenile court shall be increased in the sum of two hun-  
19 dred dollars (\$200.00) annually.

20 "Each bailiff shall receive an annual salary of four thousand dollars  
21 (\$4,000.00) in cities of less than thirty thousand (30,000) inhabi-  
22 tants; four thousand seven hundred dollars (\$4,700.00) in cities of  
23 thirty thousand (30,000) and less than seventy thousand (70,000)  
24 inhabitants; five thousand five hundred dollars (\$5,500.00) in cities  
25 of seventy thousand (70,000) and less than one hundred fifty thou-  
26 sand (150,000) inhabitants; six thousand eight hundred dollars  
27 (\$6,800.00) in cities of one hundred fifty thousand (150,000) or more  
28 inhabitants."

1 SEC. 2. The provisions of this Act shall become effective as of  
2 January 1, 1960.

Approved April 27, 1959.

## CHAPTER 354

## POLK COUNTY DISTRICT JUDGES

S. F. 302

AN ACT to amend section six hundred four point eight (604.8), Code 1958, pertaining to the number of district judges in Polk County.

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

1 SECTION 1. Section six hundred four point eight (604.8), Code  
2 1958, is hereby amended by striking the word "seven" in line thirty-  
3 three (33) and adding in lieu thereof the word "eight (8)".

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 Marshalltown Times-Republican, a newspaper published at Mar-  
 4 shalltown, Iowa, and the Kossuth County Advance, a newspaper pub-  
 5 lished at Algona, Iowa, all without expense to the state.

Approved March 27, 1959.

I hereby certify that the foregoing Act, Senate File 302, was published in the Marshalltown Times-Republican, Marshalltown, Iowa, April 3, 1959, and in the Kossuth County Advance, Algona, Iowa, March 31, 1959.

• MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 355

### DE FACTO JUDGES

#### H. F. 272

AN ACT relating to judges and courts specifying the status of de facto judges and amending section six hundred five point three (605.3), Code 1958.

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

1 SECTION 1. Section six hundred five point three (605.3), Code  
 2 1958, is hereby amended by striking the period in the last line thereof  
 3 and inserting thereafter the following: "or failure to qualify within  
 4 the time fixed by law for good cause shown to the chief justice of the  
 5 supreme court."

1 SEC. 2. This Act being deemed of immediate importance shall be  
 2 in full force and effect from and retroactive to the first day of Novem-  
 3 ber, 1958, after its publication in the Waterloo Daily Courier, a news-  
 4 paper published at Waterloo, Iowa, and the Iowa City Press-Citizen,  
 5 a newspaper published at Iowa City, Iowa.

Approved March 9, 1959.

I hereby certify that the foregoing Act, House File 272, was published in the Waterloo Daily Courier, Waterloo, Iowa, March 12, 1959, and in the Iowa City Press-Citizen, Iowa City, Iowa, March 12, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 356

### JUDICIAL RETIREMENT SYSTEM

#### H. F. 151

AN ACT to amend chapter six hundred five A (605A), Code 1958, making certain changes in the judicial retirement system; including certain judges thereunder; providing for contributions by such judges and the city and county of their respective court districts to finance their portion of the benefits; and to amend chapter ninety-seven B (97B), Code 1958, relating to the termination of membership of certain judges in the Iowa public employees' retirement system.

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

1 SECTION 1. Section six hundred five A point three (605A.3), Code  
 2 1958, is hereby repealed and the following adopted in lieu thereof:

3 "This chapter shall not apply to any judge of the municipal, superior,  
4 district or supreme court until he gives notice in writing, while serv-  
5 ing as a judge, to the state comptroller and treasurer of state, of his  
6 purpose to come within its purview. Judges of the municipal and  
7 superior courts shall at the same time give a copy of such notice to  
8 the city treasurer and county auditor within the district of such court.  
9 Such notice shall be given within one year after the effective date  
10 hereof or within one year after any date on which he takes oath of  
11 office as such judge."

1 SEC. 2. Section six hundred five A point four (605A.4), Code 1958,  
2 is hereby repealed and the following adopted in lieu thereof: "Each  
3 judge coming within the purview of this chapter shall, on or before  
4 retirement, pay to the state comptroller for deposit with the state  
5 treasurer to the credit of a fund to be known as the 'judicial retire-  
6 ment fund', hereinafter called the 'fund', a sum equal to three per cent  
7 of his basic salary for services as such judge for the total period of  
8 service as a judge of a municipal, superior, district or supreme court  
9 before the date of said notice, and after the date of the notice there  
10 shall be deducted and withheld from the basic salary of each judge  
11 coming within the purview of this chapter a sum equal to three per  
12 cent of such basic salary. Provided that the maximum amount which  
13 any judge shall be required to contribute for past service shall not  
14 exceed for municipal or superior judges twenty-five hundred dollars,  
15 for district judges three thousand dollars and for supreme court  
16 judges four thousand dollars. The amounts so deducted and withheld  
17 from the basic salary of each said judge shall be paid to the state  
18 comptroller for deposit with the treasurer of state to the credit of the  
19 judicial retirement fund, and said fund is hereby appropriated for  
20 the payment of annuities, refunds, and allowances herein provided,  
21 except that the amount of such appropriations affecting payment of  
22 annuities, refunds, and allowances to judges of the municipal and  
23 superior court shall be limited to that part of said fund accumulated  
24 for their benefit as hereinafter provided. The judges of the municipal,  
25 superior, district and supreme court coming within the provisions of  
26 this chapter shall be deemed to consent and agree to the deductions  
27 from basic salary as provided herein, and payment less such deduc-  
28 tions shall be a full and complete discharge and acquittance of all  
29 claims and demands whatsoever for all regular services rendered by  
30 such judges during the period covered by such payment, except the  
31 right to the benefits to which they shall be entitled under the provi-  
32 sions of this chapter. The state shall contribute a sum not exceeding  
33 three per cent of the basic salary of all judges of the district and  
34 supreme court for the years 1949 and 1950 and thereafter such sums  
35 as may be necessary over the amount contributed by the district and  
36 supreme court judges to finance the system, but only to the extent  
37 that the system applies to them."

1 SEC. 3. The city and county within each municipal and superior  
2 court district shall contribute to the fund a sum equal to three per  
3 cent of the salary paid by them to each judge of such courts who  
4 qualify to come within the provisions of this chapter. Each such city  
5 and county shall also contribute a proportionate share of any sum  
6 which may, from time to time, be necessary to finance any deficiency

7 in that part of the fund applicable to the payment of the annuities,  
8 refunds, and allowances to all municipal and superior court judges so  
9 qualified in the state. The amount of any such additional contribution  
10 by each city and county shall be determined by the ratio which the  
11 salary of each such judge bears to the current combined salaries of  
12 all acting municipal and superior court judges who are qualified under  
13 this chapter.

1 SEC. 4. Section six hundred five A point five (605A.5), Code 1958,  
2 is hereby amended by striking the remainder of the sentence after the  
3 word "of" in line six (6) and substituting therefor the following:  
4 "one or more of the courts included in this chapter."

1 SEC. 5. Section six hundred five A point six (605A.6), Code 1958,  
2 is hereby repealed and the following adopted in lieu thereof: "Any  
3 person who shall have become separated from service as a judge of  
4 any of the courts included in this chapter and who has had an aggre-  
5 gate of at least six years of service as a judge of one or more of such  
6 courts and shall have attained the age of sixty-five years or who has  
7 had twenty-five (25) years of consecutive service as a judge of one or  
8 more of said courts, and who shall have otherwise qualified as pro-  
9 vided in this chapter, shall be entitled to an annuity as hereinafter  
10 provided.

1 SEC. 6. Section six hundred five A point seven (605A.7), Code  
2 1958, is hereby amended by striking the words "either or both the  
3 district and supreme courts" in lines four (4) and five (5) and sub-  
4 stituting the words "one or more of the courts included in this chap-  
5 ter"; and by striking the words "either or both the district and  
6 supreme courts" in lines six (6) and seven (7) and substituting the  
7 words "one or more of such courts" therefor.

1 SEC. 7. Sections six hundred five A point eight (605A.8), Code  
2 1958, is hereby amended by inserting the words "municipal, superior"  
3 between the words "the" and "district" of line two (2); by inserting  
4 the words "municipal, superior" between the words "the" and "dis-  
5 trict" in line seven (7); by striking the words "either or both the  
6 district and supreme courts" in lines ten (10) and eleven (11) and  
7 substituting the words "one or more such courts" therefor; and by  
8 striking the words "either or both the district and supreme courts"  
9 in lines sixteen (16) and seventeen (17) and substituting the words  
10 "one or more of such courts" therefor.

1 SEC. 8. Chapter ninety-seven B (97B), Code 1958, is hereby  
2 amended by adding thereto the following four (4) new sections:  
3 "1. Every person who is a member of the judicial retirement system  
4 on the effective date of this Act, or who thereafter becomes a member  
5 shall have his membership terminated in the Iowa public employees'  
6 retirement system.  
7 "2. The tax on wages of each employee and his employer, as re-  
8 quired by section ninety-seven B point eleven (97B.11) of the Code  
9 shall cease on the effective date of such employee's membership in the  
10 judicial retirement system, or the effective date of this Act, whichever  
11 is earlier.

12 "3. Each member whose membership is terminated in the Iowa  
 13 public employees' retirement system shall be paid from the Iowa pub-  
 14 lic employees' retirement fund within the six (6) month period imme-  
 15 diately following the date of termination of his membership a lump  
 16 sum cash amount equal to the sum of such member's accumulated con-  
 17 tributions as defined in subsection nine (9) of section ninety-seven B  
 18 point forty-one (97B.41) of the Code, computed as of the date his mem-  
 19 bership in the system is terminated; plus the total amount contributed  
 20 to the Iowa old age and survivors' insurance fund prior to July 1, 1953,  
 21 by such member which was transferred to the Iowa public employees'  
 22 retirement fund as of July 1, 1953, and would have been refundable  
 23 to him had he not elected to receive prior service credit in accordance  
 24 with section ninety-seven B point forty-three (97B.43) of the Code,  
 25 with interest on such amount at two (2) per cent per annum com-  
 26 pounded annually from July 1, 1953, to the date his membership in the  
 27 system was terminated.

28 "4. Any employee whose membership in the judicial retirement  
 29 fund is subsequently terminated shall be entitled to resume member-  
 30 ship in the Iowa public employees' retirement system."

Approved April 22, 1959.

---

## CHAPTER 357

### JUDICIAL RETIREMENT SYSTEM

S. F. 90

AN ACT relating to the judicial retirement system.

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

1 SECTION 1. Amend section six hundred five A point seven  
 2 (605A.7), Code 1958, by striking all after the word "service" in line  
 3 eleven (11).

Approved February 23, 1959.

---

## CHAPTER 358

### REAL ESTATE TITLE CHANGE FEE

H. F. 128

AN ACT relating to fees charged by the clerk of the district court.

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

1 SECTION 1. Section six hundred six point fifteen (606.15), Code  
 2 1958, is amended by adding thereto the following:  
 3 "For certifying change in title of real estate, one dollar."

Approved May 8, 1959.

## CHAPTER 359

## PUBLICATION OF LEGAL NOTICES

S. F. 270

AN ACT relating to publication of legal notices.

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

- 1 SECTION 1. Section six hundred eighteen point eleven (618.11),  
 2 Code 1958, is hereby amended as follows:  
 3 1. By striking from lines five (5) and six (6) the words, "one dol-  
 4 lar and fifty cents" and by inserting in lieu thereof the words, "twenty  
 5 (20) cents".  
 6 2. By striking from lines six (6) and seven (7) the words, "one dol-  
 7 lar" and by inserting in lieu thereof the words, "thirteen and one-third  
 8 ( $13\frac{1}{3}$ ) cents".  
 9 3. By striking from lines seven (7) and eight (8) the words, "ten  
 10 lines of brier type." and by inserting in lieu thereof the words, "line  
 11 of eight (8) point type two (2) inches in length, or the equivalent  
 12 thereof."

Approved April 10, 1959.

## CHAPTER 360

## PROCEEDINGS IN MUNICIPAL COURT

H. F. 146

AN ACT relating to publication and proof of publication of proceedings in causes of action in municipal court and payment therefor.

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

- 1 SECTION 1. Section six hundred eighteen point thirteen (618.13),  
 2 Code 1958, is hereby amended by adding thereto the following:  
 3 "When the petition in a class A or class B cause of action is filed  
 4 with the clerk of the municipal court in a municipal district of one  
 5 hundred fifty thousand (150,000) population or over, or when a class  
 6 B conciliation cause is transferred over to the combination docket in  
 7 said clerk's office, the names of the parties, plaintiff and defendant,  
 8 in such actions and the names of the attorneys for the plaintiff and  
 9 the docket number assigned to such case may, if the majority of the  
 10 municipal judges of such municipal district so direct, be published  
 11 once in a daily newspaper having a general circulation in said city,  
 12 such paper to be designated by a majority of the municipal judges of  
 13 such municipal court. When such case is assigned for trial or any  
 14 other pleadings are filed therein or court action is taken with reference  
 15 thereto, except general order of court for continuance, the title of such  
 16 case and kind of pleading shall be published; and if it is an assignment  
 17 for trial, it shall be carried in printed assignment from day to day  
 18 until final disposition."  
 1 SEC. 2. Section six hundred twenty-two point ninety-three  
 2 (622.93), Code 1958, is hereby amended by adding thereto the fol-  
 3 lowing:

4 "Proof of the publication of the filing in municipal court of the  
 5 petitions in class A and class B causes and the proceedings in class B  
 6 conciliation causes transferred over to the combination docket as pro-  
 7 vided for in section six hundred eighteen point thirteen (618.13) of  
 8 the Code and a charge on the basis of fifty (50) cents for each such  
 9 petition and each such case so transferred shall be made once each  
 10 month by the publisher thereof, presented to the clerk of municipal  
 11 court for verification and approval, and paid by said clerk as journal  
 12 publication fee."

Approved April 24, 1959.

## CHAPTER 361

### EXECUTORS AND ADMINISTRATORS

S. F. 253

AN ACT to amend subsections four (4) and five (5) of section six hundred thirty-eight point thirty-four (638.34) of the 1958 Code, relating to final reports of executors or administrators.

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

1 SECTION 1. Section six hundred thirty-eight point thirty-four  
 2 (638.34) is amended by striking the period (.) at the end of sub-  
 3 section four (4) of said section and adding thereto the following,  
 4 "in intestate estates or the name, age and place of residence of after-  
 5 born children as defined in Section six hundred thirty-three point  
 6 thirteen (633.13) of the 1958 Code and of each of the legatees, devisees  
 7 or beneficiaries and their relationship to the deceased in testate es-  
 8 tates."

1 SEC. 2. Section six hundred thirty-eight point thirty-four (638.34)  
 2 is amended by striking subsection five (5) therefrom and substituting  
 3 in lieu thereof the following: "Whether any legacy or devise remains  
 4 a charge on the real estate, and, if so, the nature and amount thereof."

Approved March 23, 1959.

## CHAPTER 362

### HABEAS CORPUS

H. F. 698

AN ACT to authorize municipal courts to issue writs of habeas corpus.

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

1 SECTION 1. Section six hundred sixty-three point three (663.3),  
 2 Code 1958, is hereby amended by inserting after the word, "district,"  
 3 in line two (2) the word, "municipal".

Approved April 27, 1959.



## CHAPTER 363

## DISPUTES BETWEEN GOVERNMENTAL AGENCIES

H. F. 594

AN ACT prohibiting litigation between governmental agencies.

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

1 SECTION 1. Any litigation between administrative departments,  
2 commissions or boards of the state government is prohibited. All dis-  
3 putes between said governmental agencies shall be submitted to a  
4 board of arbitration of three members to be composed of two members  
5 to be appointed by the departments involved in the dispute and a third  
6 member to be appointed by the governor. The decision of the board  
7 shall be final.

Approved April 27, 1959.

---

CHAPTER 364

## CHARITABLE TRUSTS

H. F. 718

AN ACT relating to charitable trusts and the supervision thereof by the attorney general.

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

1 SECTION 1. The words "charitable trust" as used in this chapter  
2 shall mean any fiduciary relationship with respect to property arising  
3 as a result of a manifestation of an intention to create it and sub-  
4 jecting the person by whom the property is held to equitable duties  
5 to deal with the property for charitable, educational or religious pur-  
6 poses.

1 SEC. 2. The attorney general shall be notified of all judicial pro-  
2 ceedings affecting, or in any manner dealing with, a trustee who holds  
3 in trust within the state property given, devised, or bequeathed for  
4 charitable, educational or religious purposes, and who administers or  
5 is under a duty to administer the same in whole or in part for said  
6 purposes within the state, and shall be deemed to be an interested  
7 party thereto.

1 SEC. 3. In addition to his common law and statutory duties the  
2 attorney general shall prepare and maintain a register of all chari-  
3 table trusts heretofore or hereafter established or active in the state.

1 SEC. 4. The register hereby established shall be open to the in-  
2 spection of any person at such reasonable times and for such legiti-  
3 mate purposes as the attorney general may determine. Upon the  
4 registration of each charitable trust there shall be paid to the attor-  
5 ney general for the use of the state a fee of five (5) dollars.

1 SEC. 5. The attorney general shall make such rules and regula-  
2 tions as may be reasonable or necessary to secure records and other

3 information for the operation of the register and for the supervision,  
4 investigation and enforcement of charitable trusts.

1 SEC. 6. The attorney general may investigate at any time chari-  
2 table trusts for the purpose of determining and ascertaining whether  
3 they are being administered in accordance with law and with the  
4 terms and purposes thereof. For the purposes of such investigation  
5 the attorney general may require any person, agent, trustee, fiduci-  
6 ary, beneficiary, institution, association, or corporation administer-  
7 ing a trust or having an interest therein, or knowledge thereof, to  
8 appear at such time and place as the attorney general may designate,  
9 then and there under oath to produce for the use of the attorney gen-  
10 eral any and all books, memoranda, papers of whatever kind, docu-  
11 ments of title or other evidence of assets or liabilities which may be  
12 in the ownership or possession or control of such person, agent, trust-  
13 tee, fiduciary, beneficiary, institution, association, or corporation, and  
14 to furnish such other available information relating to said trust as  
15 the attorney general may require.

1 SEC. 7. Whenever the attorney general may require the attend-  
2 ance of any such person, agent, trustee, fiduciary, beneficiary, insti-  
3 tution, association, or corporation, as provided in this chapter, he  
4 shall issue a notice setting the time and place when such attendance  
5 is required and shall cause the same to be delivered or sent by regis-  
6 tered mail to such person, agent, trustee, fiduciary, beneficiary, insti-  
7 tution, association, or corporation at least twenty (20) days before  
8 the date fixed in the notice for such attendance.

1 SEC. 8. If any person, agent, trustee, fiduciary, beneficiary, insti-  
2 tution, association, or corporation receiving such notice, neglects to  
3 attend or to remain in attendance so long as may be necessary for the  
4 purposes for which the notice was issued, or refuses to produce such  
5 books, memoranda, papers of whatever kind, documents of title or  
6 other evidence of assets or liabilities or to furnish such available  
7 information as may be required, any judge of the district court for  
8 the county within which the inquiry is carried on or within which  
9 said person, agent, trustee, fiduciary, beneficiary, institution, associ-  
10 ation, or corporation transacts business, upon application of the at-  
11 torney general shall have jurisdiction to issue to such person, agent,  
12 trustee, fiduciary, beneficiary, institution, association or corporation  
13 an order requiring such person, agent, trustee, fiduciary, beneficiary,  
14 institution, association, or corporation to appear before the attorney  
15 general there to produce for the use of the attorney general evidence  
16 in accordance with the terms of such notice, and failure to obey such  
17 order of the district court may be punished by said court as a con-  
18 tempt thereof.

1 SEC. 9. No person shall be excused from testifying or from pro-  
2 ducing any book or paper in any investigation or inquiry by or upon  
3 any hearing before the attorney general, when ordered to do so by  
4 the attorney general, upon the ground that the testimony or evidence,  
5 book or document required of him may tend to incriminate him or  
6 subject him to a penalty or forfeiture; but no person shall be prose-  
7 cuted, punished or subjected to any penalty or forfeiture for or on  
8 account of any act, transaction, matter or thing concerning which

9 under oath, after claiming his privilege, he shall by order of the  
10 attorney general have testified or produced documentary evidence.

1 SEC. 10. Any fiduciary holding property subject to equitable  
2 duties to deal with such property for charitable, educational or re-  
3 ligious purposes shall annually, on or before July first, unless other-  
4 wise directed by the attorney general, make to him a written report  
5 for the last preceding fiscal year of such trust showing the property  
6 so held and administered, the receipts and expenditures in connection  
7 therewith, the names and addresses of the beneficiaries thereof and  
8 such other information as the attorney general may require. Refusal  
9 for two (2) successive years to file such a report shall constitute a  
10 breach of trust and the attorney general shall take such action as  
11 may be appropriate to compel compliance herewith.

1 SEC. 11. Regardless of any language in the agreement, deed, will  
2 or other instrument creating a charitable trust, no trustee or trustees  
3 of such a trust shall be exonerated from liability for failure to exer-  
4 cise reasonable care, diligence and prudence.

1 SEC. 12. The provisions of this chapter shall not be applicable to  
2 charitable, religious and educational institutions holding funds in  
3 trust exclusively for their own charter or corporate purposes nor to  
4 trusts in which the charitable interest is contingent upon the happen-  
5 ing of an uncertain future event; provided, however, that upon the  
6 happening of said event vesting the charitable interest such trust  
7 shall thereafter be subject to all the provisions hereof.

Approved May 15, 1959.

## CHAPTER 365

### CHIEF JUSTICE OF THE SUPREME COURT

S. F. 154

AN ACT relating to the appointment, term and authority of the chief justice of the  
state.

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

1 SECTION 1. Section six hundred eighty-four point four (684.4),  
2 Code 1958, is hereby repealed and the following enacted in lieu there-  
3 of:  
4 "The members of the supreme court shall select one (1) of their  
5 number to be chief justice, to serve as such throughout the remainder  
6 of his then term of office. He shall be eligible for reselection. The  
7 chief justice shall appoint one (1) of the other members of the court  
8 to act in his place and stead in case of his absence or inability to act  
9 and, when so acting, such member shall have all the rights, duties and  
10 powers given by law to the chief justice."

Approved February 19, 1959.

## CHAPTER 366

## JUDICIAL CONFERENCES

S. F. 152

AN ACT relating to judicial conferences.

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

1 SECTION 1. The chief justice may from time to time order confer-  
 2 ences of members of the courts on matters relating to the administra-  
 3 tion of justice. Expenses shall be paid to court members attending  
 4 such conferences, subject to the limitations expressed in Section six  
 5 hundred five point two (605.2), Code 1958.

Approved February 18, 1959.

## CHAPTER 367

## SUPREME COURT RULES FOR INFERIOR COURTS

S. F. 153

AN ACT relating to rules by the supreme court for the operation of inferior courts.

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

1 SECTION 1. The supreme court shall adopt and enforce rules for  
 2 the orderly and efficient administration of the courts inferior to the  
 3 supreme court, which rules shall be executed by the chief justice. Such  
 4 rules shall be adopted in the manner provided in Section six hundred  
 5 eighty-four point nineteen (684.19), Code 1958.

Approved February 20, 1959.

## CHAPTER 368

## OBSTRUCTION OF TELEPHONE CALLS

H. F. 440

AN ACT relating to intentional obstruction of emergency telephone calls, and providing a penalty therefor.

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

1 SECTION 1. For the purposes of this Act, the following terms have  
 2 the meanings ascribed to them:  
 3 1. "Party line" means a subscriber's line telephone circuit, consist-  
 4 ing of two (2) or more main telephone stations connected therewith,  
 5 each station with a distinctive ring or telephone number;  
 6 2. "Emergency" means a situation in which property or human life  
 7 are in jeopardy and the prompt summoning of aid is essential.

1 SEC. 2. Any person who shall intentionally refuse to relinquish  
 2 immediately a telephone party line or public pay telephone when in-

3 formed that such line or telephone is needed for an emergency actually  
 4 existing as defined in section one (1) of this Act, for use in calling a  
 5 fire department or police department, or for medical aid or ambulance  
 6 service, shall be fined not exceeding one hundred dollars, or be im-  
 7 prisoned in the county jail not exceeding thirty days.

1 SEC. 3. Any person who shall secure the use of a telephone party  
 2 line or public pay telephone by falsely stating that such line or phone  
 3 is needed for an emergency call shall be fined not exceeding one hun-  
 4 dred dollars, or be imprisoned in the county jail not exceeding thirty  
 5 days.

1 SEC. 4. Every telephone company doing business in this state shall  
 2 print a copy of sections one (1) to three (3) of this Act in a promi-  
 3 nent place in every telephone directory published by it after July 4,  
 4 1959. Any person, firm, or corporation providing telephone service  
 5 which distributes or causes to be distributed in this state copies of a  
 6 telephone directory which is subject to the provisions of this section  
 7 which does not contain the notice herein provided for shall be fined  
 8 not exceeding one hundred dollars, or be imprisoned in the county jail  
 9 not exceeding thirty days.

Approved April 29, 1959.

## CHAPTER 369

### INJURIES TO DOGS

H. F. 329

AN ACT relating to injuries to animals.

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

1 SECTION 1. Section seven hundred seventeen point one (717.1),  
 2 Code 1958, is hereby amended by striking in line (3) the word "beast"  
 3 and inserting in lieu thereof the words "animal or dog".

Approved April 24, 1959.

## CHAPTER 370

### LABOR ORGANIZATION DUES

H. F. 116

AN ACT relating to labor organization dues.

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

1 SECTION 1. Section seven hundred thirty-six A point five  
 2 (736A.5), Code 1958, is hereby amended by striking from lines eight  
 3 (8), nine (9) and ten (10) the following: "and by his or her spouse,  
 4 if married, in the manner set forth in section 539.4,".

Approved May 15, 1959.

## CHAPTER 371

## AMPHETAMINE CONTROL

S. F. 304

AN ACT relating to the providing of amphetamine or any of its derivatives to inmates of any of the institutions under the jurisdiction of the board of control.

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

1 SECTION 1. Section seven hundred forty-five point fifteen (745.15),  
2 Code 1958, is hereby amended by inserting in line eleven (11) after  
3 the word, "cocaine," the words, "amphetamine or any of its deriva-  
4 tives,".

Approved April 8, 1959.

## CHAPTER 372

## VAGRANTS

H. F. 161

AN ACT to amend section seven hundred forty-six point one (746.1), Code 1958, relating to the definition of vagrants.

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

1 SECTION 1. Section seven hundred forty-six point one (746.1),  
2 Code 1958, is hereby amended by striking therefrom all of subsection  
3 seven (7).

Approved March 24, 1959.

## CHAPTER 373

## COMMUNICATIONS BY ARRESTED PERSONS

H. F. 75

AN ACT relating to communication with others by persons arrested, restrained, or about to be moved beyond the boundaries of this state.

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

1 SECTION 1. Chapter seven hundred fifty-five (755), Code 1958, is  
2 hereby amended by adding the following section thereto:  
3 "Any peace officer or other person having custody of any person  
4 arrested or restrained of his liberty for any reason whatever, shall,  
5 before preliminary hearing and arraignment, except in cases of immi-  
6 nent danger of escape, permit that person, without unnecessary delay  
7 after arrival at the place of detention, to call, consult, and see a mem-  
8 ber of his or her family or an attorney of his or her choice. If a call  
9 is made, it shall be made in the presence of the person having custody  
10 of the one arrested or restrained. If the person arrested or restrained  
11 is intoxicated, or a person under eighteen (18) years of age, the call  
12 shall be made by the person having custody. An attorney shall be

13 permitted to see and consult the person arrested or restrained alone  
 14 and in private at the jail or other place of custody. Before any ar-  
 15 rested or restrained person is moved beyond the boundaries of this  
 16 state by any peace officer or other person, for any reason whatever,  
 17 he or she shall at all times be entitled to a reasonable delay for the  
 18 purpose of obtaining counsel and availing himself or herself of the  
 19 constitution and the laws of this state for the security of personal  
 20 liberty. Nothing in this bill\* shall be construed to amend or modify  
 21 section seven hundred fifty-eight point one (758.1) or seven hundred  
 22 fifty-five point fourteen (755.14) of the Code. A violation of this sec-  
 23 tion shall constitute a misdemeanor."

Approved March 23, 1959.

\*According to enrolled Act.

## CHAPTER 374

### BAIL BONDS

H. F. 153

AN ACT relating to bail bonds by defendants arrested in another county in misde-  
 meanor cases, and the duty of the arresting officer in such cases.

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

1 SEC. 1. Section seven hundred fifty-seven point three (757.3),  
 2 Code 1958, is hereby amended by adding the following thereto:

3 "But if the warrant was issued by a magistrate or court other than  
 4 the district court the bond must provide for the defendant's appear-  
 5 ance before such magistrate or court at a time to be entered on said  
 6 bond. The time so entered shall not be sooner than the fifth nor later  
 7 than the tenth day after bail is given."

1 SEC. 2. Section seven hundred fifty-seven point four, (757.4),  
 2 Code 1958, is hereby amended by substituting a comma for the period  
 3 after the word "thereof" at the end of line twenty-three (23) and  
 4 adding the following:

5 "or to (name and address of the court or magistrate who issued  
 6 the warrant) if the warrant was not by the district court."

1 SEC. 3. Section seven hundred fifty-seven point five (757.5), Code  
 2 1958, is amended by substituting a period for the semicolon after the  
 3 word "doings" in line six (6) thereof and striking the remainder of  
 4 the section.

Approved May 7, 1959.

## CHAPTER 375

## CLERK OF GRAND JURY

H. F. 511

AN ACT relating to the salary of the clerk of the grand jury in certain counties.

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

1 SECTION 1. Section seven hundred seventy point twenty-one  
2 (770.21), Code 1958, is hereby amended by striking from line twenty-  
3 three (23) of such section the word "forty-eight" and by inserting in  
4 lieu thereof the word "fifty-four (54)".

1 SEC. 2. Section seven hundred seventy point twenty-one (770.21),  
2 Code 1958, is hereby amended by striking from line fourteen (14),  
3 the word "twenty-three" and inserting in lieu thereof the word  
4 "thirty-five".

Approved April 23, 1959.

## CHAPTER 376

## ATTORNEY'S FEES IN CRIMINAL CASES

H. F. 34

AN ACT relating to attorney's fees in criminal cases.

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

1 SECTION 1. Section seven hundred seventy-five point five (775.5),  
2 Code 1958, is hereby amended as follows:  
3 1. By striking from line six (6) of such section the word, "twenty"  
4 and by inserting in lieu thereof the word "fifty (50)".  
5 2. By striking from line seven (7) the period (.) and by inserting  
6 in lieu thereof the words, ", and the court shall allow the attorney so  
7 appointed such sum or sums as the court may determine are necessary  
8 for investigation in the interests of justice."  
9 3. By striking from line nine (9) of such section the word, "ten"  
10 and by inserting in lieu thereof the words, "twenty-five (25)".  
11 4. By striking from line ten (10) of such section the period (.)  
12 and by inserting in lieu thereof the words, "and if the prosecution be  
13 for an indictable misdemeanor, he shall receive the sum of fifteen (15)  
14 dollars in full for services; provided, however, that in any case the  
15 court may, if the court deems such action necessary in the interests  
16 of justice, allow such additional sum or sums as the court may deter-  
17 mine to be necessary."

Approved March 9, 1959.



## CHAPTER 377

## LEGAL COUNSEL IN FELONY CASES

H. F. 33

AN ACT to require that every person indicted for a felony be represented by legal counsel before a plea of guilty or entry of judgment is made.

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

1 SECTION 1. Section seven hundred seventy-seven point twelve  
2 (777.12), Code 1958, is hereby amended as follows:  
3 1. By inserting in line three (3) of such section after the word,  
4 "himself," the words, "and in the presence of legal counsel acting on  
5 behalf of the defendant if the defendant is charged with a felony".  
6 2. By inserting in line nine (9) after the period (.) the words,  
7 "Before a plea of guilty or an entry of judgment, if the defendant has  
8 neither employed counsel nor been assigned counsel as provided in  
9 section seven hundred seventy-five point four (775.4) of the Code,  
10 the court shall appoint counsel for the defendant if the defendant is  
11 charged with a felony."

Approved March 9, 1959.



**SPECIAL AND LEGALIZING ACTS**



## SPECIAL AND LEGALIZING ACTS

### CHAPTER 378

#### WHITE HOUSE CONFERENCE ON AGING

S. F. 289

AN ACT to permit the expenditure of federal funds made available by Congress for a state conference on problems of the aging and for paying costs of Iowa delegates to the white house conference on aging.

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

1 SECTION 1. The governor is hereby authorized to accept and  
 2 direct the disbursement of federal funds appropriated by Public Law  
 3 eighty-five dash nine hundred eight (85-908), Eighty-fifth (85th)  
 4 United States Congress, and allotted to Iowa by the United States  
 5 secretary of health, education and welfare. This shall be used exclu-  
 6 sively for planning and conducting an Iowa conference on aging for  
 7 developing facts and recommendations to be presented to the White  
 8 House Conference on Aging in January, 1961, and in paying the cost  
 9 of Iowa delegates to the White House Conference. The governor  
 10 shall deposit all such funds with the treasurer of the state of Iowa,  
 11 who shall make disbursements therefrom upon the direction of the  
 12 governor.

Approved May 5, 1959.

### CHAPTER 379

#### CORALVILLE RESERVOIR

S. F. 225

AN ACT to enable and empower the state of Iowa to convey certain easements and rights in, to and over certain lands owned by the state of Iowa in Johnson County, Iowa, in furtherance of the Coralville Reservoir Project.

WHEREAS, the United States of America has, under authority of Public Law 761, 75th Congress, approved 28th, June, 1938, undertaken development of a flood control project known as the Coralville Dam and Reservoir, Iowa River, Iowa, located upstream from Coralville, Johnson County, Iowa; and

WHEREAS, the State of Iowa is the owner of certain lands in fee in Johnson County, Iowa, upon which it has constructed and is maintaining a dam and artificial lake and a public park with necessary roads, utilities, parking and picnic areas, and extensive recreational facilities which have been developed and maintained on state-owned lands designated and

known as Lake Macbride State Park under the jurisdiction and control of the State Conservation Commission; and

WHEREAS, a contract and agreement was made and entered into the 16th day of July, 1956, by and between the United States of America and the State of Iowa acting by and through the State Conservation Commission and the State Highway Commission and Johnson County, Iowa; and

WHEREAS, the State of Iowa in the aforesaid contract and agreement is to convey to the United States of America by good and sufficient deed(s) the perpetual right, power, privilege and easement to permanently overflow, flood and submerge all of the state-owned area in Lake Macbride Park below elevation 712 (Sea Level Datum of 1929), and the perpetual right, power and privilege to intermittently overflow, flood and submerge the state-owned lands between elevations 712 and 717 and the right to clear below elevation 713 all brush, timber and floatable obstructions from that part of the park area above or upstream from the Lake Macbride Dam, and below elevation 671 as to that part of the park area below or downstream from said Dam, in connection with the operation and maintenance of the Coralville Reservoir Project as authorized by the Act of Congress approved 28th June, 1938, provided that no structures for human habitation shall be constructed or maintained on said lands, and provided further that such other structures as may be constructed thereon be limited to recreational and related facilities ordinarily associated with the use and enjoyment of public parks, fish, and wild life preserves and public water areas, reserving, however, to the State or its assigns, all such rights and privileges as may be used and enjoyed without interfering with or abridging the rights and easements conveyed to the United States of America; and

WHEREAS, the State of Iowa in the aforesaid contract and agreement is to relinquish any and all rights and privileges in and to the privately-owned area known and designated as Cottage Reserve. Said rights and privileges are enumerated in certain deeds from the Security Finance Company to the State of Iowa in the original conveyance of the state-owned lands at Lake Macbride State Park; and

WHEREAS, the Attorney General of the United States in a letter opinion dated November 1, 1957, has questioned the authority of the executive council and the state conservation commission to grant the said easements and rights, now, therefore,

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

1 SECTION 1. The executive council may upon the majority recom-  
 2 mendation of the state conservation commission, grant, sell, ex-  
 3 change or convey to the United States of America by good and  
 4 sufficient deed(s) the perpetual right, power, privilege and easement  
 5 to permanently overflow, flood and submerge all of the state-owned  
 6 area in Lake Macbride Park below elevation 712 (Sea Level Datum  
 7 of 1929), and the perpetual right, power and privilege to intermit-  
 8 tently overflow, flood and submerge the state-owned lands between  
 9 elevations 712 and 717 and the right to clear below elevation 713 all  
 10 brush, timber and floatable obstructions from that part of the park  
 11 area above or upstream from the Lake Macbride Dam, and below  
 12 elevation 671 as to that part of the park area below or downstream

13 from said Dam, in connection with the operation and maintenance  
 14 of the Coralville Reservoir Project as authorized by the Act of  
 15 Congress approved 28th June, 1938, provided that no structures for  
 16 human habitation shall be constructed or maintained on said lands,  
 17 and provided further that such other structures as may be con-  
 18 structed thereon be limited to recreational and related facilities ordi-  
 19 narily associated with the use and enjoyment of public parks, fish,  
 20 and wild life preserves and public water areas, reserving, however,  
 21 to the State or its assigns, all such rights and privileges as may be  
 22 used and enjoyed without interfering with or abridging the rights  
 23 and easements conveyed to the United States of America.

1 SEC. 2. The executive council may upon the majority recommen-  
 2 dation of the state conservation commission, relinquish or subordi-  
 3 nate to the United States of America any and all rights and priv-  
 4 ileges in and to the privately-owned area known and designated as  
 5 Cottage Reserve. Said rights and privileges are enumerated in cer-  
 6 tain deeds from the Security Finance Company to the State of Iowa  
 7 in the original conveyance of the state-owned lands at Lake Mac-  
 8 bride State Park.

1 SEC. 3. The land involved in this Act is situated in Johnson  
 2 County, Iowa and commonly called Lake Macbride State Park being  
 3 located in, and part of, sections twenty (20), twenty-one (21),  
 4 twenty-eight (28), twenty-nine (29), thirty (30), and thirty-two  
 5 (32), township eighty-one north (T81N), range six west (R6W), of  
 6 the fifth principal meridian.

1 SEC. 4. Conveyance made pursuant to this Act shall be in the  
 2 name of the state, signed by the governor and secretary of state,  
 3 with the great seal of the state attached.

1 SEC. 5. This Act being deemed of immediate importance, shall  
 2 take effect and be in force from and after its publication in the Iowa  
 3 City Press-Citizen a newspaper published in Iowa City, Iowa, and  
 4 in the Traer Star-Clipper a newspaper published in Traer, Iowa.

Approved April 28, 1959.

I hereby certify that the foregoing Act, Senate File 225, was published in the Iowa City Press-Citizen, Iowa City, Iowa, May 4, 1959, and in the Traer Star-Clipper, Traer, Iowa, May 8, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 380

### SALE OF RIVER LAND IN SCOTT COUNTY

H. F. 588

AN ACT to authorize the sale and conveyance to Iowa-Illinois Gas and Electric Company of certain land in Scott County, Iowa, lying below the ordinary high-water mark of the Mississippi River.

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

1 SECTION 1. The executive council of the state of Iowa is hereby  
 2 authorized, upon a majority recommendation of the state conserva-

3 tion commission, to sell at private sale to Iowa-Illinois Gas and Elec-  
4 tric Company, a corporation organized under the laws of the state of  
5 Illinois and having a place of business at Davenport, Iowa, the follow-  
6 ing described real estate situated in Scott county, state of Iowa, to  
7 wit:

8 Part of section twenty-four (24), township seventy-eight (78)  
9 north, range four (4) east of the fifth (5th) principal meridian in  
10 Scott County in the state of Iowa, more particularly described as fol-  
11 lows:

12 Commencing at the center of said section twenty-four (24); thence  
13 north forty-three (43) degrees forty-five (45) minutes east seven  
14 hundred twenty and two-tenths (720.2) feet to a United States Corps  
15 of Engineers Severance Line Monument # S.L. thirty (30), set at  
16 common property corner of Iowa-Illinois Gas and Electric Company -  
17 Grace Hartz (Etvir) and Frederick Moenck tracts; thence south  
18 thirty-eight (38) degrees forty-one (41) minutes fifty-five (55) sec-  
19 onds east one hundred twenty-two and seventeen hundredths (122.17)  
20 feet to the point of beginning of the following described tract; thence  
21 continuing south thirty-eight (38) degrees forty-one (41) minutes  
22 fifty-five (55) seconds east one hundred thirty (130) feet to a point;  
23 thence south no (0) degrees forty-five (45) minutes five (5) seconds  
24 west three hundred ten (310) feet to a point; thence south ten (10)  
25 degrees forty-five (45) minutes five (5) seconds west four hundred  
26 (400) feet to a point; thence south twenty-seven (27) degrees fifty-  
27 nine (59) minutes forty-two (42) seconds west one thousand five  
28 hundred eighty-eight and eight tenths (1588.8) feet to a point; thence  
29 south forty-three (43) degrees twelve (12) minutes forty-two (42)  
30 seconds west seven hundred twenty-five (725) feet, more or less, to  
31 land conveyed by the state of Iowa on November 14, 1941 to United  
32 Power Manufacturing Company by patent recorded in Scott County  
33 Iowa records in Book 83 of Land Deeds page 509; thence north thirty-  
34 five (35) degrees forty-two (42) minutes forty-two (42) seconds east  
35 along the line of real estate conveyed by said patent, five hundred  
36 twenty (520) feet to a point; thence north twelve (12) degrees forty-  
37 three (43) minutes forty-two (42) seconds east along the line of real  
38 estate conveyed by said patent two hundred ninety-eight (298) feet  
39 to a point; thence north seventy-one (71) degrees twenty (20) min-  
40 utes eighteen (18) seconds west sixty-three and two-tenths (63.2)  
41 feet to a United States Corps of Engineers Severance Line Monument  
42 # S.L. seventeen (17) set at point of intersection of the southerly  
43 line of Block One (1), Island View, a Subdivision of a portion of the  
44 south half of fractional section twenty-four (24), township seventy-  
45 eight (78) north, range four (4) east of the fifth (5th) principal  
46 meridian (plat of which subdivision with attendant certificates is  
47 recorded in Scott County Iowa records in Book 83 Land Deeds, page  
48 516) on the bank of the Mississippi river; thence following the mean-  
49 ders of the ordinary high-water mark line on the Iowa bank of the  
50 Mississippi river to the point of beginning, all bearings in this descrip-  
51 tion being referred to True North and said parcel containing nine  
52 and seventy-five hundredths (9.75) acres, more or less, or so much  
53 thereof as the executive council and Iowa-Illinois Gas and Electric  
54 Company may agree upon, at such price and upon such terms and  
55 conditions as the executive council, upon a majority recommendation



56 of the state conservation commission, shall deem most advantageous  
57 to the state of Iowa.

1 SEC. 2. Upon compliance with the provisions of section one (1)  
2 of this Act, and upon receipt from Iowa-Illinois Gas and Electric Com-  
3 pany of the purchase price thereof, the governor and the secretary of  
4 state of the state of Iowa are hereby authorized to execute and deliver,  
5 in the name of the state of Iowa and with the great seal of the state  
6 attached, a patent conveying said real estate to said Iowa-Illinois Gas  
7 and Electric Company, its successors and assigns.

1 SEC. 3. The proceeds of such sale shall become a part of the funds  
2 to be expended under the provisions of chapter 111, Code 1958.

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 Betten-  
3 dorf Press, a newspaper published at Bettendorf, Iowa, and the  
4 Davenport Democrat, a newspaper published at Davenport, Iowa, at  
5 no expense to the state.

Approved April 17, 1959.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3.9, Code of Iowa, 1958, there being no newspaper by the name of Davenport Democrat published at Davenport, Iowa, the Morning Democrat, a newspaper published at Davenport, Iowa, was designated to publish the foregoing Act, House File 588.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, House File 588, was published in the Bettendorf Press, Bettendorf, Iowa, April 30, 1959, and in the Morning Democrat, Davenport, Iowa, April 28, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 381

### SALE OF LAND IN MUSCATINE COUNTY

#### H. F. 442

AN ACT to authorize the sale and conveyance to Eastern Iowa Light and Power Cooperative of certain land in Muscatine County, Iowa, lying below the ordinary high-water mark of the Mississippi River.

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

1 SECTION 1. The executive council of the state of Iowa is hereby  
2 authorized, upon a majority recommendation of the state conserva-  
3 tion commission, to sell at private sale to Eastern Iowa Light and  
4 Power Cooperative, a cooperative association organized under the laws  
5 of the state of Iowa and having a place of business at Wilton Junc-  
6 tion, Iowa, the following described real estate situated in Muscatine  
7 county, state of Iowa, to wit:

8 Part of sections twenty-two (22) and twenty-three (23), township  
9 seventy-seven (77) north, range one (1) east of the fifth (5th) prin-  
10 cipal meridian, in Muscatine county, state of Iowa, more particularly  
11 described as follows:

12 Beginning on the west line of section twenty-three (23), township  
13 seventy-seven (77) north, range one (1) east at a point which is south  
14 zero (0) degrees thirty-nine (39) minutes west three thousand one  
15 hundred fifty-three and seven-tenths (3153.7) feet from the north-  
16 west corner thereof, said point being on the ordinary high-water mark  
17 of the Mississippi river. Thence north seventy-nine (79) degrees  
18 eleven (11) minutes west one hundred ninety-eight and seven-tenths  
19 (198.7) feet; thence north seventy-one (71) degrees forty-six (46)  
20 minutes west two hundred twenty-seven (227.0) feet; thence north  
21 sixty-nine (69) degrees five (5) minutes west two hundred forty-one  
22 (241.0) feet; thence north seventy-five (75) degrees twenty-seven  
23 (27) minutes west ninety (90.0) feet; thence south zero (0) degrees  
24 thirty-nine (39) minutes west one hundred three and two hundredths  
25 (103.02) feet; thence south seventy-five (75) degrees twenty-seven  
26 (27) minutes east ninety and three hundredths (90.03) feet; thence  
27 south sixty-nine (69) degrees five (5) minutes east two hundred  
28 forty-one (241.0) feet; thence south seventy-one (71) degrees forty-  
29 six (46) minutes east two hundred twenty-seven (227.0) feet; thence  
30 south seventy-nine (79) degrees eleven (11) minutes east one hun-  
31 dred ninety-eight and seven-tenths (198.7) feet; thence south seventy-  
32 seven (77) degrees forty-three (43) minutes east three hundred  
33 seventeen and five-tenths (317.5) feet; thence south eighty-one (81)  
34 degrees eleven (11) minutes east three-hundred ninety-four and six-  
35 tenths (394.6) feet; thence south seventy-six (76) degrees forty-five  
36 (45) minutes east two hundred fifteen and eight-tenths (215.8) feet;  
37 thence south eighty-eight (88) degrees fifty-two (52) minutes east  
38 three hundred seventy-two and six-tenths (372.6) feet; thence North  
39 eighty-six (86) degrees forty-three (43) minutes east forty-four and  
40 ninety-nine hundredths (44.99) feet; thence north zero (0) degrees  
41 thirty-eight (38) minutes east one hundred and twenty-three hun-  
42 dredths (100.23) feet; thence south eighty-six (86) degrees forty-  
43 three (43) minutes west forty-five (45.0) feet; thence north eighty-  
44 eight (88) degrees fifty-two (52) minutes west three hundred seventy-  
45 two and six-tenths (372.6) feet; thence north seventy-six (76) degrees  
46 forty-five (45) minutes west two hundred fifteen and eight-tenths  
47 (215.8) feet; thence north eighty-one (81) degrees eleven (11) min-  
48 utes west three hundred ninety-four and six-tenths (394.6) feet;  
49 thence north seventy-seven (77) degrees forty-three (43) minutes  
50 west three hundred seventeen and five-tenths (317.5) feet to the point  
51 of beginning. This tract contains approximately 4.81 acres, more or  
52 less, or so much thereof as the executive council and Eastern Iowa  
53 Light and Power Cooperative may agree upon, at such price and upon  
54 such terms and conditions as the executive council, upon a majority  
55 recommendation of the state conservation commission, shall deem  
56 most advantageous to the state of Iowa.

1 SEC. 2. Upon compliance with the provisions of section one (1) of  
2 this Act, and upon receipt from Eastern Iowa Light and Power Co-  
3 operative of the purchase price thereof, the governor and the secre-  
4 tary of state of the state of Iowa are hereby authorized to execute  
5 and deliver, in the name of the state of Iowa and with the great seal  
6 of the state attached, a patent conveying said real estate to said  
7 Eastern Iowa Light and Power Cooperative, its successors and as-  
8 signs.

1 SEC. 3. The proceeds of such sale shall become a part of the funds  
2 to be expended under the provisions of chapter 111, Code 1958.

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 Muscatine  
3 Journal and News-Tribune, a newspaper published at Muscatine, Iowa,  
4 and the Wilton Advocate, a newspaper published at Wilton Junction,  
5 Iowa.

Approved April 17, 1959.

I hereby certify that the foregoing Act, House File 442, was published in the Muscatine Journal and News-Tribune, Muscatine, Iowa, April 22, 1959, and in the Wilton Advocate, Wilton Junction, Iowa, April 23, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 382

### MONTICELLO LEGALIZING ACT

#### H. F. 321

AN ACT to ratify the sale of certain real estate owned by the city of Monticello, county of Jones, state of Iowa, and to authorize conveyance of legal title thereto.

WHEREAS, the city council of the city of Monticello, county of Jones, state of Iowa, heretofore sold real estate owned by said city of Monticello, pursuant to sections three hundred sixty-eight point thirty-nine (368.39) and three hundred sixty-eight point forty (368.40), of the Code, which said land had been dedicated for park purposes; and

WHEREAS, doubts have arisen concerning the legality of the sale of said real estate; now therefore,

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

1 SECTION 1. The sale by the city council of the city of Monticello,  
2 county of Jones, state of Iowa, of the following described real estate:  
3 A tract of land in the southwest quarter (SW $\frac{1}{4}$ ) of the north-  
4 west quarter (NW $\frac{1}{4}$ ) of section twenty-two (22), township  
5 eighty-six (86) north, range three (3) west of the fifth (5th)  
6 principal meridian, commencing at the southwest corner of the  
7 northwest quarter (NW $\frac{1}{4}$ ) of section twenty-two (22), town-  
8 ship eighty-six (86) north, range three (3) west of the fifth  
9 (5th) principal meridian, thence north along the section line  
10 635.44 feet, thence east 109.50 feet to the point of beginning of  
11 the tract of land to be described, thence east 160 feet, thence  
12 north 160 feet, thence west 160 feet, thence south 160 feet to the  
13 point of beginning, with right of ingress and egress thereto,  
14 by deed dated January 28, 1959, and filed in book A T at page 177,  
15 of deed records of Jones county, Iowa, is hereby ratified and confirmed.

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 Monticello Express, a newspaper published at Monticello, Iowa,

4 and in the Anamosa Journal, a newspaper published at Anamosa,  
5 Iowa, without expense to the state.

Approved April 17, 1959.

I hereby certify that the foregoing Act, House File 321, was published in the Monticello Express, Monticello, Iowa, April 30, 1959, and in the Anamosa Journal, Anamosa, Iowa, May 4, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 383

### LE CLAIRE TITLE TO RIVER ISLANDS

S. F. 401

AN ACT granting to the town of LeClaire title to the bed and banks of the Mississippi River and islands and made lands therein, within stated boundaries.

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

- 1 SECTION 1. All of the right, title and interest of the state of Iowa  
2 in and to that part of the bed and banks of the Mississippi river which  
3 lies within the boundaries hereinafter stated and in and to all islands  
4 in said river within said boundaries in and to all filled or made land,  
5 which has at any time been formed in, on or out of the bed or banks  
6 of said river within said boundaries, is hereby granted to and vested  
7 in the town of LeClaire. The boundaries hereinbefore referred to are:  
8 1. In the channel of said river, the boundary line of the state of  
9 Iowa;  
10 2. On and along the Iowa shore of said river, the line on said shore  
11 which is the most distant line from said state boundary line to which  
12 the bed or banks of said river have at any time extended;  
13 3. At the upper corporate limits of the town of LeClaire, as said  
14 limits are now established along said river, the lines of said limits,  
15 extended to the state boundary line;  
16 4. At the lower corporate limits of the town of LeClaire, as said  
17 limits are now established along said river, the lines of said limits,  
18 extended to the state boundary line.

Approved April 15, 1959.

## CHAPTER 384

### MUSCATINE LAND GRANT EASEMENT

H. F. 692

AN ACT to grant and convey unto Muscatine Island Levee District of Muscatine and Louisa Counties, Iowa, a perpetual easement over and across certain lands belonging to the state of Iowa in Muscatine and Louisa Counties, lying below the ordinary high-water mark of the Mississippi River.

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

- 1 SECTION 1. A perpetual easement is hereby granted unto Musca-  
2 tine Island Levee District of Muscatine and Louisa Counties, Iowa,

3 for the purpose of constructing, reconstructing, maintaining, repair-  
 4 ing, operating, patrolling and replacing a flood protection levee, in-  
 5 cluding all appurtenances thereto, on, over and across the follow-  
 6 ing described real estate situated in Muscatine County, State of Iowa,  
 7 to wit:

8 A strip of land along the westerly shore line of the Mississippi River  
 9 and contiguous to the easterly line of vegetation of Fractional Section  
 10 14, adjacent to Government Lots 1, 2 and 3, and in the North West  
 11 corner of Fractional Section 23, a small triangular area, and in the  
 12 North East corner of Fractional Section 22, a small triangular area,  
 13 all in Township 76 North Range 2 West of the 5th principal meridian,  
 14 Muscatine County, Iowa, which is that riparian part lying between the  
 15 present ordinary high-water mark and a line 130 feet normally distant  
 16 easterly from the below described construction base line which is the  
 17 approximate center line of the existing levee, containing 5.78 acres,  
 18 more or less, said construction base line described as follows: com-  
 19 mencing at the North West corner of said Fractional Section 14,  
 20 thence North 88 deg. 34' 10" East 1680.5 feet along the north line of  
 21 said section to said construction base line at Station 102 + 76.4, a  
 22 point on the extended north line of the above described strip, the point  
 23 of beginning; thence South 05 deg. 14' 40" East to Station 104 + 33.4,  
 24 thence South 08 deg. 59' 20" East to Station 108 + 44.4, thence South  
 25 05 deg. 13' 40" East to Station 111 + 63.8, thence South 01 deg. 12'  
 26 30" East to Station 114 + 60.3, thence South 03 deg. 00' 00" West to  
 27 Station 117 + 80.2, thence South 05 deg. 26' 40" West to Station 120  
 28 + 03.1, thence South 10 deg. 05' 10" West to Station 123 + 88.3,  
 29 thence South 10 deg. 50' 00" West to Station 126 + 85.9, thence South  
 30 13 deg. 14' 30" West to Station 130 + 28.7, thence South 22 deg. 04'  
 31 40" West to Station 133 + 28.3, thence South 27 deg. 04' 40" West to  
 32 Station 137 + 04.3 marked by a monument R-452.3 thence South 29  
 33 deg. 21' 20" West to Station 144 + 00.4, thence South 37 deg. 35' 10"  
 34 West to Station 151 + 04.4, thence South 37 deg. 33' 00" West to  
 35 Station 160 + 99.1, thence South 55 deg. 15' 40" West to Station 161  
 36 + 43.2, thence South 66 deg. 53' 30" West to Station 162 + 13.0, the  
 37 southerly end thereof.

38 Also, on, over and across the following described real estate situated  
 39 in Louisa County, State of Iowa, to wit:

40 A strip of land along the westerly shore line of the Mississippi  
 41 River and contiguous to the easterly line of vegetation of Fractional  
 42 Section 5, Government Lot 2 in township 74 North Range 2 West of  
 43 the 5th principal meridian, Louisa County, Iowa, which is that ripar-  
 44 ian part lying between the present ordinary high-water mark and a  
 45 line 100 feet normally distant easterly from the below described con-  
 46 struction base line which is the approximate center line of the existing  
 47 levee, containing 0.14 acres, more or less, said construction base line  
 48 being described as follows: commencing at the West quarter corner  
 49 of said Section 5, thence North 89 deg. 46' East 1073.4 feet along said  
 50 Section East,- West quarter line to Station 717 + 81.7, a point on said  
 51 base line; thence North 07 deg. 17' 10" West 714.1 feet along said base  
 52 line to Station 710 + 67.7; thence North 00 deg. 07' 15" West 215  
 53 plus or minus feet to a point on said base line normal to the southerly  
 54 end of said strip of land, the point of beginning; thence North 00 deg.

55 07' 15" West 210 plus or minus feet to a point on said base line normal  
56 to the northerly end of said strip of land.

1 SEC. 2. This Act being deemed of immediate importance shall be  
2 in full force and effect from and after its publication in the Muscatine  
3 Journal and News-Tribune, a newspaper published at Muscatine, Iowa,  
4 and the Wapello Republican, a newspaper published at Wapello, Iowa.

Approved April 17, 1959.

I hereby certify that the foregoing Act, House File 692, was published in the Muscatine Journal and News-Tribune, Muscatine, Iowa, April 22, 1959, and in the Wapello Republican, Wapello, Iowa, April 23, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 385

### OAKVIEW CEMETERY LEGALIZING ACT

H. F. 726

AN ACT to legalize the transfer of all assets of the Oakview Cemetery Association to the Oakview Cemetery Association, of Welton, Clinton County, Iowa, and to legalize the incorporation of said cemetery association, of Welton, Clinton County, Iowa.

WHEREAS, the Oakview Cemetery Association, of the town of Welton, Clinton County and State of Iowa, was an unincorporated cemetery association, not operated for profit, but operated for the purpose of furnishing a burial site for its members, and said association has been a going concern for many years; and

WHEREAS, the members thereof have, by majority vote, elected to incorporate and transfer its assets to the incorporated association as its successor, and said association has proceeded with said incorporation of the Oakview Cemetery Association; now therefore,

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

1 SECTION 1. That the Oakview Cemetery Association, of Welton,  
2 Clinton County and State of Iowa, be and the same is the duly incor-  
3 porated successor to the unincorporated cemetery association, Oakview  
4 Cemetery Association, of Welton, Iowa, and the transfer of all of the  
5 assets of said unincorporated association to the said successor, Oak-  
6 view Cemetery Association, incorporated, is hereby legalized and said  
7 unincorporated cemetery association is dissolved and all of the pro-  
8 ceedings of said successor corporation are hereby legalized.

1 SEC. 2. This Act being of immediate importance shall be in full  
2 force and effect from and after its passage and publication in the  
3 DeWitt Observer, a newspaper published at DeWitt, Iowa, and the  
4 Lost Nation Press, a newspaper published at Lost Nation, Iowa, with-  
5 out expense to the state.

Approved April 24, 1959.

I hereby certify that the foregoing Act, House File 726, was published in the DeWitt Observer, DeWitt, Iowa, April 30, 1959, and in the Lost Nation Press, Lost Nation, Iowa, May 7, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 386

## CASS COUNTY LEGALIZING ACT

S. F. 419

AN ACT to legalize the action of the board of supervisors of Cass County, Iowa, in executing certain contracts for the construction of certain bridges in Cass County, and validating the several contracts thus executed.

WHEREAS, the Board of Supervisors of Cass County, Iowa, entered into a contract with Yegge & Blosser Construction Company, Boone, Iowa, for the construction of a bridge known as Project H-230600 in Cass County under date of February 18, 1959, at and for the sum of fifty-seven thousand, five hundred seventy-one dollars and eighty-four cents (\$57,571.84); and,

WHEREAS, on the same date the said Board of Supervisors of Cass County, Iowa, entered into a contract with O. W. Morehead, Des Moines, Iowa, for the construction of a bridge known as Project M-300502 in Cass County at and for the sum of fifty-eight thousand, six hundred twelve dollars and nine cents (\$58,612.09); and,

WHEREAS, each of the said contracts requires for its payment an appropriation in excess of the sum of fifty thousand dollars (\$50,000.00) and neither such contract nor such appropriation was first submitted to the electors pursuant to the provisions of section three hundred nine point seventy-eight (309.78), Code 1958; and,

WHEREAS, federal financial aid arising out of flood conditions was available within time limitations fixed by the federal authorities and compliance with the provisions of the foregoing section three hundred nine point seventy-eight (309.78) would delay compliance with the federal requirements for such financial assistance; now, therefore,

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

1 SECTION 1. The action of the Board of Supervisors of Cass County,  
2 Iowa, in the execution of the following described contract: Contract  
3 dated February 18, 1959, between the Board of Supervisors of Cass  
4 County, Iowa, and Yegge & Blosser Construction Company, Boone,  
5 Iowa, in the sum of fifty-seven thousand, five hundred seventy-one  
6 dollars and eighty-four cents (\$57,571.84), and the contract between  
7 the said parties as executed February 18, 1959, be and is hereby legal-  
8 ized, validated and confirmed.

1 SEC. 2. The action of the Board of Supervisors of Cass County,  
2 Iowa, in the execution of the following described contract: Contract  
3 dated February 18, 1959, between the Board of Supervisors of Cass  
4 County, Iowa, and O. W. Morehead, Des Moines, Iowa, in the sum of  
5 fifty-eight thousand, six hundred twelve dollars and nine cents (\$58,-  
6 612.09), and the contract between the said parties as executed Febr-  
7 ary 18, 1959, be and is hereby legalized, validated and confirmed.

1 SEC. 3. This Act being of immediate importance shall be in full  
2 force and effect from and after its passage and publication in the

3 Atlantic-News Telegraph, a newspaper published at Atlantic, Iowa,  
4 and the Waverly Independent, a newspaper published at Waverly,  
5 Iowa.

Approved March 10, 1959.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3.9, Code of Iowa, 1958, there being no newspaper by the name of Waverly Independent published at Waverly, Iowa, The Bremer County Independent, a newspaper published at Waverly, Iowa, is designated to publish the foregoing Act, Senate File 419.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, Senate File 419, was published in the Atlantic-News Telegraph, Atlantic, Iowa, March 12, 1959, and in The Bremer County Independent, Waverly, Iowa, March 18, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 387

### CEDAR COUNTY LEGALIZING ACT

H. F. 734

AN ACT to legalize the procedure relating to the action of the Cedar County board of supervisors in making payment of legal counsel fees incurred in a court action to determine validity of the election returns from Cass Township, Cedar County, Iowa, pertaining to a special election held on June 2, 1958.

WHEREAS, in order to gain final adjudication in the matter of the validity of the ballots cast in Cass township, Cedar County, Iowa, at a special election held on June 2, 1958, a resort to action in district court was necessary; and

WHEREAS, in the presentation and furtherance of such action the expense of five hundred sixty-seven dollars and two cents (\$567.02) for legal counsel was incurred; and

WHEREAS, the board of supervisors of Cedar County, Iowa, have made payment in full of such legal counsel fees of five hundred sixty-seven dollars and two cents (\$567.02); and

WHEREAS, doubts have arisen or may arise as to the legality of the expenditure by the board of supervisors of Cedar County of five hundred sixty-seven dollars and two cents (\$567.02) for such legal fees; therefore,

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

1 SECTION 1. The action of the board of supervisors of Cedar Coun-  
2 ty, Iowa, of making payment of legal counsel fees of five hundred  
3 sixty-seven dollars and two cents (\$567.02), during the year 1959,  
4 is hereby declared to be legal, valid and binding.

1 SEC. 2. This Act being of immediate importance shall be in full  
2 force and effect from and after its passage and publication in the  
3 Tipton Conservative, a newspaper published at Tipton, Iowa, and the



- 4 Pioneer-Press & Stanwood Herald, a newspaper published at Me-  
5 chanicsville, Iowa, such publication to be without expense to the state.

Approved April 29, 1959.

I hereby certify that the foregoing Act, House File 734, was published in the Tipton Conservative, Tipton, Iowa, May 14, 1959, and in the Pioneer-Press & Stanwood Herald, Mechanicsville, Iowa, May 14, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 388

### CERRO GORDO COUNTY LEGALIZING ACT

S. F. 313

AN ACT to legalize and validate the proceedings of the board of supervisors of Cerro Gordo County, Iowa authorizing and providing for the issuance of courthouse bonds of said county 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 county.

WHEREAS, it appears from the records of the board of supervisors of Cerro Gordo County, Iowa, that on September 30, 1958 said board of supervisors adopted a resolution ordering that at the regular election to be held in said county on November 4, 1958, there be submitted to the voters of said county the proposition of issuing bonds of said county in the sum of seven hundred fifty thousand (750,000) dollars for the purpose of purchasing an office building in the city of Mason City and remodeling said building and constructing an addition thereto so that said improved building may be used for a courthouse in said county and levying annual taxes sufficient to pay said bonds and the interest thereon, and said proposition was duly submitted to the voters of said county at said regular election on November 4, 1958: and

WHEREAS, after canvassing the results of the election on the proposition of issuing said bonds it was found and determined that said proposition was approved by more than sixty-seven (67) per cent of the total number of votes cast for and against said proposition at said election, there being nine thousand eight hundred sixty-two (9862) votes cast in favor of said proposition and four thousand eight hundred thirty (4830) votes cast against the same, and the results of said election were thereafter published for four (4) consecutive weeks as required by law: and

WHEREAS, in reliance upon the favorable vote cast at said election the board of supervisors of said county has by resolution authorized and provided for the issuance of courthouse bonds to the amount and for the purpose aforesaid and has made provision for the levy of taxes sufficient to pay said bonds and the interest thereon: and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election and proceedings and provisions made for the issuance and payment of said bonds and it is deemed advisable to put such doubts and all others that might arise concerning same forever at rest: now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the board of  
2 supervisors of Cerro Gordo County, Iowa, preliminary to and in con-  
3 nection with the election held in said county on November 4, 1958, and  
4 providing for the issuance of courthouse bonds of said county to the  
5 amount of seven hundred fifty thousand (750,000) dollars pursuant to  
6 said election, and for the levy of taxes sufficient to pay said bonds and  
7 interest thereon, are hereby legalized, validated and confirmed, and  
8 said courthouse bonds issued, sold and delivered pursuant to and in  
9 accordance with said proceedings are hereby declared to be legal and  
10 to constitute valid and binding obligations of said county.

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 in Mason City, Iowa, and in the  
4 Thornton Enterprise, a newspaper published in Thornton, Iowa.

Approved March 11, 1959.

I hereby certify that the foregoing Act, Senate File 313, was published in the Mason City Globe-Gazette, Mason City, Iowa, March 18, 1959, and in the Thornton Enterprise, Thornton, Iowa, March 20, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 389

### WINNESHIEK COUNTY LEGALIZING ACT

H. F. 90

AN ACT to legalize the procedure relating to the action of the Winneshiek County board of supervisors in making expenditures for repairs of the Winneshiek County courthouse roof in the county of Winneshiek, state of Iowa.

WHEREAS, the board of supervisors of Winneshiek county, Iowa, made urgently needed repairs under proper contract and bids to the Winneshiek County courthouse roof, which said repairs were completed and accepted by the architect on April 28, 1955.

WHEREAS, the work was found to be unsatisfactory and the roof leaked, and the board of supervisors entered into a contract to make further repairs to the said roof to make it a leak-proof roof, and

WHEREAS, the contractor, pursuant to the proper bid and all other proceedings according to law, found upon getting into the roof that it was impossible to repair, and that the whole roof had to be torn up, and

WHEREAS, due to the emergency situation then resulting, the board of supervisors of Winneshiek county, Iowa, authorized the said contractor and architect to build a new roof on the Winneshiek county courthouse for much greater sums than were anticipated, and

WHEREAS, doubts have arisen as to the legality of the expenditures of the sum of forty-three thousand four hundred and twenty seven dollars and fifty cents (\$43,427.50) for putting a new roof upon the said courthouse roof, and

WHEREAS, it was impossible to advertise and let bids according to law, since the roof was torn up and leaking, and it is deemed advisable to put any doubts as to the legality of the expenditures of the sum of forty-three thousand four hundred and twenty-seven dollars and fifty cents (\$43,427.50) forever at rest, therefore,

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

1 SECTION 1. The action of the board of supervisors of Winneshiek  
2 county, Iowa, in making emergency expenditures for repairs of the  
3 Winneshiek County courthouse roof in the sum of forty-three thou-  
4 sand four hundred and twenty-seven dollars and fifty cents (\$43,-  
5 427.50) during the year 1958 is hereby declared to be legal, valid and  
6 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 Decorah Public Opinion, a newspaper published at Decorah, Iowa,  
4 and the Ossian Bee, a newspaper published at Ossian, Iowa, such pub-  
5 lication to be without expense to the state.

Approved April 24, 1959.

I hereby certify that the foregoing Act, House File 90, was published in the Decorah Public Opinion, Decorah, Iowa, May 4, 1959, and in the Ossian Bee, Ossian, Iowa, April 30, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 390

### RINGSTED FIRE DISTRICT LEGALIZING ACT

H. F. 233

AN ACT to legalize and validate the proceedings for the organization and establishment of the Ringsted Benefited Fire District, in the counties of Emmet, Kossuth and Palo Alto, state of Iowa, and declaring said district a duly and legally organized corporate body as provided by law.

WHEREAS, the Ringsted Benefited Fire District, in the counties of Emmet, Kossuth and Palo Alto, state of Iowa, was organized and established pursuant to the provisions of chapter three hundred fifty-seven A (357A), Code 1958, and the existence of said district is of general public interest and vital to the public interest and welfare of the area contained within its boundaries; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings for the organization and establishment of said district, and it is deemed advisable and necessary to put such doubts and all others that might arise concerning same forever at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken in connection  
2 with the organization, creation, and establishment of the Ringsted  
3 Benefited Fire District, in the counties of Emmet, Kossuth and Palo  
4 Alto, state of Iowa, are hereby declared to be valid, legal and suffi-  
5 cient to create and establish the body corporate and politic known as

6 the Ringsted Benefited Fire District in the counties of Emmet, Kos-  
 7 suth and Palo Alto, state of Iowa, and the same are hereby legalized,  
 8 validated, and confirmed, and said fire district is declared to be a legal  
 9 entity under the provisions of and for the purposes contemplated in  
 10 chapter three hundred fifty-seven A (357A), Code 1958.

1 SEC. 2. This Act being of immediate importance shall be in full  
 2 force and effect from and after its passage and publication in the  
 3 Ringsted Dispatch, a newspaper published at Ringsted, Iowa, and the  
 4 Kossuth County Advance, a newspaper published at Algona, Iowa,  
 5 without expense to the state.

Approved March 9, 1959.

I hereby certify that the foregoing Act, House File 233, was published in the Ringsted Dispatch, Ringsted, Iowa, March 19, 1959, and in the Kossuth County Advance, Algona, Iowa, March 17, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 391

### BETTENDORF LEGALIZING ACT

S. F. 400

AN ACT to legalize and validate the proceedings of the city council of the city of Bettendorf, in Scott County, Iowa, authorizing and providing for the issuance, sale and delivery of funding bonds and for the levy of taxes for the payment of said bonds and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said city.

WHEREAS, it appears from the records of the city council of the city of Bettendorf, in Scott County, Iowa, that pursuant to notice published in a newspaper printed and having a general circulation in said city, the city council thereof has by resolution authorized and provided for the issuance and sale of funding bonds of said city in the amount of one hundred ninety-five thousand (195,000) dollars to fund a like amount of outstanding indebtedness of said city evidenced by warrants theretofore issued by said city for various municipal purposes and accrued interest thereon and made provision for the levy of taxes to pay said bonds and the interest thereon; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and provisions made for the issuance and sale of said bonds and for the levy and collection of taxes to pay the principal of and the interest on said bonds as the same become due, and it is deemed advisable to put such doubts and all others that might arise concerning same forever at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the city coun-  
 2 cil of the city of Bettendorf, in Scott county, Iowa, providing for the  
 3 issuance, sale and delivery of funding bonds of said city to the amount  
 4 of one hundred ninety-five thousand (195,000) dollars to fund a like  
 5 amount of outstanding indebtedness of said city evidenced by war-  
 6 rants and accrued interest thereon and for the levy of taxes to pay

7 said bonds and interest thereon, are hereby legalized, validated and  
 8 confirmed, and said funding bonds issued, sold and delivered pursuant  
 9 to and in accordance with said proceedings are hereby declared to be  
 10 legal and to constitute valid and binding obligations of said city.

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 Bettendorf Press, a newspaper published at Bettendorf, Iowa, and  
 4 the Daily Times, a newspaper published at Davenport, Iowa, without  
 5 expense to the state.

Approved April 14, 1959.

I hereby certify that the foregoing Act, Senate File 400, was published in the Bettendorf Press, Bettendorf, Iowa, April 23, 1959, and in The Daily Times, Davenport, Iowa, April 17, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 392

### INDIANOLA LEGALIZING ACT

H. F. 171

AN ACT to legalize and validate the proceedings of the city council of the city of Indianola, in Warren County, state of Iowa, in the conduct of an election on the propositions of the issuance of memorial building bonds, for the levy of taxes for the payment thereof, and the use of other city funds for memorial building purposes.

WHEREAS, pursuant to a petition with the requisite signatures, the city council of the city of Indianola, Iowa, provided for the submission to the voters of said city at a special election held on August 12, 1958, pursuant to the provisions of chapter thirty-seven (37) Code 1958, propositions as follows:

"Shall the city of Indianola, Iowa, for the purpose of paying a part of the cost of erecting and equipping a memorial building to be used as a natatorium as provided in chapter thirty-seven (37) of the Code, be authorized to use the unexpended sum of forty thousand\* (\$40,000.00) in the memorial fund heretofore collected by the levy of a memorial bond fund tax pursuant to an election of the voters of Indianola, Iowa, held on December 18, 1944, and for such purpose to use land heretofore acquired by the city as a site for a memorial building?"

"Shall the city of Indianola, Iowa, erect and equip a memorial building to be used as a natatorium as provided in chapter thirty-seven (37) of the Code and issue bonds in the sum of not to exceed one hundred and ten thousand\* (\$110,000.00) which, in addition to an unexpended balance of forty thousand\* (\$40,000.00) in the memorial fund, shall be used to cover the expense of the same, and levy a tax annually of not to exceed four mills on the dollar for a period of not to exceed twenty (20) years to pay the principal and interest on said bonds?"; and

WHEREAS, at said election said propositions carried by a majority of 78% of the total votes cast for and against said propositions at said election; and

WHEREAS, doubts have arisen as to the legal sufficiency of said election petition as hereinbefore referred to, the election proceedings subsequent

thereto, the election itself, the giving of notice thereof, and the authority of the city council and city officials of said city to contract indebtedness and issue bonds for such purpose and to use the unexpended balance of forty thousand\* (\$40,000.00) in the memorial fund of said city for such purpose as authorized at said election of August 12, 1958, and it is deemed advisable to put said doubts and all other doubts concerning the same that might arise, forever at rest; now, therefore,

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

1 SECTION 1. All proceedings heretofore taken by the city council  
2 of the city of Indianola, in the county of Warren, state of Iowa, pre-  
3 liminary to and in connection with the call of special election held on  
4 August 12, 1958, for the submission of the propositions for the author-  
5 ization and issuance of one hundred and ten thousand\* (\$110,000.00)  
6 of memorial building bonds of said city for the construction of a  
7 memorial building to be used as a natatorium, and for the use of the  
8 balance of forty thousand\* (\$40,000.00) in the city's memorial fund  
9 for such purpose, including also the petition calling for said election,  
10 the election itself and the adoption of said propositions at said election  
11 by the voters of said city, are hereby legalized, validated and con-  
12 firmed, and shall constitute full authority for the city council of said  
13 city to issue said bonds for the purposes authorized at said election, in  
14 an amount not exceeding one hundred and ten thousand\* (\$110,-  
15 000.00), and to levy taxes for the payment of the principal and inter-  
16 est of said bonds, and to use said forty thousand\* (\$40,000.00) in the  
17 memorial fund of said city for such purpose, and said bonds, when  
18 issued, shall constitute valid and binding obligations of said city.

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 Indianola Record-Herald & Tribune a newspaper published at  
4 Indianola, Iowa, and Osceola Sentinel a newspaper published at Osce-  
5 ola, Iowa, all without expense to the state.

Approved April 7, 1959.

I hereby certify that the foregoing Act, House File 171, was published in the Indian-  
ola Record-Herald & Tribune, Indianola, Iowa, April 14, 1959, and in the Osceola Sen-  
tinel, Osceola, Iowa, April 16, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

\*According to enrolled Act.

## CHAPTER 393

### ADAIR-CASEY SCHOOL LEGALIZING ACT

S. F. 46

AN ACT to legalize and validate the proceedings of the board of directors of the Adair-Casey Community School District, in the counties of Adair and Guthrie, state of Iowa, authorizing and providing for the issuance of school building 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 Adair-Casey Community School District, in the counties of Adair and

Guthrie, state of Iowa, that at a special election held in and for said school district on June 5, 1958, the proposition of issuing bonds of said school district in the sum of five hundred thousand (500,000) dollars for the purpose of building and furnishing a new junior-senior high school building, gymnasium and stadium and procuring a site therefor was approved by more than sixty (60) per cent of the total number of votes cast for and against said proposition and in reliance upon said election said board of directors thereafter by resolution authorized and provided for the issuance of school building bonds to the amount and for the purpose aforesaid and made provision for the levy of taxes to pay said bonds and the interest thereon; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election and proceedings and provisions made for the issuance and payment of said bonds and it is deemed advisable to put such doubts and all others that might arise concerning same forever at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the board of  
2 directors of the Adair-Casey Community School District, in the coun-  
3 ties of Adair and Guthrie, state of Iowa, preliminary to and in con-  
4 nection with the special election held in said school district on June  
5 5, 1958, and providing for the issuance and delivery of school build-  
6 ing bonds of said school district in the amount of five hundred thou-  
7 sand (500,000) dollars pursuant to said election, and for the levy of  
8 taxes to pay said bonds and interest thereon, are hereby legalized,  
9 validated and confirmed and said school building bonds issued, sold  
10 and delivered pursuant to and in accordance with said proceedings  
11 are hereby declared to be legal and to constitute valid and binding  
12 obligations of said school district.

1 SEC. 2. This Act being of immediate importance shall be in full  
2 force and effect from and after its passage and publication in the  
3 Adair County Free Press, a newspaper published at Greenfield, Iowa,  
4 and The Fontanelle Observer, a newspaper published at Fontanelle,  
5 Iowa, without expense to the state.

Approved March 12, 1959.

I hereby certify that the foregoing Act, Senate File 46, was published in the Adair County Free Press, Greenfield, Iowa, February 25, 1959, and in The Fontanelle Observer, Fontanelle, Iowa, February 19, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 394

## ALLAMAKEE SCHOOL LEGALIZING ACT

H. F. 476

AN ACT to legalize and validate the proceedings for the organization and establishment of the boundaries of the Allamakee Community School District, in the counties of Allamakee and Winneshiek, state of Iowa, and declaring said district a duly and legally organized corporate body as provided by law.

WHEREAS, pursuant to proceedings taken by the county superintendent of schools of Allamakee County, Iowa, and the county boards of education of Allamakee and Winneshiek Counties, Iowa, an election was held on March 31, 1958, at which the voters approved the proposition of establishing a new school district to be known as the Allamakee Community School District, in the Counties of Allamakee and Winneshiek, State of Iowa, by uniting territory formerly lying within forty-nine school districts or portions thereof, and school officials were thereafter elected; and

WHEREAS, areas of land were attached to said school corporation by order of the county board of education of Allamakee County, Iowa, entered on July 1, 1958, complete written descriptions of the boundaries of the new and enlarged Allamakee Community School District were filed with the county auditors of Allamakee and Winneshiek Counties, Iowa, and a new school corporation was organized in accordance with the county plans, effective July 1, 1958, which has been operating for over six months and which is known and has been officially designated as the "Allamakee Community School District, in the Counties of Allamakee and Winneshiek, State of Iowa"; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings taken for the organization and establishment of said Allamakee Community School District, in the Counties of Allamakee and Winneshiek, State of Iowa, and the attachment of said areas of land to said school district, and it is deemed advisable and necessary to put such doubts and all others that might arise concerning same forever at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken in connection  
2 with the organization, creation and establishment of the school cor-  
3 poration now known and identified as the "Allamakee Community  
4 School District, in the Counties of Allamakee and Winneshiek, State  
5 of Iowa", including the attachment of areas of land to said school dis-  
6 trict by order of the Allamakee county board of education, be and the  
7 same are hereby legalized, validated and confirmed and said school  
8 district is hereby declared to constitute a legal school corporation cre-  
9 ated in conformity with the provisions of chapter two hundred sev-  
10 enty-five (275), Code 1958, and the boundaries of said Allamakee  
11 Community School District as now shown by the records of the county  
12 auditors of Allamakee and Winneshiek Counties, Iowa, are hereby  
13 declared to be the legally established boundaries of said school dis-  
14 trict.

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



- 3 Waukon Republican-Standard, a newspaper published at Waukon,  
 4 Iowa, and the Postville Herald, a newspaper published at Postville,  
 5 Iowa, without expense to the State.

Approved April 17, 1959.

I hereby certify that the foregoing Act, House File 476, was published in the Waukon Republican-Standard, Waukon, Iowa, April 28, 1959, and in the Postville Herald, Postville, Iowa, April 29, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 395

### EASTERN ALLAMAKEE SCHOOL LEGALIZING ACT

H. F. 477

AN ACT to legalize and validate the proceedings for the organization and establishment of the boundaries of the Eastern Allamakee Community School District, in the county of Allamakee, state of Iowa, and declaring said district a duly and legally organized corporate body as provided by law.

WHEREAS, pursuant to proceedings taken by the county superintendent of schools and the county board of education of Allamakee County, Iowa, an election was held on May 26, 1958, at which the voters approved the proposition of establishing a new school district to be known as the Eastern Allamakee Community School District by uniting territory formerly lying within twenty-two school districts or portions thereof and school officials were thereafter elected; and

WHEREAS, areas of land were attached to the corporation by order of the county board of education entered on July 1, 1958, a complete written description of the boundaries of the new and enlarged Eastern Allamakee Community School District was filed with the county auditor of Allamakee County, Iowa, and a new school corporation was organized in accordance with the county plan, effective July 1, 1958, which has been operating for over six months and which is known and has been officially designated as the "Eastern Allamakee Community School District, in the County of Allamakee, State of Iowa"; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings taken for the organization and establishment of said Eastern Allamakee Community School District, in the County of Allamakee, State of Iowa, and the attachment of said areas of land to said school district, and it is deemed advisable and necessary to put such doubts and all others that might arise concerning same forever at rest; now, therefore,

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

- 1 SECTION 1. That all proceedings heretofore taken in connection  
 2 with the organization, creation and establishment of the school cor-  
 3 poration now known and identified as the "Eastern Allamakee Com-  
 4 munity School District, in the County of Allamakee, State of Iowa",  
 5 including the attachment of areas of land to said school district by  
 6 order of the county board of education, be and the same are hereby  
 7 legalized, validated and confirmed and said school district is hereby

8 declared to constitute a legal school corporation created in conformity  
 9 with the provisions of Chapter two hundred seventy-five (275), Code  
 10 1958, and the boundaries of said Eastern Allamakee Community  
 11 School District as now shown by the records of the county auditor of  
 12 Allamakee County, Iowa, are hereby declared to be the legally estab-  
 13 lished boundaries of said school district.

1 SEC. 2. This Act being of immediate importance shall be in full  
 2 force and effect from and after its passage and publication in the  
 3 Lansing Journal & Mirror, a newspaper published at Lansing, Iowa,  
 4 and the Waukon Republican-Standard, a newspaper published at  
 5 Waukon, Iowa, without expense to the state.

Approved April 17, 1959.

I hereby certify that the foregoing Act, House File 477, was published in the Lansing Journal & Mirror, Lansing, Iowa, April 30, 1959, and in the Waukon Republican-Standard, Waukon, Iowa, April 28, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 396

### BATTLE CREEK SCHOOL LEGALIZING ACT

H. F. 654

AN ACT to legalize and validate the proceedings of the board of directors of the Battle Creek Community School District, in the counties of Ida, Crawford and Woodbury, state of Iowa, authorizing and providing for the issuance of school building 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 Battle Creek Community School District, in the counties of Ida, Crawford and Woodbury, State of Iowa, that at a special election held in and for said school district on September 2, 1958, the proposition of issuing bonds of said school district in the sum of four hundred five thousand (405,000.) dollars for the purpose of building and finishing a new high school building and procuring a site therefor in or near the town of Battle Creek, Iowa, was approved by more than sixty (60) per cent of the total number of votes cast for and against said proposition and in reliance upon said election said board of directors thereafter by resolution authorized and provided for the issuance of school building bonds to the amount and for the purpose aforesaid and made provision for the levy of taxes to pay said bonds and the interest thereon; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election and proceedings and provisions made for the issuance and payment of said bonds and it is deemed advisable to put such doubts and all others that might arise concerning same forever at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the board of  
 2 directors of the Battle Creek Community School District, in the coun-

3 ties of Ida, Crawford and Woodbury, State of Iowa, preliminary to  
 4 and in connection with the special election held in said school district  
 5 on September 2, 1958, and providing for the issuance and delivery of  
 6 school building bonds of said school district in the amount of four  
 7 hundred five thousand (405,000.) dollars pursuant to said election,  
 8 and for the levy of taxes to pay said bonds and interest thereon, are  
 9 hereby legalized, validated and confirmed and said school building  
 10 bonds issued, sold and delivered pursuant to and in accordance with  
 11 said proceedings are hereby declared to be legal and to constitute valid  
 12 and binding obligations of said school district.

1 SEC. 2. This Act being of immediate importance shall be in full  
 2 force and effect from and after its passage and publication in the Ida  
 3 County Pioneer Record, a newspaper published at Ida Grove, Iowa,  
 4 and the Holstein Advance, a newspaper published at Holstein, Iowa,  
 5 without expense to the state.

Approved April 17, 1959.

I hereby certify that the foregoing Act, House File 654, was published in the Ida County Pioneer Record, Ida Grove, Iowa, April 23, 1959, and in the Holstein Advance, Holstein, Iowa, April 23, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 397

### BETTENDORF SCHOOL LEGALIZING ACT

S. F. 100

AN ACT to legalize and validate the proceedings of the board of directors of the Bettendorf Community School District, in the county of Scott, state of Iowa, authorizing and providing for the issuance, sale, and delivery of school building 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, the board of directors of the Bettendorf Community School District, in the county of Scott, state of Iowa, heretofore and in reliance upon an election held in and for said school district on August 28th, 1957, at which said election there were cast five hundred forty-four (544) votes of which five hundred fifteen (515) votes were cast "yes", seventeen (17) votes were cast "no" and twelve (12) ballots were cast blank or were defectively marked, has by resolution authorized and provided for the issuance and sale of two hundred thirty thousand dollars (\$230,000), worth of school building bonds of said school district for the purpose of constructing and equipping an addition to the junior high and high school buildings in and for said school district, and in and by said proceedings has provided for the levy of taxes to pay said bonds and the interest thereon; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings, election and the provisions made for the levy and collection of taxes to pay the principal of and interest on said bonds as the same become due, and it is 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 Bettendorf Community School District, in the County  
3 of Scott, State of Iowa, preliminary to and in connection with the  
4 special election held in said school district on the twenty-eighth day  
5 of August, 1957, and providing for the issuance, sale and delivery of  
6 school building bonds of said school district to the amount of two  
7 hundred thirty thousand dollars (\$230,000), pursuant to said election  
8 and for the levy of taxes to pay said bonds and the interest thereon,  
9 are hereby legalized, validated and confirmed, and said school build-  
10 ing bonds issued and delivered pursuant to and in accordance with  
11 said proceedings are hereby declared to be legal and to constitute valid  
12 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 the  
3 Bettendorf Press, a newspaper published in Bettendorf, Iowa, and in  
4 The Daily Times, a newspaper published in Davenport, Iowa, without  
5 expense to the state.

Approved April 1, 1959.

I hereby certify that the foregoing Act, Senate File 100, was published in the Bettendorf Press, Bettendorf, Iowa, April 16, 1959, and in The Daily Times, Davenport, Iowa, April 14, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 398

### BRIDGEWATER-FONTANELLE SCHOOL LEGALIZING ACT

#### H. F. 18

AN ACT to legalize and validate the proceedings for the organization and establishment of the Bridgewater-Fontanelle Community School District, in the county of Adair and state of Iowa, and declaring said district a duly and legally organized corporate body as provided by law.

WHEREAS, pursuant to proceedings taken by the county superintendent of schools and the county board of education of Adair County, Iowa, an election was held on April 30, 1957, on the proposition of establishing a new school district to be known as the Bridgewater-Fontanelle Community School District, in the County of Adair, State of Iowa, consisting of a territory then lying within the boundaries of the Eureka Township School District, the Jackson Township School District, the Bridgewater Independent School District, the Washington Township School District, the Prussia Township School District, the Summerset Township School District and the Fontanelle Independent School District; and

WHEREAS, pursuant to the favorable results of said election, officials were elected, a written description of the boundaries of the School District was filed with the County Auditor, and a new school corporation was organized in accordance with the county plan and has been operating for over eighteen months which is known and has been officially designated as

the "Bridgewater-Fontanelle Community School District, in the County of Adair, State of Iowa"; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings for the organization and establishment of said Bridgewater-Fontanelle Community School District, in the County of Adair, State of Iowa, and it is deemed advisable and necessary to put such doubts and all others that might arise concerning same forever at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken in connection  
2 with the organization, creation and establishment of the school cor-  
3 poration now known and identified as the "Bridgewater-Fontanelle  
4 Community School District, in the County of Adair, State of Iowa"  
5 be and the same are hereby legalized, validated and confirmed and  
6 said school district is hereby declared to constitute a legal school  
7 corporation created under the provisions of chapter two hundred  
8 seventy-five (275) Code 1954.

1 SEC. 2. This Act being of immediate importance shall be in full  
2 force and effect from and after its passage and publication in the  
3 Fontanelle Observer, a newspaper published at Fontanelle, Iowa, and  
4 the Adair County Free Press, a newspaper published at Greenfield,  
5 Iowa, without expense to the state.

Approved February 18, 1959.

I hereby certify that the foregoing Act, House File 18, was published in the Fontanelle Observer, Fontanelle, Iowa, March 5, 1959, and in the Adair County Free Press, Greenfield, Iowa, March 4, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 399

### CARDINAL SCHOOL LEGALIZING ACT

S. F. 331

AN ACT to legalize and validate the proceedings of the board of directors of the Cardinal Community School District, in the counties of Wapello, Davis and Jefferson, state of Iowa, authorizing and providing for the issuance of school building 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 Cardinal Community School District, in the Counties of Wapello, Davis and Jefferson, state of Iowa, that at a special election held in and for said school district on January 27, 1959, the proposition of issuing bonds of said school district in the amount of four hundred five thousand (405,000) dollars for the purpose of carrying out a school building program consisting of constructing and equipping a new school building to be used for a high school and a junior high school and procuring a site therefor and procuring and improving a site for an athletic field was approved by more than sixty (60) per cent of the total number of votes cast for and against said proposition

and in reliance upon said election said board of directors thereafter by resolution authorized and provided for the issuance of school building bonds to the amount and for the purpose aforesaid and made provision for the levy of taxes to pay said bonds and the interest thereon; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election and proceedings and provisions made for the issuance and payment of said bonds and it is deemed advisable to put such doubts and all other 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 Cardinal Community School District, in the Counties  
3 of Wapello, Davis and Jefferson, state of Iowa, preliminary to and in  
4 connection with the special election held in said school district on  
5 January 27, 1959, and providing for the issuance and delivery of  
6 school building bonds of said school district in the amount of four  
7 hundred five thousand (405,000) dollars pursuant to said election, and  
8 for the levy of taxes to pay said bonds and interest thereon, are hereby  
9 legalized, validated and confirmed and said school building bonds is-  
10 sued, sold and delivered pursuant to and in accordance with said pro-  
11 ceedings are hereby declared to be legal and to constitute valid and  
12 binding obligations of said school district.

1 SEC. 2. This Act being of immediate importance shall be in full  
2 force and effect from and after its passage and publication in the  
3 Eldon Forum, a newspaper published at Eldon, Iowa, and the Batavia  
4 Beacon, a newspaper published at Batavia, Iowa, without expense to  
5 the state.

Approved April 14, 1959.

I hereby certify that the foregoing Act, Senate File 331, was published in the Eldon Forum, Eldon, Iowa, April 23, 1959, and in the Batavia Beacon, Batavia, Iowa, April 23, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 400

### CHARLES CITY SCHOOL LEGALIZING ACT

H. F. 10

AN ACT to legalize and validate the proceedings for the organization and establishment of the boundaries of the Charles City Community School District, in the counties of Floyd and Chickasaw, state of Iowa, and declaring said district a duly and legally organized corporate body as provided by law.

WHEREAS, pursuant to proceedings taken by the county superintendent of schools of Floyd County, Iowa, and the county boards of education of Floyd and Chickasaw Counties, Iowa, an election was held on October 25, 1957, on the proposition of establishing a new school district to be known as the Charles City Community School District, in the Counties of Floyd and Chickasaw, State of Iowa, consisting of territory then lying within

the boundaries of eighteen school corporations located in Floyd and Chickasaw Counties, Iowa; and

WHEREAS, pursuant to the favorable results of said election, officials were elected, areas of land were attached to the corporation by orders entered by the county boards of education of Floyd and Chickasaw Counties, written descriptions of the boundaries of the new and enlarged school district were filed with the county auditors of Floyd and Chickasaw Counties, and a new school corporation was organized in accordance with the county plans, effective July 1, 1958, which has been operating for over six months and which is known and has been officially designated as the "Charles City Community School District, in the Counties of Floyd and Chickasaw, State of Iowa"; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings taken for the organization and establishment of said Charles City Community School District, in the Counties of Floyd and Chickasaw, State of Iowa, and the attachment of said areas of land to said school district, and it is deemed advisable and necessary to put such doubts and all others that might arise concerning same forever at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken in connection  
2 with the organization, creation and establishment of the school cor-  
3 poration now known and identified as the "Charles City Community  
4 School District, in the Counties of Floyd and Chickasaw, State of  
5 Iowa", including the attachment of areas of land to said school dis-  
6 trict by orders of the county boards of education, be and the same are  
7 hereby legalized, validated and confirmed and said school district is  
8 hereby declared to constitute a legal school corporation created in  
9 conformity with the provisions of Chapter two hundred seventy-five  
10 (275), Code 1954, as amended, and the boundaries of said Charles  
11 City Community School District as now shown by the records of the  
12 county auditors of Floyd and Chickasaw Counties, Iowa, are hereby  
13 declared to be the legally established boundaries of said school dis-  
14 trict.

1 SEC. 2. This Act being of immediate importance shall be in full  
2 force and effect from and after its passage and publication in the  
3 Charles City Press, a newspaper published at Charles City, Iowa, and  
4 the New Hampton Economist, a newspaper published at New Hamp-  
5 ton, Iowa, without expense to the state.

Approved January 26, 1959.

I hereby certify that the foregoing Act, House File 10, was published in the Charles City Press, Charles City, Iowa, February 6, 1959, and in the New Hampton Economist, New Hampton, Iowa, February 10, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 401

## COLUMBUS SCHOOL LEGALIZING ACT

## S. F. 84

AN ACT to legalize and validate the proceedings for the organization and establishment of the Columbus Community School District, in the counties of Louisa and Muscatine, state of Iowa, and declaring said district a duly and legally organized corporate body as provided by law.

WHEREAS, pursuant to an election held on March 26, 1956, the Columbus Community School District, in the county of Louisa, state of Iowa, was organized effective July 1, 1956, by the consolidation of territory formerly lying within eight (8) school corporations in Louisa County, Iowa, and through the attachment to said school district of an area of less than four (4) sections of land by order of the county board of education of Louisa County, Iowa, entered on April 9, 1956; and

WHEREAS, thereafter, pursuant to petitions filed with the boards of directors of said Columbus Community School District and the Consolidated School District of Cotter, in Louisa County, Iowa, elections were held in each of said school districts on November 28, 1956, at which the voters of said respective school districts approved the proposition of merging the Consolidated School District of Cotter into the Columbus Community School District, and by concurrent action of the boards of directors of said school corporations, the territory formerly lying within the Consolidated School District of Cotter was merged into the Columbus Community School District, in the county of Louisa, state of Iowa, effective July 1, 1957, and areas of less than four (4) sections of land were attached to said enlarged Columbus Community School District effective July 1, 1957, by order of the county board of education of Louisa County, Iowa, entered on December 5, 1956; and

WHEREAS, thereafter, pursuant to proceedings taken by the county superintendent of schools of Louisa County, Iowa, and the county boards of education of Louisa and Muscatine Counties, Iowa, an election was held on May 7, 1958, on the proposition of establishing a new school district to be known as the Columbus Community School District, in the counties of Louisa and Muscatine, state of Iowa, consisting of territory then lying within the former Columbus Community School District and the Orono Township School District, in Muscatine County, Iowa; and

WHEREAS, pursuant to the favorable results of said election written descriptions of the boundaries of the new and enlarged school district were filed with the county auditors of Louisa County and Muscatine County and a new school corporation was organized in accordance with the county plans, effective July 1, 1958, which has been operating for over six (6) months under the incumbent board of directors of the former Columbus Community School District and which is known and has been officially designated as the "Columbus Community School District, in the Counties of Louisa and Muscatine, State of Iowa"; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings taken for the organization and establishment of said Columbus Community School District, in the counties of Louisa and



Muscatine, state of Iowa, and it is deemed advisable and necessary to put such doubts and all others that might arise concerning same forever at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken in connection  
2 with the organization, creation and establishment of the school cor-  
3 poration now known and identified as the "Columbus Community  
4 School District, in the counties of Louisa and Muscatine, state of  
5 Iowa," and for the management of the affairs thereof by its present  
6 officials, be and the same are hereby legalized, validated and con-  
7 firmed and said school district is hereby declared to constitute a legal  
8 school corporation created in conformity with the provisions of chap-  
9 ter two hundred seventy-five (275), Code 1954, and the boundaries of  
10 said Columbus Community School District as now shown by the rec-  
11 ords of the county auditors of Louisa and Muscatine Counties, Iowa,  
12 are hereby declared to be the legally established boundaries of said  
13 school district.

1 SEC. 2. This Act being of immediate importance shall be in full  
2 force and effect from and after its passage and publication in the  
3 Muscatine Journal and News-Tribune, a newspaper published at  
4 Muscatine, Iowa, and the Columbus Gazette, a newspaper published  
5 at Columbus Junction, Iowa, without expense to the state.

Approved February 23, 1959.

I hereby certify that the foregoing Act, Senate File 84, was published in the Muscatine Journal and News-Tribune, Muscatine, Iowa, March 2, 1959, and in the Columbus Gazette, Columbus Junction, Iowa, March 5, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 402

### DUNLAP SCHOOL LEGALIZING ACT

S. F. 62

AN ACT to legalize and validate the proceedings for the organization and establishment of the Community School District of Dunlap, in the counties of Shelby, Monona, Harrison and Crawford, state of Iowa, and declaring said district a duly and legally organized corporate body as provided by law.

WHEREAS, the Community School District of Dunlap, in the counties of Shelby, Monona, Harrison and Crawford, state of Iowa, was organized and established pursuant to the provisions of Chapter two hundred seventy-five (275), Code 1954, as amended, and the existence of said district is of general public interest and vital to the public interest and welfare of the area contained within its boundaries; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings for the organization and establishment of said district, and it is deemed advisable and necessary to put such doubts and all others that might arise concerning same forever at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken in connection  
 2 with the organization, creation, and establishment of the Community  
 3 School District of Dunlap, in the counties of Shelby, Monona, Har-  
 4 rison and Crawford, state of Iowa, are hereby declared to be valid,  
 5 legal and sufficient to create and establish the body corporate and  
 6 politic known as the Community School District of Dunlap in the  
 7 Counties of Shelby, Monona, Harrison and Crawford, state of Iowa,  
 8 and the same are hereby legalized, validated, and confirmed, and said  
 9 school district is declared to be a legal entity and municipality cre-  
 10 ated under the provisions of Chapter two hundred seventy-five (275),  
 11 Code 1954, as amended.

1 SEC. 2. This Act being of immediate importance shall be in full  
 2 force and effect from and after its passage and publication in the  
 3 Dunlap Reporter, a newspaper published at Dunlap, Iowa, and the  
 4 Denison Review, a newspaper published at Denison, Iowa, without  
 5 expense to the state.

Approved March 12, 1959.

I hereby certify that the foregoing Act, Senate File 62, was published in the Dunlap Reporter, Dunlap, Iowa, March 19, 1959, and in the Denison Review, Denison, Iowa, March 24, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 403

### EAGLE GROVE SCHOOL LEGALIZING ACT

H. F. 609

AN ACT to legalize and validate the proceedings of the board of directors of the Eagle Grove Community School District, in the counties of Wright, Humboldt and Webster, state of Iowa, authorizing and providing for the issuance of school building 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 Eagle Grove Community School District, in the counties of Wright, Humboldt and Webster, state of Iowa, that at a special election held in and for said school district on February 20, 1959, the proposition of issuing bonds of said school district in the sum of eight hundred fifty thousand dollars (\$850,000.00) for the purpose of constructing and equipping a new elementary grade school building in Vincent, Iowa, and procuring a site therefor, constructing and equipping an addition to existing Lincoln Elementary Grade School building in Eagle Grove, Iowa, constructing and equipping a new junior high school building in Eagle Grove, Iowa, and procuring a site therefor, all in and for said school district, was approved by more than sixty per cent of the total number of votes cast for and against said proposition, and in reliance upon said election said board of directors thereafter by resolution authorized and provided for the issuance of school building bonds to the amount and for the purpose aforesaid and

made provision for the levy of taxes to pay said bonds and the interest thereon; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election and proceedings and provisions made for the issuance and payment of said bonds, and it is deemed advisable to put such doubts and all others that might arise concerning same forever at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the board of  
2 directors of the Eagle Grove Community School District, in the coun-  
3 ties of Wright, Humboldt and Webster, state of Iowa, preliminary to  
4 and in connection with the special election held in said school district  
5 on February 20, 1959, and providing for the issuance and delivery of  
6 school building bonds of said school district in the amount of eight  
7 hundred fifty thousand dollars (\$850,000.00) pursuant to said elec-  
8 tion, and for the levy of taxes to pay said bonds and interest thereon,  
9 are hereby legalized, validated and confirmed and said school building  
10 bonds issued, sold and delivered pursuant to and in accordance with  
11 said proceedings are hereby declared to be legal and to constitute  
12 valid and binding obligations of said school district.

1 SEC. 2. This Act being deemed of immediate importance shall be  
2 in full force and effect from and after its passage and publication in  
3 the Eagle Grove Eagle, a newspaper published at Eagle Grove, Iowa,  
4 and the Humboldt Republican, a newspaper published at Humboldt,  
5 Iowa, without expense to the state.

Approved April 17, 1959.

I hereby certify that the foregoing Act, House File 609, was published in the Eagle Grove Eagle, Eagle Grove, Iowa, April 23, 1959, and in the Humboldt Republican, Humboldt, Iowa, April 22, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 404

### EDDYVILLE SCHOOL LEGALIZING ACT

H. F. 757

AN ACT to legalize and validate the proceedings for the organization and establishment of the Eddyville Community School District, in the counties of Wapello, Mahaska and Monroe, state of Iowa, and declaring said district a duly and legally organized corporate body as provided by law.

WHEREAS, pursuant to proceedings taken by the county superintendent of schools of Wapello county, Iowa, and the county boards of education of Wapello, Mahaska and Monroe counties, Iowa, an election was held on January 3, 1958, at which the voters approved the proposition of uniting territory formerly lying within sixteen (16) school districts or portions thereof in the Eddyville school area to form a new school district thereafter designated as the Eddyville Community School District, in the counties of Wapello, Mahaska and Monroe, state of Iowa; and

WHEREAS, complete written descriptions of the boundaries of the newly formed Eddyville Community School District were filed with the county auditors of Wapello, Mahaska and Monroe counties, Iowa, and a new school corporation was organized in accordance with the county plans, effective July 1, 1958, which has been operating for over nine (9) months and which is known and has been officially designated as the Eddyville Community School District in the counties of Wapello, Mahaska and Monroe, state of Iowa; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings taken for the organization and establishment of said Eddyville Community School District in the counties of Wapello, Mahaska and Monroe, state of Iowa, and it is deemed advisable and necessary to put such doubts and all others that might arise concerning same forever to rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken in connection  
2 with the organization, creation and establishment of the school cor-  
3 poration now known and identified as the Eddyville Community  
4 School District, in the counties of Wapello, Mahaska and Monroe,  
5 state of Iowa, be and the same are hereby legalized, validated and  
6 confirmed and said school district is hereby declared to constitute a  
7 legal school corporation created in conformity with the provisions of  
8 Chapter two hundred seventy-five (275), Code 1958, and the bound-  
9 aries of said Eddyville Community School District as now shown by  
10 the records of the county auditors of Wapello, Mahaska and Monroe  
11 counties, Iowa, are hereby declared to be the legally established bound-  
12 aries of said school district.

1 SEC. 2. This Act being deemed of immediate importance shall be  
2 in full force and effect from and after its passage and publication in  
3 the Eddyville Tribune, a newspaper published at Eddyville, Iowa,  
4 and the Blakesburg Excelsior, a newspaper published at Blakesburg,  
5 Iowa, without expense to the state.

Approved May 15, 1959.

I hereby certify that the foregoing Act, House File 757, was published in the Eddyville Tribune, Eddyville, Iowa, June 4, 1959, and in the Blakesburg Excelsior, Blakesburg, Iowa, June 4, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 405

### EMMETSBURG SCHOOL LEGALIZING ACT

H. F. 449

AN ACT to legalize and validate the proceedings for the organization and establishment of the Emmetsburg Community School District in the county of Palo Alto, state of Iowa.

WHEREAS, in the month of December, 1956, legal petitions signed by more than the required number of legal voters of the two school districts concerned were filed with the board of education of Palo Alto County, state

of Iowa, for the merger of the Emmetsburg Consolidated School District and the Curlew Consolidated School District, both of Palo Alto County, which petitions were approved by such board; and

WHEREAS, thereafter elections were held in each of said school districts, at which the voters of the respective school districts approved the proposition of merging the Emmetsburg Consolidated School District and the Curlew Consolidated School District into the Emmetsburg Community School District; and

WHEREAS, the new school corporation known as the Emmetsburg Community School District was organized and has been operating for more than six months under a duly elected board of directors without challenge or objection; and

WHEREAS, during the course of the aforesaid merger proceedings the new school district was sometimes referred to as the "Community School District of Emmetsburg, in the County of Palo Alto, State of Iowa", but the proper name of the new school district and the designation under which it has been operating ever since the effective date of its organization is the "Emmetsburg Community School District, in the County of Palo Alto, State of Iowa"; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings taken for the organization and establishment of said Emmetsburg Community School District, and it is deemed advisable and necessary to put such doubts and all others that might arise concerning the same forever at rest; now therefore,

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

1 SECTION 1. All proceedings heretofore taken in connection with  
2 the organization, creation and establishment of the school corporation  
3 known as the Emmetsburg Community School District of Palo Alto  
4 County, state of Iowa, and all proceedings for the management of the  
5 affairs thereof by its present officials, be and the same are hereby  
6 legalized, validated and confirmed; and said school district is hereby  
7 declared to constitute a legal school corporation created in conformity  
8 with the provisions of chapter two hundred seventy-five (275), Code  
9 1954, and the boundaries of said Emmetsburg Community School Dis-  
10 trict as now shown by the records of the county auditor of Palo Alto  
11 County, Iowa are hereby declared to be the legally established bound-  
12 daries of said school district.

1 SEC. 2. This Act being of immediate importance shall be in full  
2 force and effect from and after its passage and publication in the Em-  
3 metsburg Democrat, a newspaper published at Emmetsburg, Iowa and  
4 the Emmetsburg Reporter, a newspaper published at Emmetsburg,  
5 Iowa, without expense to the state.

Approved April 24, 1959.

I hereby certify that the foregoing Act, House File 449, was published in the Emmetsburg Democrat, Emmetsburg, Iowa, April 30, 1959, and in the Emmetsburg Reporter, Emmetsburg, Iowa, May 5, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 406

## EMMETSBURG SCHOOL LEGALIZING ACT

H. F. 450

AN ACT to legalize and validate the proceedings of the board of directors of the Emmetsburg Community School District, in the county of Palo Alto, state of Iowa, authorizing and providing for the issuance of school building 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 Emmetsburg Community School District, in the county of Palo Alto, state of Iowa, that at a special election held in and for said school district on October 27, 1958, the proposition of issuing bonds of said school district in the sum of one hundred eighty thousand (180,000) dollars for the purpose of constructing and equipping an addition to the west elementary school building in the city of Emmetsburg was approved by more than sixty (60) per cent of the total number of votes cast for and against said proposition and in reliance upon said election said board of directors thereafter by resolution authorized and provided for the issuance of school building bonds to the amount and for the purpose aforesaid and made provision for the levy of taxes to pay said bonds and the interest thereon; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election and proceedings and provisions made for the issuance and payment of said bonds and it is deemed advisable to put such doubts and all others that might arise concerning same forever at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the board of  
2 directors of the Emmetsburg Community School District, in the county  
3 of Palo Alto, state of Iowa, preliminary to and in connection with the  
4 special election held in said school district on October 27, 1958, and  
5 providing for the issuance and delivery of school building bonds of  
6 said school district in the amount of one hundred eighty thousand  
7 (180,000) dollars pursuant to said election, and for the levy of taxes  
8 to pay said bonds and interest thereon, are hereby legalized, validated  
9 and confirmed and said school building bonds issued, sold and deliv-  
10 ered pursuant to and in accordance with said proceedings are hereby  
11 declared to be legal and to constitute valid and binding obligations of  
12 said school district.

1 SEC. 2. This Act being of immediate importance shall be in full  
2 force and effect from and after its passage and publication in the  
3 Emmetsburg Democrat, a newspaper published at Emmetsburg, Iowa,  
4 and the Emmetsburg Reporter, a newspaper published at Emmets-  
5 burg, Iowa, without expense to the state.

Approved April 7, 1959.

I hereby certify that the foregoing Act, House File 450, was published in the Emmetsburg Democrat, Emmetsburg, Iowa, April 16, 1959, and in the Emmetsburg Reporter, Emmetsburg, Iowa, April 14, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 407

## GUTHRIE CENTER SCHOOL LEGALIZING ACT

H. F. 444

AN ACT to legalize and validate the proceedings of the board of directors of the Guthrie Center Community School District, in the counties of Guthrie and Audubon, state of Iowa, authorizing and providing for the issuance of school building 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 Guthrie Center Community School District, in the counties of Guthrie and Audubon, State of Iowa, that at a special election held in and for said school district on December 16, 1957, the proposition of issuing bonds of said school district in the sum of six hundred thousand dollars (\$600,000.00) for the purpose of building and furnishing a new grade school building and procuring a site therefor was approved by more than sixty per cent (60%) of the total number of votes cast for and against said proposition and in reliance upon said election said board of directors thereafter by resolution authorized and provided for the issuance of school building bonds to the amount and for the purpose aforesaid and made provision for the levy of taxes to pay said bonds and the interest thereon; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election and proceedings and provisions made for the issuance and payment of said bonds and it is deemed advisable to put such doubts and all others that might arise concerning same forever at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the board of  
2 directors of the Guthrie Center Community School District, in the  
3 counties of Guthrie and Audubon, State of Iowa, preliminary to and  
4 in connection with the special election held in said school district on  
5 December 16, 1957, and providing for the issuance and delivery of  
6 school building bonds of said school district in the amount of six hun-  
7 dred thousand dollars (\$600,000.00) pursuant to said election, and for  
8 the levy of taxes to pay said bonds and interest thereon, are hereby  
9 legalized, validated and confirmed and said school building bonds is-  
10 sued, sold and delivered pursuant to and in accordance with said pro-  
11 ceedings are hereby declared to be legal and to constitute valid and  
12 binding obligations of said school district.

1 SEC. 2. This Act being of immediate importance shall be in full  
2 force and effect from and after its passage and publication in the  
3 Guthrian, a newspaper published at Guthrie Center, Iowa, and the  
4 Audubon County Journal, a newspaper published at Exira, Iowa, with-  
5 out expense to the state.

Approved April 17, 1959.

I hereby certify that the foregoing Act, House File 444, was published in the Guthrian, Guthrie Center, Iowa, April 28, 1959, and in the Audubon County Journal, Exira, Iowa, April 23, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 408

## HOLSTEIN SCHOOL LEGALIZING ACT

H. F. 653

AN ACT to legalize and validate the proceedings of the board of directors of the Holstein Community School District, in the counties of Ida and Cherokee, state of Iowa, authorizing and providing for the issuance of school building 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 Holstein Community School District, in the counties of Ida and Cherokee, State of Iowa, that at a special election held in and for said school district on February 5, 1959, the proposition of issuing bonds of said school district in the sum of four hundred fifty thousand (450,000.00) dollars for the purpose of constructing and equipping a new junior-senior high school building adjacent to the existing auditorium located in the town of Holstein, Iowa, was approved by more than sixty percent of the total number of votes cast for and against said proposition and in reliance upon said election said board of directors thereafter by resolution authorized and provided for the issuance of school building bonds to the amount and for the purpose aforesaid and made provision for the levy of taxes to pay said bonds and the interest thereon; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election and proceedings and provisions made for the issuance and payment of said bonds and it is deemed advisable to put such doubts and all others that might arise concerning same forever at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the board of  
2 directors of the Holstein Community School District, in the counties  
3 of Ida and Cherokee, State of Iowa, preliminary to and in connection  
4 with the special election held in said school district on February 5,  
5 1959, and providing for the issuance and delivery of school building  
6 bonds of said school district in the amount of four hundred fifty thou-  
7 sand (450,000.00) dollars pursuant to said election, and for the levy  
8 of taxes to pay said bonds and interest thereon, are hereby legalized,  
9 validated and confirmed and said school building bonds issued, sold  
10 and delivered pursuant to and in accordance with said proceedings  
11 are hereby declared to be legal and to constitute valid and binding  
12 obligations of said school district.

1 SEC. 2. This Act being of immediate importance shall be in full  
2 force and effect from and after its passage and publication in the Ida  
3 County Pioneer-Record, a newspaper published at Ida Grove, Iowa,  
4 and the Holstein Advance, a newspaper published at Holstein, Iowa,  
5 without expense to the state.

Approved April 24, 1959.

I hereby certify that the foregoing Act, House File 653, was published in the Ida County Pioneer-Record, Ida Grove, Iowa, April 30, 1959, and in the Holstein Advance, Holstein, Iowa, April 30, 1959.

MELVIN D. SYNHORST, *Secretary of State.*



## CHAPTER 409

## LOUISA-MUSCATINE SCHOOL LEGALIZING ACT

H. F. 217

AN ACT to legalize and validate the proceedings for the organization and establishment of the Louisa-Muscatine Community School District, in the counties of Louisa and Muscatine, state of Iowa, and declaring said district a duly and legally organized corporate body as provided by law.

WHEREAS, pursuant to proceedings taken by the county superintendent of schools of Louisa County, Iowa, and the county boards of education of Louisa and Muscatine Counties, Iowa, an election was held on December 1, 1958, on the proposition of establishing a new school district to be known as the Louisa-Muscatine Community School District, in the Counties of Louisa and Muscatine, State of Iowa, by uniting territory then lying within the boundaries of seven (7) school corporations located in Louisa and Muscatine Counties, Iowa; and

WHEREAS, pursuant to the favorable results of said election, officials were elected, descriptions of the boundaries of the new and enlarged School District were filed with the County Auditors of Louisa County and Muscatine County, and a new school corporation was organized in accordance with the county plans, effective July 1, 1959, which is known and has been officially designated as the Louisa-Muscatine Community School District, in the Counties of Louisa and Muscatine, State of Iowa; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings taken for the organization and establishment of said Louisa-Muscatine Community School District, in the Counties of Louisa and Muscatine, State of Iowa, and it is deemed advisable and necessary to put such doubts and all others that might arise concerning same forever at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken in connection  
2 with the organization, creation and establishment of the school cor-  
3 poration now known and identified as the Louisa-Muscatine Commu-  
4 nity School District, in the Counties of Louisa and Muscatine, State  
5 of Iowa, are hereby legalized, validated and confirmed and that said  
6 school district is hereby declared to constitute a legal school corpora-  
7 tion created in conformity with the provisions of chapter two hundred  
8 seventy-five (275), Code 1958, and the boundaries of said Louisa-  
9 Muscatine Community School District as now shown by the records  
10 of the county auditors of Louisa and Muscatine Counties, Iowa, are  
11 hereby declared to be the legally established boundaries of said school  
12 district.

Approved April 23, 1959.

## CHAPTER 410

## MORMON TRAIL SCHOOL LEGALIZING ACT

H. F. 762

AN ACT to legalize and validate the proceedings for the organization and establishment of the Mormon Trail Community School District in the counties of Decatur, Wayne, Lucas and Clarke, state of Iowa, and declaring said district a duly and legally organized corporate body.

WHEREAS, the Mormon Trail Community School District in the counties of Decatur, Wayne, Lucas and Clarke, state of Iowa, was organized on March 18, 1959, pursuant to an election held on the ninth (9th) day of September, 1958, and the existence of said Mormon Trail Community School District in the counties of Decatur, Wayne, Lucas and Clarke, state of Iowa, is of general public interest and vital to the public interest and welfare of the area contained within its boundaries; and

WHEREAS, doubts have arisen concerning the validity of the proceedings had for the formation of the Mormon Trail Community School District and concerning the validity and legal sufficiency of the territory and boundaries of said district; and

WHEREAS, in order to effectively administer the schools within said school district it is in the public interest to put any doubt which might arise concerning the validity and legal sufficiency of the proceedings had for the formation and the organization of the Mormon Trail Community School District and concerning the validity and legal sufficiency of the formation of the territory and the establishing of the boundaries of said school district at rest; now therefore,

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

1 SECTION 1. All proceedings heretofore taken in connection with  
2 the organization, creation and establishment of the Mormon Trail  
3 Community School District in the counties of Decatur, Wayne, Lucas  
4 and Clarke, state of Iowa, and the legal existence of said school dis-  
5 trict, are hereby declared to be valid, legal and sufficient to create and  
6 establish within said territory by the proceedings hereinbefore referred  
7 to, a school corporation and a school district known as the  
8 "Mormon Trail Community School District" in the counties of De-  
9 catur, Wayne, Lucas and Clarke, state of Iowa, and the same are  
10 hereby legalized, validated and confirmed and said school district is  
11 declared to be a legal entity.

1 SEC. 2. All proceedings heretofore taken in connection with the  
2 formation of the territory and the establishing of the boundaries of  
3 the Mormon Trail Community School District in the counties of  
4 Decatur, Wayne, Lucas and Clarke, state of Iowa, are hereby legal-  
5 ized, validated and confirmed and the boundaries of said school dis-  
6 trict, as shown by the records of the county auditors of the counties  
7 of Decatur, Wayne, Lucas and Clarke, state of Iowa, are hereby de-  
8 clared to be the legally established boundaries of said school district.

Approved May 15, 1959.

## CHAPTER 411

## NEW MARKET SCHOOL LEGALIZING ACT

H. F. 731

AN ACT to legalize and validate the proceedings for the organization and establishment of the New Market Community School District, in the counties of Page and Taylor, state of Iowa, and declaring said district a duly and legally organized corporate body as provided by law.

WHEREAS, pursuant to proceedings taken by the county superintendent of schools of Taylor County, Iowa, and the county boards of education of Page and Taylor counties, an election was held on November 12, 1958, on the proposition of establishing a new school district to be known as the New Market Community School District, in the counties of Page and Taylor, state of Iowa, by uniting territory then lying within the boundaries of twelve (12) school corporations located in Page and Taylor Counties, Iowa; and

WHEREAS, pursuant to the favorable results of said election, officials were elected, a complete written description of the boundaries of the new and enlarged school district was filed with the county auditors of Page and Taylor counties, and a new school corporation was organized in accordance with the county plan effective July 1, 1959, which is known and has been officially designated as the "New Market Community School District, in the counties of Page and Taylor, state of Iowa"; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings taken for the organization and establishment of said New Market Community School District, in the counties of Page and Taylor, state of Iowa, and it is deemed advisable and necessary to put such doubts and all others that might arise concerning same forever at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken in connection  
2 with the organization, creation and establishment of the school cor-  
3 poration now known and identified as the "New Market Community  
4 School District, in the counties of Page and Taylor, state of Iowa",  
5 be and the same are hereby legalized, validated and confirmed and  
6 that said school district is hereby declared to constitute a legal school  
7 corporation created in conformity with the provisions of chapter two  
8 hundred seventy-five (275), Code 1958, and the boundaries of said  
9 New Market Community School District as now shown by the records  
10 of the county auditors of Page and Taylor counties, Iowa, are hereby  
11 declared to be the legally established boundaries of said school district.

Approved April 29, 1959.

## CHAPTER 412

## OCHEYEDAN SCHOOL LEGALIZING ACT

## H. F. 218

AN ACT to legalize and validate the action and proceedings of the board of directors of the Ocheyedan Community School District, in the county of Osceola, state of Iowa, and the Horton Township School District, in the county of Osceola, state of Iowa, for the merger of said Horton Township School District into said Ocheyedan Community School District, and to legalize and validate the action and proceedings of the board of directors of the Ocheyedan Community School District, in the county of Osceola, state of Iowa, in calling a special school bond election.

WHEREAS, pursuant to petitions theretofore filed, elections were called and held on April 22, 1957, in the Ocheyedan Community School District, in the county of Osceola, state of Iowa, and in the Horton Township School District, in the county of Osceola, state of Iowa, on the proposition of merging said Horton Township School District, into said Ocheyedan Community School District, and said proposition carried by a substantial majority in each of said school corporations; and

WHEREAS, in reliance upon said elections and by concurrent action by the board of directors of said school corporations, the area included within the boundaries of the Horton Township School District, in the county of Osceola, state of Iowa, was ordered merged on May 14, 1957, with the Ocheyedan Community School District in the county of Osceola, state of Iowa, and on November 4, 1958, a written description of the new boundaries of said Ocheyedan School Corporation was filed in the office of the auditor of Osceola County; and

WHEREAS, on October 21, 1958, the board of directors of the Ocheyedan Community School District, in the county of Osceola, state of Iowa, pursuant to a petition therefor filed by certain voters of said school district, called a special election of the voters of said district for November 19, 1958, on the question of the issuance of one hundred seventy-five thousand (\$175,000) dollars of school bonds of said school district for the purpose of constructing and equipping a school building within the school district, and at said election said proposition carried by a majority of more than sixty (60) percent of the total votes cast for and against said proposition at said election; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings, elections and provisions made for the merger of said Horton Township School District, in the county of Osceola, state of Iowa, into the Ocheyedan Community School District, in the county of Osceola, state of Iowa, and as to the present legal existence of said Ocheyedan Community School District, and as to the validity and legal sufficiency of the proceedings and action of the board of directors of said district in calling said special bond election for November 19, 1958, on said petition for election, and as to the validity of said election petition, and as to the authority of the school board of said Ocheyedan Community School District to contract indebtedness and to issue bonds pursuant to said election, and it is deemed advisable and necessary to put such doubts and others that might arise concerning the same forever at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the board of  
2 directors of the Ocheyedon Community School District, in the county  
3 of Osceola, state of Iowa, and the Horton Township School District, in  
4 the county of Osceola, State of Iowa, preliminary to and in connection  
5 with the special election held in each of said school corporations on  
6 April 22, 1957, and providing for the merger of said Horton School\*  
7 Township School District into said Ocheyedon Community School Dis-  
8 trict are hereby legalized, validated and confirmed, and the boundaries  
9 of said Ocheyedon Community School District, as now shown by the  
10 records of the county auditor of Osceola County, state of Iowa, are  
11 hereby declared to be the legally established boundaries of said Ocheye-  
12 dan Community School District, and said school district is declared  
13 to be a legal entity.

1 SEC. 2. That all proceedings heretofore taken by the board of  
2 directors of the Ocheyedon Community School District, in the county  
3 of Osceola, state of Iowa, preliminary to and in connection with the  
4 call of the special election for the submission of the proposition for  
5 the authorization and issuance of one hundred seventy-five thousand  
6 (\$175,000) dollars of bonds of said school district for school building  
7 purposes, including also the petition calling for said election, the elec-  
8 tion itself, and the adoption of said proposition at said election by the  
9 voters of said school district, be and the same are hereby legalized,  
10 validated and confirmed, and shall continue full authority for the  
11 school board of said school district to contract said indebtedness and  
12 to issue said bonds for the purposes authorized at said election, in an  
13 amount not exceeding one hundred seventy-five thousand (\$175,000)  
14 dollars, and said bonds, when issued, shall constitute valid and bind-  
15 ing obligations of said school district.

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 Ocheyedon Press, a newspaper published at Ocheyedon, Iowa, and  
4 Sibley-Gazette Tribune, a newspaper published at Sibley, Iowa, all  
5 without expense to the state.

Approved March 9, 1959.

I hereby certify that the foregoing Act, House File 218, was published in The Ocheye-  
dan Press, Ocheyedon, Iowa, March 19, 1959, and in the Sibley-Gazette Tribune, Sibley,  
Iowa, March 19, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

\*According to enrolled Act.

## CHAPTER 413

## PLAINFIELD SCHOOL LEGALIZING ACT

## S. F. 120

AN ACT to legalize and validate the proceedings for the organization of Plainfield Community School District, in the counties of Bremer and Butler, state of Iowa, and to legalize and validate the action of the board of directors of said school district in calling a special school bond election.

WHEREAS, the Plainfield Community School District, in the counties of Bremer and Butler, state of Iowa, was organized on July 1, 1957, pursuant to an election held on December 17, 1956, and the existence of said Plainfield Community School District, in the counties of Bremer and Butler, state of Iowa, is of general public interest and vital to the public interest and welfare of the area contained within its boundaries; and

WHEREAS, on the 13th day of March, 1958, the board of directors of said Plainfield Community School District, in the counties of Bremer and Butler, state of Iowa, pursuant to a petition therefor filed by certain voters of said school district, called a special election of the voters of said district for April 16, 1958, on the question of the issuance of two hundred thirty thousand (230,000) dollars of school bonds of said school district for the purpose of constructing and equipping school buildings and procuring building sites therefor within the school district, and at said election said proposition carried by a majority of more than sixty (60) per cent of the total votes cast for and against said proposition at said election; and

WHEREAS, doubts have arisen concerning the validity of the proceedings had for the formation of said Plainfield Community School District, and as to the present legal existence of said school district, and as to the validity of the action of the board of directors of said district in calling said special school bond election for April 16, 1958, on said petition for election, and as to the validity of said election petition, and as to the authority of the school board of said Plainfield School District to contract indebtedness and to issue bonds pursuant to said election; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken in connection  
2 with the formation of the territory of the Plainfield Community School  
3 District, in the counties of Bremer and Butler, state of Iowa, and the  
4 legal existence of said school district, are hereby declared to be valid,  
5 legal and sufficient to create and establish within said territory by the  
6 proceedings hereinbefore referred to, a school district known as  
7 "Plainfield Community School District, in the counties of Bremer and  
8 Butler, state of Iowa," and the same are hereby legalized, validated  
9 and confirmed and said school district is declared to be a legal entity.

1 SEC. 2. That all proceedings heretofore taken in connection with  
2 the formation of the territory and the establishing of the boundaries  
3 of the Plainfield Community School District, in the counties of Bremer  
4 and Butler, state of Iowa, are hereby legalized, validated and con-  
5 firmed, and the boundaries of said school district, as now shown by  
6 the records of the county auditors of Bremer and Butler counties,

7 state of Iowa, are hereby declared to be the legally established bound-  
8 aries of said school district.

1 SEC. 3. That all proceedings heretofore taken by the board of  
2 directors of the Plainfield Community School District, in the counties  
3 of Bremer and Butler, state of Iowa, preliminary to and in connection  
4 with the call of the special election for the submission of the proposi-  
5 tion for the authorization and issuance of two hundred thirty thou-  
6 sand (230,000) dollars in bonds of said district for school building  
7 purposes, including also the petition calling for said election, the  
8 election itself and the adoption of said proposition at said election by  
9 the voters of said school district, be and the same are hereby legal-  
10 ized, validated and confirmed, and shall constitute full authority for  
11 the school board of said school district to contract said indebtedness  
12 and to issue said bonds for the purposes authorized at said election,  
13 in an amount not exceeding two hundred thirty thousand (230,000)  
14 dollars, and said bonds, when issued, shall constitute valid and bind-  
15 ing obligations of said school district.

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 Plainfield News, a newspaper published at Plainfield, Iowa, and  
4 Bremer County Independent, a newspaper published at Waverly, Iowa,  
5 all without expense to the state.

Approved February 18, 1959.

I hereby certify that the foregoing Act, Senate File 120, was published in the Plain-  
field News, Plainfield, Iowa, February 26, 1959, and in the Bremer County Independent,  
Waverly, Iowa, February 25, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 414

### POCAHONTAS SCHOOL LEGALIZING ACT

S. F. 109

AN ACT to legalize and validate the action and proceedings of the board of directors of the Pocahontas Community School District, in the county of Pocahontas, state of Iowa, in calling a special school bond election and the issuance of school bonds pursuant to said election.

WHEREAS, on the 3rd day of November, 1958 the board of directors of said Pocahontas Community School District, in the county of Pocahontas, state of Iowa, pursuant to a petition therefor filed by certain voters of said school district, called a special election of the voters of said district for December 6, 1958, on the question of the issuance of not to exceed two hundred sixty thousand dollars (\$260,000.00) of school bonds of said district, and using the sum of forty thousand dollars (\$40,000.00) of surplus funds in the school treasury for the purpose of building and furnishing an addition to the school building in Pocahontas, Iowa, and at said election said proposition carried by a majority of more than sixty per cent (60%) of the total votes cast for and against said proposition at said election; and

WHEREAS, pursuant to a sufficient petition and proceedings taken by the county superintendent of schools of Pocahontas County, Iowa, an election was held on January 6, 1959, on the proposition of creating a new school corporation to be known as the "Community School District of Pocahontas, in Pocahontas County, Iowa" and consisting of all of the territory of the present Pocahontas Community School District and portions of the following school districts: Marshall Township School District and Dover Township School District, all in Pocahontas county, Iowa, the territory to be included in said new school district being fully set out on the form of ballot used at said January 6th election; and at said election said proposition carried by a substantial majority in each of said school corporations, hereinabove mentioned; that the legal existence of the present Pocahontas Community School District will terminate on July 1, 1959, by reason thereof, and thereafter all of the territory of said Pocahontas Community School District will be included in and will be a part of the newly created Community School District of Pocahontas as authorized at said January 6, 1959, election; and

WHEREAS, on the 24th day of January, 1959, the board of directors of said school district adopted a resolution providing for the issuance of said school bonds, to be dated March 1, 1959, in the sum of two hundred sixty thousand dollars (\$260,000.00) pursuant to said school bond election, hereinabove mentioned; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings and action of the board of directors of said school district in calling said special school bond election for December 6, 1958, on said petition for election, and as to the validity of said election petition, and as to the authority of the school board of said Pocahontas Community School District to contract indebtedness and issue bonds pursuant to said election, and it is deemed advisable and necessary to put such doubts and all others that might arise concerning the same forever at rest; Now, Therefore,

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

1 SECTION 1. All proceedings and action heretofore taken by the  
2 board of directors of the Pocahontas Community School District in  
3 the county of Pocahontas, state of Iowa, preliminary to and in con-  
4 nection with the call of the special election for the submission of the  
5 proposition for the authorization and issuance of not to exceed two  
6 hundred sixty thousand dollars (\$260,000.00) of school bonds of said  
7 school district and using the sum of forty thousand dollars (\$40,-  
8 000.00) of surplus funds in the school treasury for school building  
9 purposes, including also the petition calling for said election, the  
10 election itself, and the adoption of said proposition at said election  
11 by the voters of said school district, and all proceedings and action  
12 heretofore taken by the school board of said district as to the issu-  
13 ance of said bonds, pursuant to said election be and the same are  
14 hereby legalized, validated and confirmed, and shall constitute full  
15 authority for the school board of said school district to contract said  
16 indebtedness and to issue said bonds for the purposes authorized at  
17 said election at any time prior to July 1, 1959, the same being the date  
18 of the expiration of the corporate existence of said Pocahontas Com-  
19 munity School District, in an amount not exceeding two hundred sixty



20 thousand dollars (\$260,000.00) and said bonds, when issued, shall con-  
21 stitute valid and binding obligations of said school district.

1 SEC. 2. This Act, being deemed of immediate importance, shall be  
2 in full force and effect from and after its passage and publication in  
3 the Pocahontas Record-Democrat, a newspaper published at Pocahon-  
4 tas, Iowa, and the Rolfe Arrow, a newspaper published at Rolfe, Iowa,  
5 all without expense to the state.

Approved March 12, 1959.

I hereby certify that the foregoing Act, Senate File 109, was published in the Pocahontas Record-Democrat, Pocahontas, Iowa, April 2, 1959, and in the Rolfe Arrow, Rolfe, Iowa, April 2, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 415

### WHITING SCHOOL LEGALIZING ACT

H. F. 547

AN ACT to legalize and validate the proceedings of the board of directors of the Community School District of Whiting, in the county of Monona, state of Iowa, authorizing and providing for the issuance of school building 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 Community School District of Whiting, in the County of Monona, State of Iowa, that at a special election held in and for said school district on February 11, 1959, the proposition of issuing bonds of said school district in the sum of two hundred fifty thousand dollars for the purpose of altering and equipping the existing school building and constructing an addition thereto and equipping the same was approved by more than sixty per cent of the total number of votes cast for and against said proposition and in reliance upon said election said board of directors thereafter by resolution authorized and provided for the issuance of school building bonds to the amount and for the purpose aforesaid and made provision for the levy of taxes to pay said bonds and the interest thereon; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election and proceedings and provisions made for the issuance and payment of said bonds and it is deemed advisable to put such doubts and all others that might arise concerning same forever at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the board of  
2 directors of the Community School District of Whiting, in the County  
3 of Monona, State of Iowa, preliminary to and in connection with the  
4 special election held in said School District on February 11, 1959, and  
5 providing for the issuance and delivery of school building bonds of  
6 said School District in the amount of two hundred fifty thousand dol-  
7 lars pursuant to said election, and for the levy of taxes to pay said  
8 bonds and interest thereon, are hereby legalized, validated and con-

9   firmed and said school building bonds issued, sold and delivered pur-  
10   suant to and in accordance with said proceedings are hereby declared  
11   to be legal and to constitute valid and binding obligations of said  
12   School District.

1    SEC. 2. This Act being deemed of immediate importance shall be  
2    in full force and effect from and after its passage and publication in  
3    the Onawa Democrat, a newspaper published at Onawa, Iowa and the  
4    Ute Independent, a newspaper published at Ute, Iowa, without ex-  
5    pense to the state.

Approved April 17, 1959.

I hereby certify that the foregoing Act, House File 547, was published in the Onawa Democrat, Onawa, Iowa, April 30, 1959, and in the Ute Independent, Ute, Iowa, April 23, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 416

### WINNESHIEK SCHOOL LEGALIZING ACT

H. F. 494

AN ACT to legalize and validate the proceedings for the organization and establishment of the boundaries of the South Winneshiek Community School District, in the county of Winneshiek, state of Iowa, and declaring said district a duly and legally organized corporate body as provided by law.

WHEREAS, pursuant to proceedings taken by the county superintendent of schools of Winneshiek County; Iowa, and the county board of education of said county, an election was held on May 5, 1958, at which the voters approved the proposition of establishing a new school district to be known as the South Winneshiek Community School District, in the County of Winneshiek, State of Iowa, by uniting territory formerly lying within twenty school districts or portions thereof, and school officials were thereafter elected; and

WHEREAS, areas of land were attached to said school corporation by order of the county board of education of Winneshiek county, Iowa, entered on July 1, 1958, complete written descriptions of the boundaries of the new and enlarged South Winneshiek Community School District were filed with the county auditor of Winneshiek county, Iowa and a new school corporation was organized in accordance with the county plan, effective July 1, 1958, which has been operating for over seven months and which is known and has been officially designated as the "South Winneshiek Community School District, in the county of Winneshiek, State of Iowa"; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings taken for the organization and establishment of said South Winneshiek Community School District, in the county of Winneshiek, State of Iowa, and the attachment of said areas of land to said school district, and it is deemed advisable and necessary to put such doubts and all others that might arise concerning same forever at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken in connection  
2 with the organization, creation and establishment of the school cor-  
3 poration now known and identified as the "South Winneshiek Com-  
4 munity School District, in the County of Winneshiek, State of Iowa",  
5 including the attachment of areas of land to said school district by  
6 order of the Winneshiek county board of education, be and the same  
7 are hereby legalized, validated and confirmed and said school district  
8 is hereby declared to constitute a legal school corporation created in  
9 conformity with the provisions of chapter two hundred seventy-five  
10 (275), Code 1958, and the boundaries of said South Winneshiek Com-  
11 munity School District as now shown by the records of the county  
12 auditor of Winneshiek county, Iowa, are hereby declared to be the  
13 legally established boundaries of said school district.

1 SEC. 2. This Act being deemed of immediate importance shall be  
2 in full force and effect from and after its passage and publication in  
3 the Ossian Bee, a newspaper published at Ossian, Iowa, and the De-  
4 corah Public-Opinion, a newspaper published at Decorah, Iowa, with-  
5 out expense to the state.

Approved April 24, 1959.

I hereby certify that the foregoing Act, House File 494, was published in the Ossian Bee, Ossian, Iowa, April 29, 1959, and in the Decorah Public-Opinion, Decorah, Iowa, May 4, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 417

### LAND PATENT

#### H. F. 755

AN ACT to authorize and direct the issuance of a patent to certain real estate, to Thomas A. Devlin, by the governor and secretary of state.

WHEREAS, it appears of record that certain real estate described as the Northeast Quarter (NE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section seven (7), township seventy-two (72), Range fourteen (14), west of the fifth principal meridian (5th P. M.), Wapello County, Iowa, was on May 10, 1918, mortgaged by John Keenan, single, to the school fund, Wapello County, Iowa, in the amount of five hundred dollars (\$500.00); and

WHEREAS, it appears of record that said mortgage was filed and recorded of record in Book B on page one hundred and eighteen (118) of the records in the office of the recorder of Wapello County, Iowa on May 10, 1918; and

WHEREAS, it appears of record that on October 9, 1934, Wapello County, Iowa, for the benefit of said school fund, instituted foreclosure proceedings on the note and said mortgage securing same against the said John Keenan and others, the foreclosure proceedings appearing of record

in docket number one hundred and ninety (190), page 28, of the records of the clerk of the district court within and for Wapello County, Iowa, Chancery Number 15473; and

WHEREAS, it appears of record that said foreclosure proceeding culminated in a decree of the district court foreclosing said mortgage on January 8, 1935. That thereafter on January 9, 1935, a special execution was issued to the sheriff of Wapello County, Iowa, and that in pursuance thereof a sheriff's sale of all of said real estate was conducted on February 11, 1935, when all of said property was exposed to public sale by the sheriff and was bid in by Wapello County, Iowa, for the benefit of the school fund for said county for seven hundred and thirty-four dollars and twenty-one cents (\$734.21); and,

WHEREAS, a sheriff's certificate of sale was issued to Wapello County, Iowa, for the benefit of the school fund during the period of redemption; and

WHEREAS, on July 24, 1944, said certificate of sale was by Wapello County for the benefit of the school fund assigned to said Thomas A. Devlin; and

WHEREAS, on July 24, 1944, a sheriff's warranty deed was executed, signed and delivered by said sheriff and Wapello County, Iowa, conveying all of said premises to the said Thomas A. Devlin, said deed appearing of record in Book 154, page 333, in the office of the recorder in and for Wapello County, Iowa; and

WHEREAS, it appears of record that full payment has been made by the said Thomas A. Devlin of all of the money, interest and costs for the benefit of the school fund; and

WHEREAS, it appears of record that the record chain of title to said real estate comes down to and through the said John Keenan, Wapello County, Iowa, and Thomas A. Devlin; and

WHEREAS, the present owner and owners of the before-described premises or portions thereof now in possession of said land, together with the several previous grantors and grantees, have been in open, actual, notorious and adverse possession of said land since prior to January 1, 1940; now therefore,

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

1 SECTION 1. The governor and secretary of state of the state of  
2 Iowa are hereby authorized, empowered and directed to issue a patent  
3 to Thomas A. Devlin conveying all of the Northeast Quarter (NE $\frac{1}{4}$ )  
4 of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section seven (7), Township  
5 seventy-two (72), Range fourteen (14) west of the fifth principal  
6 meridian (5th P. M.) containing forty acres (40) more or less, ac-  
7 cording to the government survey, for the use and benefit of the suc-  
8 cessive owners of said land, his and their heirs and assigns forever.

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 Ottumwa Daily Courier, a newspaper published at Ottumwa,

4 Iowa, and the Blakesburg Excelsior, a newspaper published at Blakes-  
5 burg, Iowa.

Approved May 15, 1959.

I hereby certify that the foregoing Act, House File 755, was published in the Ottumwa Daily Courier, Ottumwa, Iowa, May 20, 1959, and in the Blakesburg Excelsior, Blakesburg, Iowa, May 21, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 418

### LAND PATENT

H. F. 520

AN ACT to authorize and direct the issuance of a patent to certain real estate, to Lester Kizer and Mildred Kizer, by the governor and secretary of state.

WHEREAS, it appears of record that real estate described as the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section 20 and the South Half (S $\frac{1}{2}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) and the Northeast Quarter (NE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Northwest quarter (NW $\frac{1}{4}$ ) in Section 29, all in township 71 North of Range 13 West of the 5th P. M. in Wapello County, Iowa, was on July 3, 1891, mortgaged by Sarah Ann Bower and Daniel Bower, her husband to the school fund, Wapello County, Iowa, in the amount of \$200.00; and

WHEREAS, it appears that said mortgage was recorded in Book A, page 379, of the records of the recorder's office, Wapello County, Iowa; and

WHEREAS, in 1935 Wapello County, for the benefit of the school fund, instituted foreclosure proceedings on said mortgage, the foreclosure action having been entered in Docket 109, page 131, of the clerk's office, Wapello County, Iowa, Chancery Number 15574; and

WHEREAS, the action culminated in a decree of foreclosure of said school fund mortgage on May 10, 1935. Special execution issued to the sheriff of Wapello County and a sheriff's sale was conducted on the 12 day of June 1935, when the property was exposed to public sale by the sheriff and was bid in by Wapello County for the benefit of the school fund for \$326.14; and

WHEREAS, a sheriff's certificate of sale was issued to Wapello County for the benefit of the school fund during the period of redemption; and

WHEREAS, on August 8, 1936, the certificate of sale was, by Wapello County for the benefit of the school fund, assigned to Lester Kizer and Mildred Kizer, sale having been reported to the State Department in accordance with the statutes of the state; and

WHEREAS, on August 13, 1936, a sheriff's deed was issued to Lester Kizer and Mildred Kizer which deed is recorded in Record 155, page 398, of the records of the recorder's office, Wapello County, Iowa, conveying the above-described premises; and

WHEREAS, it appears that full payment has been made by the said Lester Kizer and Mildred Kizer, and 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, previously through error or oversight, a patent was issued for a portion of the foregoing-described lands to Lester Kizer and Mildred Kizer, and that no patent otherwise conveying the entire tract was ever issued by the state of Iowa covering said lands foreclosed for the benefit of the school fund, relinquishing and conveying the rights of the state of Iowa in and to the above-described real estate; now therefore,

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

1 SECTION 1. The governor of the state of Iowa and the secretary  
2 of state of the state of Iowa are authorized and directed to issue a  
3 patent to the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southeast Quarter  
4 (SE $\frac{1}{4}$ ) of Section 20 and the South Half (S $\frac{1}{2}$ ) of the Northeast  
5 Quarter (NE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) and the North-  
6 east Quarter (NE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of the North-  
7 west Quarter (NW $\frac{1}{4}$ ) in Section 29, all in township 71 North of  
8 Range 13 West of the 5th P.M. in Wapello County, Iowa, to Lester  
9 Kizer and Mildred Kizer.

1 SEC. 2. Nothing in this Act shall be deemed or construed to affect  
2 pending litigation.

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 Eldon Forum, a newspaper published at Eldon, Iowa, and in the  
4 Blakesburg Excelsior, a newspaper published at Blakesburg, Iowa.

Approved April 7, 1959.

I hereby certify that the foregoing Act, House File 520, was published in the Eldon Forum, Eldon, Iowa, April 16, 1959, and in the Blakesburg Excelsior, Blakesburg, Iowa, April 16, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 419

### LAND PATENT IN HENRY COUNTY

S. F. 377

AN ACT authorizing a patent to the northeast quarter of the northeast quarter (NE $\frac{1}{4}$  of NE $\frac{1}{4}$ ) of section sixteen (16), Township seventy north (70N), Range five (5) West of the 5th principal meridian, Henry County, Iowa.

WHEREAS, heretofore a patent issued from the United States of America to the state of Iowa for section sixteen (16) township seventy north (70N) range five (5) west of the 5th principal meridian, a tract of land within Henry County, Iowa; and,

WHEREAS, prior to the year A.D. 1849 Joseph Wright purchased from the state of Iowa the northeast quarter of the northeast quarter (NE $\frac{1}{4}$  of NE $\frac{1}{4}$ ) of section sixteen (16) above described; and,

WHEREAS, it appears that no patent for said land has ever been issued to the said Joseph Wright or to any other person; and,

WHEREAS, it appears that the purchase price has been fully paid and that the state of Iowa claims no ownership in the before-described land although apparent legal title thereto still remains in the state of Iowa; and,

WHEREAS, the present owner and owners of the before-described premises or portions thereof now in possession of said land together with the several previous grantors and grantees, have been in open, actual, notorious and adverse possession of said land for more than one hundred nine (109) years last past; now therefore,

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

1 SECTION 1. The governor and secretary of the State of Iowa are  
2 hereby authorized, empowered and directed to issue a patent to Joseph  
3 Wright conveying the northeast quarter of the northeast quarter  
4 ( $NE\frac{1}{4}$  of  $NE\frac{1}{4}$ ) of section sixteen (16) township seventy north  
5 (70N) Range five (5) west of the 5th principal meridian, Henry  
6 County, Iowa, containing forty (40) acres, more or less, according  
7 to the government survey, for the use and benefit of the successive  
8 owners of said land.

1 SEC. 2. This Act being deemed of immediate importance shall be  
2 in full force and effect from and after its publication in the New  
3 London Journal, a newspaper published at New London, Iowa, and in  
4 the Mt. Pleasant News, a newspaper published at Mt. Pleasant, Iowa,  
5 all without expense to the state of Iowa.

Approved April 14, 1959.

I hereby certify that the foregoing Act, Senate File 377, was published in the New London Journal, New London, Iowa, April 30, 1959, and in the Mt. Pleasant News, Mt. Pleasant, Iowa, April 22, 1959.

MELVIN D. SYNHORST, *Secretary of State.*





**JOINT RESOLUTIONS**



# JOINT RESOLUTIONS

## CHAPTER 420

### PROPOSED CONSTITUTIONAL AMENDMENT IN RE JUDGES

S. J. R. 7

A. JOINT RESOLUTION proposing to amend article five (V) of the Constitution of the state of Iowa relating to the supervisory and administrative control of the inferior courts by the supreme court; to the qualifications, selection, tenure, compensation, powers and duties of judicial nominating commission members, judges and other judicial officers and to the mandatory retirement with compensation of judges of the supreme and district courts.

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

1 SECTION 1. An amendment to the Constitution of the State of  
2 Iowa as it appears in the Code of 1958 is proposed as follows:

3 Article Five (V) is amended in the following manner:

4 1. Section four (4) is amended by striking from lines eight (8)  
5 and nine (9) of such section the words, "exercise a supervisory" and  
6 inserting in lieu thereof the words, "shall exercise a supervisory and  
7 administrative".

8 2. Sections three (3), five (5), nine (9) and eleven (11) are re-  
9 pealed.

10 3. The following sections are added thereto:

11 "Section 15. Vacancies in the Supreme Court and District Court  
12 shall be filled by appointment by the Governor from lists of nominees  
13 submitted by the appropriate judicial nominating commission. Three  
14 nominees shall be submitted for each Supreme Court vacancy, and  
15 two nominees shall be submitted for each District Court vacancy. If  
16 the Governor fails for thirty days to make the appointment, it shall  
17 be made from such nominees by the Chief Justice of the Supreme  
18 Court.

19 "Section 16. There shall be a State Judicial Nominating Commis-  
20 sion. Such commission shall make nominations to fill vacancies in the  
21 Supreme Court. Until July 4, 1973, and thereafter unless otherwise  
22 provided by law, the State Judicial Nominating Commission shall be  
23 composed and selected as follows: There shall be not less than three  
24 nor more than eight appointive members, as provided by law, and an  
25 equal number of elective members on such Commission, all of whom  
26 shall be electors of the state. The appointive members shall be ap-  
27 pointed by the Governor subject to confirmation by the Senate. The  
28 elective members shall be elected by the resident members of the bar  
29 of the state. The judge of the Supreme Court who is senior in length  
30 of service on said Court, other than the Chief Justice, shall also be a  
31 member of such Commission and shall be its chairman.

32 "There shall be a District Judicial Nominating Commission in each  
33 judicial district of the state. Such commissions shall make nomina-  
34 tions to fill vacancies in the District Court within their respective dis-

35 tricts. Until July 4, 1973, and thereafter unless otherwise provided by  
36 law, District Judicial Nominating Commissions shall be composed and  
37 selected as follows: There shall be not less than three nor more than  
38 six appointive members, as provided by law, and an equal number of  
39 elective members on each such commission, all of whom shall be  
40 electors of the district. The appointive members shall be appointed by  
41 the Governor. The elective members shall be elected by the resident  
42 members of the bar of the district. The district judge of such district  
43 who is senior in length of service shall also be a member of such com-  
44 mission and shall be its chairman.

45 "Due consideration shall be given to area representation in the ap-  
46 pointment and election of Judicial Nominating Commission members.  
47 Appointive and elective members of Judicial Nominating Commissions  
48 shall serve for six year terms, shall be ineligible for a second six year  
49 term on the same commission, shall hold no office of profit of the  
50 United States or of the state during their terms, shall be chosen with-  
51 out reference to political affiliation, and shall have such other quali-  
52 fications as may be prescribed by law. As near as may be, the terms  
53 of one-third of such members shall expire every two years.

54 "Section 17. Members of all courts shall have such tenure in office  
55 as may be fixed by law, but terms of Supreme Court Judges shall be  
56 not less than eight years and terms of District Court Judges shall be  
57 not less than six years. Judges shall serve for one year after appoint-  
58 ment and until the first day of January following the next judicial  
59 election after the expiration of such year. They shall at such judicial  
60 election stand for retention in office on a separate ballot which shall  
61 submit the question of whether such judge shall be retained in office  
62 for the tenure prescribed for such office and when such tenure is a  
63 term of years, on their request, they shall, at the judicial election next  
64 before the end of each term, stand again for retention on such ballot.  
65 Present Supreme Court and District Court Judges, at the expiration  
66 of their respective terms, may be retained in office in like manner for  
67 the tenure prescribed for such office. The General Assembly shall  
68 prescribe the time for holding judicial elections.

69 "Section 18. Judges of the Supreme Court and District Court shall  
70 receive salaries from the state, shall be members of the bar of the state  
71 and shall have such other qualifications as may be prescribed by law.  
72 Judges of the Supreme Court and District Court shall be ineligible to  
73 any other office of the state while serving on said court and for two  
74 years thereafter, except that District Judges shall be eligible to the  
75 office of Supreme Court Judge. Other judicial officers shall be selected  
76 in such manner and shall have such tenure, compensation and other  
77 qualification as may be fixed by law. The General Assembly shall  
78 prescribe mandatory retirement for Judges of the Supreme Court and  
79 District Court at a specified age and shall provide for adequate retire-  
80 ment compensation. Retired judges may be subject to special assign-  
81 ment to temporary judicial duties by the Supreme Court, as provided  
82 by law."

1 SEC. 2. The foregoing proposed amendment to the Constitution of  
2 the State of Iowa is hereby referred to the General Assembly to be  
3 chosen at the next general election and the Secretary of State is di-  
4 rected to cause the same to be published as provided by law for three  
5 months previous to the time of making such choice.

## CHAPTER 421

## GASOLINE TAX DIVISION AUDIT

S. J. R. 8

A JOINT RESOLUTION creating a joint legislative bipartisan committee to engage a competent certified public accounting firm to make an audit of the motor vehicle fuel tax division of the state treasurer's office of the state of Iowa and to make an appropriation therefor.

WHEREAS, a preliminary audit is being made under provisions of Chapter sixty-seven (67), Code 1958, at this time of the Motor Vehicle Fuel Tax Division of the State Treasurer's Office of the State of Iowa, and

WHEREAS, it appears that a complete audit of such office cannot be reasonably made under the provisions of Chapter sixty-seven (67), Code 1958, and that it is advisable to engage a competent certified public accounting firm, either from within or from outside of the State of Iowa, to supplement the audit now being made and to make a complete audit of such department, and

WHEREAS, it is the desire of this General Assembly, now in session, that a complete audit be made of that department for the purpose of determining whether proper bookkeeping methods and accounting procedures have been used in such department and whether remedial legislation should be enacted to enable the persons in said office to properly administer the Motor Vehicle Fuel Tax law in the State of Iowa, and

WHEREAS, it appears that a substantial sum of money will be required to have a complete and adequate audit, and

WHEREAS, it will be to the best interests of the State of Iowa and of all persons and parties concerned that a joint legislative bipartisan committee of ten (10) members be appointed, consisting of three (3) members from the republican party and two (2) members from the democratic party, from both the House and Senate, the Senate members to be appointed by the Lieutenant Governor, as the presiding officer thereof, and the House members to be appointed by the Speaker of the House, to employ an auditing firm for the purposes as herein set forth, to determine the extent of the audit to be made and to report the result of said audit and the findings of said committee in respect thereto to the 58th General Assembly before it adjourns.

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

1 SECTION 1. That a joint legislative committee consisting of five (5)  
2 members from the Senate and five (5) members from the House of  
3 Representatives be appointed by the Lieutenant Governor and by the  
4 Speaker of the House respectively, said committee consisting of three  
5 (3) members from the republican party and two (2) members from  
6 the democratic party from each house of the General Assembly.

1 SEC. 2. Said committee is hereby authorized to empower and allow  
2 the committee of three (3) heretofor\* appointed by the governor  
3 under chapter sixty-seven (67), Code 1958, with the approval of the

\*According to enrolled Act.

4 majority of the joint legislative committee designated in section one  
5 (1) of this resolution, to select and employ a certified public account-  
6 ing firm, either from within or from outside the State of Iowa, to have  
7 made an audit of the books and records of the Motor Vehicle Fuel Tax  
8 Division of the Treasurer's Office of the State of Iowa, covering such  
9 period of time as said committee believes necessary to adequately  
10 determine the manner and way in which said office has been con-  
11 ducted, the amount of tax losses to the State of Iowa, if any, and to  
12 further determine what remedial legislation, if any, should be recom-  
13 mended for enactment by the General Assembly. By July 1, 1959 the  
14 joint legislative committee shall conclude its duties and be discharged.  
15 On and after July 1, 1959 any further duties required under this act  
16 shall be discharged by the budget and finance control committee. If  
17 additional funds are required under the provisions of this act the re-  
18 lease of said funds shall be subject to the approval of the budget and  
19 financial control committee.

1 SEC. 3. The sum of fifty thousand (50,000) dollars is hereby appro-  
2 priated out of the Motor Vehicle Fuel Tax fund as part of the cost of  
3 administration thereof for the aforesaid purpose and said committee  
4 is hereby authorized to use and expend such part thereof as they find  
5 necessary to carry out the purpose and intent of this Act. All ex-  
6 penses incurred by the committee shall be paid out of the Motor Ve-  
7 hicle Fuel Tax fund of the state on vouchers to be approved by the  
8 chairman and secretary of the committee and audited according to  
9 law.

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 North English Record, a newspaper published at North English,  
4 Iowa, and the Morning Democrat, a newspaper published at Daven-  
5 port, Iowa.

Approved February 18, 1959.

I hereby certify that the foregoing Act, Senate Joint Resolution 8, was published in the North English Record, North English, Iowa, February 26, 1959, and in the Morning Democrat, Davenport, Iowa, February 24, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 422

### BOUNDARY STUDY COMMITTEE

S. J. R. 17

A JOINT RESOLUTION to amend House Joint Resolution No. 8, of the 57th General Assembly of Iowa, appearing as chapter 307, Acts of the regular session thereof, to provide that the boundary study committee therein created be authorized and empowered to study the present boundary line between the state of South Dakota and state of Iowa and to report to the general assembly of Iowa as therein provided.

WHEREAS, a committee was established by the 57th General Assembly to study the present boundary line between the states of Iowa and Nebraska, and

WHEREAS, in the course of study by said committee it was found that a similar study should be made of a small section of the boundary line between South Dakota and Iowa, and

WHEREAS, it appears that such study can be made by the aforesaid committee, now therefore;

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

1 SECTION 1. That the special committee created by the Acts of the  
2 57th General Assembly to study the boundary line between the states  
3 of Nebraska and Iowa be and it is hereby authorized to study and  
4 draft proposed legislation pertaining to the boundary lines between  
5 the states of South Dakota and Iowa.

1 SEC. 2. That said committee in connection with its study of the  
2 boundary lines between the states of South Dakota and Iowa shall  
3 have all the power and authority vested in said committee as pro-  
4 vided by the aforesaid House Joint Resolution 8 of the Acts of the  
5 57th General Assembly.

1 SEC. 3. That said committee shall make a report and submit its  
2 recommendation on aforesaid boundary lines between South Dakota  
3 and Iowa as the same is provided for in respect to its study of the  
4 boundary between Nebraska and Iowa.

Approved May 7, 1959.

## CHAPTER 423

### Y.M.C.A. BUILDING PURCHASE

S. J. R. 18

A JOINT RESOLUTION providing for the exercise and acceptance by the state of Iowa of an option to purchase and for the purchase of certain real estate and the building and appurtenances thereon and providing for repairs and maintenance to said building and the purchase of additional equipment to be used therein, and to provide an appropriation therefor.

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

1 SECTION 1. The state executive council is hereby authorized to  
2 exercise in the name of the state of Iowa an option dated April 18,  
3 1959, granted to the state of Iowa by the Young Men's Christian  
4 Association of Des Moines, Iowa, to purchase for the sum of three  
5 hundred thousand (300,000) dollars the following described prop-  
6 erty located in the City of Des Moines, County of Polk, Iowa, to wit:  
7 Lot Thirteen (13), New YMCA Plat, and the building and appurte-  
8 nances thereon and thereunto belonging, located at Fourth (4th) and  
9 Keo Way, Des Moines, Iowa, together with the furnishings thereof  
10 and therein located but excepting, however, the items listed with the  
11 Director of the Iowa Commission for the Blind. Notice of the exer-  
12 cise of the option shall be sent by registered mail to the Young Men's  
13 Christian Association of Des Moines, Iowa, at Fourth (4th) and  
14 Keo Way, Des Moines 8, Iowa, or written notice shall be given in  
15 person.

1     **SEC. 2.** There is hereby appropriated out of any funds in the state  
 2 treasury not otherwise appropriated the sum of three hundred thou-  
 3 sand (300,000) dollars to be used by the executive council in the pur-  
 4 chase of the above-described real estate and the building and appur-  
 5 tenances thereon and the sum of fifty thousand dollars (\$50,000.00)  
 6 for repairs and maintenance of said building and purchasing addi-  
 7 tional equipment therein. The executive council shall requisition a  
 8 warrant for such amount and it shall be paid to the Young Men's  
 9 Christian Association of Des Moines, Iowa, upon delivery of a war-  
 10 ranty deed to the state of Iowa with covenants of full warranty,  
 11 along with delivery of an abstract of title showing marketable title  
 12 in the vendor and the property free and clear of all liens and encum-  
 13 brances, and delivery of possession.

1     **SEC. 3.** This Act being deemed of immediate importance shall be  
 2 in full force and effect after its publication in the Belle Plaine Union,  
 3 a newspaper published at Belle Plaine, Iowa, and in the Osceola Senti-  
 4 nel, a newspaper published at Osceola, Iowa.

Approved May 5, 1959.

I hereby certify that the foregoing Act, Senate Joint Resolution 18, was published in the Belle Plaine Union, Belle Plaine, Iowa, May 13, 1959, and in the Osceola Sentinel, Osceola, Iowa, May 14, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 424

### CAPITOL PLANNING COMMISSION

#### S. J. R. 19

A JOINT RESOLUTION creating the capitol planning commission having the duty to advise concerning the location of monuments, statutes and related memorials on the capitol grounds and the type of architecture and construction of buildings to be erected on the capitol grounds, repairs and restoration thereof, and making appropriation therefor.

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

1     **SECTION 1.** There is hereby created the capitol planning com-  
 2 mission composed of nine (9) members: (a) four (4) members of  
 3 the general assembly, two (2) thereof to be appointed by the speaker  
 4 of the house from the membership thereof, two (2) to be appointed  
 5 by the lieutenant governor from the membership of the senate, and  
 6 (b) three (3) residents of the state of Iowa to be appointed by the  
 7 governor, and (c) the superintendent of buildings and grounds and  
 8 the state architect provided by section two hundred eighteen point  
 9 fifty-eight (218.58), Code 1958.

1     **SEC. 2.** The terms of office of the non-official appointees shall be  
 2 four (4) years and until their successors are appointed. Vacancies  
 3 therein shall be filled by the governor, such vacancy appointees to  
 4 serve for the unexpired term of the original appointee. The terms of  
 5 office of the members of the general assembly herein shall be for four  
 6 (4) years unless sooner terminated by ceasing to be members of the  
 7 general assembly in which event the vacancies thus created shall be



8 filled by the speaker of the house or the lieutenant governor as the  
9 case may be, the members so appointed to serve for the unexpired  
10 term of their predecessors.

1 SEC. 3. It shall be the duty of the commission to advise upon the  
2 location of statues, fountains and monuments and the placing of any  
3 additional buildings on the capitol grounds, the type of architecture  
4 and the type of construction of any new buildings to be erected on  
5 the state capitol grounds as now encompassed or as subsequently en-  
6 larged, and repairs and restoration thereof, and it shall be the duty of  
7 the officers, commissions, and councils charged by law with the duty of  
8 determining such questions to call upon the commission for such  
9 advice.

1 SEC. 4. The commission shall enter into its duties as soon as this  
2 resolution is effective and as soon as the membership has been filled  
3 as herein specified; shall organize by the selection of a chairman and  
4 a secretary drawn from the membership of the commission, who  
5 shall serve at the pleasure of the commission.

1 SEC. 5. The members of the commission shall be paid for their  
2 actual and necessary expenses while in attendance at any meeting of  
3 the commission held at the seat of government and in going to and  
4 from the seat of government to attend a meeting of such commission  
5 and while attending the same. Service of the superintendent of build-  
6 ings and grounds and the state architect upon this commission shall  
7 be an additional duty conferred by statute.

1 SEC. 6. The budget and financial control committee shall provide  
2 the necessary funds for the administration of this Act from appro-  
3 priations to said committee on requisition of the chairman and secre-  
4 tary of the commission.

Approved May 6, 1959.

## CHAPTER 425

### PUBLIC ASSISTANCE STUDY COMMITTEE

H. J. R. 8

A JOINT RESOLUTION creating a joint, bipartisan committee to study public assistance in Iowa and to make a report to the Fifty-ninth General Assembly, and to make an appropriation therefor.

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

1 SECTION 1. A joint bipartisan committee of twelve (12) mem-  
2 bers of the house of representatives and the senate of the Fifty-eighth  
3 General Assembly is hereby created to be known as the public assist-  
4 ance study committee. Said committee shall be composed of six (6)  
5 members of the senate, three (3) from each political party, and six  
6 (6) members of the house of representatives, three (3) from each  
7 political party, to be appointed by the president of the senate and  
8 the speaker of the house, who shall serve until the next regular ses-  
9 sion of the general assembly. Any vacancy in the membership of the

10 committee shall be filled by appointment from the representative  
11 body to which such member of the committee belonged by the presi-  
12 dent of the senate or the speaker of the house, as the case may be.

1 SEC. 2. The committee shall have full power and authority dur-  
2 ing the session of the Fifty-eighth General Assembly, and following  
3 its adjournment to inquire into and examine all matters relating to  
4 public assistance in Iowa including, but not limited to, old age as-  
5 sistance, aid to the blind, aid to dependent children, soldiers relief  
6 and county poor relief and the administration and supervision thereof  
7 at the state and local level.

1 SEC. 3. Said committee shall choose a chairman from its mem-  
2 bers, adopt rules for the conduct of the proceedings, and is hereby  
3 empowered to employ a secretary and such other employees as are  
4 necessary for the proper conduct of the business of the committee.  
5 It is hereby empowered also to employ such expert assistance as may  
6 be deemed necessary for the studies herein authorized. The commit-  
7 tee may hold public hearings, may subpoena witnesses and compel  
8 the production of books, documents or papers, pertaining to its  
9 studies. Witnesses shall be entitled to witness fees and actual travel-  
10 ing expenses while attending upon the committee, such expenses to  
11 be audited and approved by the committee, but no Iowa public em-  
12 ployee shall be entitled to witness fees, but may be allowed actual  
13 and necessary expenses. The committee shall have access to all public  
14 records and shall be given the cooperation of all public officials and  
15 shall generally have the powers of a joint legislative committee. The  
16 committee may at any time or from time to time be divided into  
17 subcommittees of two (2) or more members, with equal represen-  
18 tation by both political parties, any of said subcommittees having  
19 the power to hold hearings in any part of the state. The committee  
20 or any member thereof, or the secretary of the committee, shall have  
21 the power to administer oaths.

1 SEC. 4. Committee members shall be reimbursed for actual and  
2 necessary expenses incurred in the discharge of their duties. The  
3 compensation of its secretary and any other employees of the com-  
4 mittee shall be fixed by the committee and the committee shall be  
5 provided a suitable office by the state executive council.

1 SEC. 5. The committee shall be appointed and shall organize as  
2 soon as possible after the enactment of this measure and shall make  
3 its final report including proposed legislation to the Fifty-ninth Gen-  
4 eral Assembly within ten (10) days after the convening of said gen-  
5 eral assembly. Upon the submission of its final report to the Fifty-  
6 ninth General Assembly the committee shall be discharged.

1 SEC. 6. There is hereby appropriated from any funds of the state  
2 treasury not otherwise appropriated, the sum of twenty-five thou-  
3 sand (25,000) dollars, or so much thereof as may be necessary, to  
4 carry out the purposes of this Act. The compensation of employees  
5 and expenses of said committee shall be paid out of the state general  
6 fund on vouchers to be approved by the chairman or secretary of the  
7 committee and audited according to law.

Approved May 7, 1959.

## CHAPTER 426

## HIGHWAY STUDY COMMITTEE

H. J. R. 12

A JOINT RESOLUTION to create a special committee to make a fiscal, administrative and engineering survey of Iowa's highways, roads and streets, and to make an appropriation therefor.

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

1 SECTION 1. An eleven (11) member study committee is created  
2 to make a comprehensive fiscal, administrative and engineering sur-  
3 vey of Iowa's highways, roads and streets. This committee shall be  
4 composed of three (3) members of the senate to be appointed by the  
5 president of the senate, three (3) members of the house to be ap-  
6 pointed by the speaker of the house, two (2) municipal officials chosen  
7 by the governing board of the Iowa League of Municipalities, one of  
8 whom shall be from a city of more than fifty thousand (50,000) popu-  
9 lation; a county supervisor chosen by the Iowa County Supervisors'  
10 Association, a county engineer chosen by the Iowa County Engineers'  
11 Association, and a member of the state highway commission chosen  
12 by the commission. Should any vacancy appear on the committee,  
13 the person or authority originally appointing the member whose posi-  
14 tion is vacant, shall appoint a successor.

1 SEC. 2. The committee shall choose a chairman from its members  
2 and shall adopt rules for the conduct of its meetings. The committee  
3 is authorized to employ a secretary and such other aids and employ-  
4 ees as are necessary to conduct its business and to fix the compensa-  
5 tion of the secretary and other employees. The committee may hold  
6 public hearings, shall have access to all official records, may subpoena  
7 witnesses and compel the production of books, papers, or other docu-  
8 ments, pertaining to its investigation and study. Witnesses shall be  
9 entitled to witness fees and actual travel expenses as audited and  
10 approved by the committee. The committee may appoint subcommit-  
11 tees of one or more members to hold hearings and conduct investiga-  
12 tions in any part of the state. Any member of the committee shall  
13 have the power to administer oaths.

1 SEC. 3. This committee shall have the duty and authority to study  
2 any aspect of the service of providing roads for Iowa citizens. The  
3 study shall be concerned with all primary highways, including inter-  
4 state highways; all secondary roads, including farm-to-market roads;  
5 and municipal streets. Special attention should be given to the follow-  
6 ing:

7 1. An engineering study of the present deficiencies and the future  
8 needs of all highways, roads and streets in the state;

9 2. A finance study to determine the adequacy of highway revenues,  
10 both state and local, to meet these deficiencies and needs;

11 3. A management study to determine the ability of the state, coun-  
12 ties and cities and towns to plan and spend close to two hundred mil-  
13 lion dollars (\$200,000,000) annually in highway revenues in a sound  
14 and efficient manner;

15 4. A safety study to determine what is being done and what more  
16 can be done to make Iowa's roads safer;

17 5. An analysis of the highway, road and street laws to determine  
18 how these can be strengthened to enable highway administrators to  
19 do a better job.

1 SEC. 4. The committee shall make recommendations to the Fifty-  
2 ninth General Assembly on matters of management, financing, safety,  
3 construction and maintenance of our highway system. These recom-  
4 mendations shall include, but shall not be limited to, the following:

5 1. A recommendation for sound legislative policies and manage-  
6 ment practices to be followed in primary highway construction and  
7 maintenance in view of the increase in federal funds for interstate  
8 highways;

9 2. A recommendation for an equitable basis for distribution of  
10 state highway revenues so that this money will be spent where it is  
11 most needed;

12 3. A recommendation for techniques to be used to get closer co-  
13 ordination between the state and local units in planning and con-  
14 structing our highways, roads and streets.

1 SEC. 5. The committee shall have the authority to utilize the facili-  
2 ties of the state highway commission and other state and federal agen-  
3 cies to complete this study and shall seek the co-operation of county  
4 road and municipal street officials. The highway commission may,  
5 with the approval of the committee, employ the necessary engineering  
6 and other technical assistants to complete the study.

1 SEC. 6. Members of the committee shall be reimbursed for the  
2 actual and necessary expenses incurred by them in the discharge of  
3 their duties. In addition, committee members shall be paid such  
4 amounts as the Fifty-ninth General Assembly may allow.

1 SEC. 7. The report of this committee and all proposed bills shall  
2 be submitted to the governor and all members of the general assembly  
3 at least two (2) months prior to the convening of the general assem-  
4 bly in 1961.

1 SEC. 8. There is hereby appropriated from the road use tax fund,  
2 the sum of ten thousand dollars (\$10,000), or so much thereof as  
3 may be necessary, to carry out the provisions of this Act; the com-  
4 pensation of the employees of the committee and for expenses of such  
5 committee and its members as provided herein, to be paid out of the  
6 state treasury on vouchers to be approved by the chairman or secre-  
7 tary of the committee and audited according to law. There is fur-  
8 ther appropriated from the road use tax fund such sum as may be  
9 approved by the budget and financial control committee upon request  
10 of the committee herein created to the state highway commission to  
11 be used to pay the cost of any study or research conducted by the  
12 highway commission for the committee and to pay the cost of any  
13 engineering or technical assistants or personnel employed for such  
14 purpose by the commission. The committee herein created and the  
15 highway commission are authorized and empowered on behalf of the  
16 state to enter into any arrangement or contract with and required by  
17 the duly constituted federal authority in order to secure the full co-

18 operation of the government of the United States, and the benefit of  
 19 all present and future allotments of federal funds in aid of highway  
 20 construction, reconstruction, improvement or maintenance that may  
 21 be available for utilization to pay or partly pay the cost of the com-  
 22 mittee and its functions. The committee and the highway commission  
 23 are authorized and empowered subject to the approval of the budget  
 24 and financial control committee to pledge and make available and ex-  
 25 pend sufficient funds as may be required to equal the total of any sums  
 26 apportioned and granted to the state for highway purposes by the  
 27 United States government which may be utilized as provided above.

1 SEC. 9. No member of this committee shall be a member of the  
 2 budget and financial control committee.

Approved March 24, 1959.

## CHAPTER 427

### CIVIL WAR CENTENNIAL

H. J. R. 17

A JOINT RESOLUTION creating a special committee to establish, plan for, and conduct appropriate programs in connection with the approaching centennial of the many important events of the Civil War, and to make an appropriation therefor.

WHEREAS, the Civil War was the greatest test our country ever faced, built of the heroism and endurance that were drawn from men and women of both sections by devotion to principles valued more than life itself, and the loss, the gain, and the experience itself are a common national possession, and

WHEREAS, more Iowans gave their lives to their country in that conflict than in both World Wars, the Korean War and the Spanish-American War combined, and

WHEREAS, more than 76,000 citizens of Iowa served in the Union forces during that conflict out of a population of 674,000, and 13,000 of them made the supreme sacrifice for their convictions, and

WHEREAS, a National Commission has been established to plan for and conduct appropriate programs in connection with the approaching Centennial of the many important events of the Civil War, and

WHEREAS, many States of the Union have established agencies to conduct such programs, and

WHEREAS, the Congress of the United States has appropriated \$100,000 annually, the State of Virginia \$25,000 annually, and other states have made comparable appropriations for this purpose,

NOW THEREFORE,

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

1 SECTION 1. A special committee of eleven members is hereby cre-  
 2 ated. Said committee shall consist of two members of the Senate of

3 the General Assembly to be appointed by the President of the Senate,  
4 two members of the House of Representatives of the General Assembly  
5 to be appointed by the Speaker of the House of Representatives, six  
6 members appointed by the Governor on the basis of their known inter-  
7 est in the history of Iowa's role in the Civil War, and one member of  
8 the State Department of History and Archives appointed by the Cura-  
9 tor of that department. Any vacancy in the membership of the com-  
10 mittee shall be filled by appointment in the same manner, from the  
11 same group, and by the same officials as the original appointment. The  
12 members of the committee shall elect a chairman from their own num-  
13 ber and adopt rules for the conduct of their proceedings and may  
14 employ and fix the compensation of a secretary.

1 SEC. 2. It shall be the duty of the committee to make a compre-  
2 hensive inquiry into Iowa's role in the Civil War and to establish,  
3 plan for, and conduct appropriate programs in connection with the  
4 Centennial of the many important events thereof.

1 SEC. 3. The committee shall have the co-operation of all depart-  
2 ments of the state government and is authorized to call upon any de-  
3 partment of the state government in obtaining information, exhibits,  
4 or speakers in connection with its duties.

1 SEC. 4. The committee shall have authority to confer with public  
2 officials of the several political subdivisions of the state and with the  
3 various military, social, service and fraternal orders recognized by the  
4 statutes and co-operate in the planning and performance of appropri-  
5 ate programs, special-observance ceremonies and memorials in con-  
6 nection with the said Centennial of the Civil War.

1 SEC. 5. The committee shall have authority to accept gifts and  
2 donations of money, displays, and services and to use same in further-  
3 ance of the Centennial program.

1 SEC. 6. All members of the committee shall be reimbursed for nec-  
2 essary and actual expenses incurred by them in connection with the  
3 performance of their duties. The executive council shall provide the  
4 committee with the necessary office, supplies, and equipment for the  
5 conduct of its meetings.

1 SEC. 7. The expenses of committee members, the compensation of  
2 its secretary, and other expenses of the committee incurred in the per-  
3 formance of the duties herein imposed not to exceed five thousand  
4 (5,000) dollars, shall be paid by the state comptroller out of the general  
5 fund of the state. The sum of five thousand (5,000) dollars is hereby  
6 appropriated out of the general fund for the purposes herein contem-  
7 plated.

8 The chairman of the committee shall certify the expenses of the  
9 committee as herein provided to the state comptroller who shall issue  
10 warrants for same from the funds herein appropriated.

1 SEC. 8. The committee shall enter upon its duties as soon as its  
2 membership is appointed. It shall make a report of its activities to  
3 date to the Governor on or about November 15, 1960, in order that he  
4 may make mention thereof in his message to the 59th General As-  
5 sembly. It shall make a further report of its activities to the Gov-

6 error on or about November 15, 1962, in order that he may make  
7 mention thereof in his message to the 60th General Assembly. It shall  
8 make a further report of its activities to the Governor on or about  
9 November 15, 1964, in order that he may make mention thereof in his  
10 message to the 61st General Assembly. The committee shall continue  
11 to function throughout the regular session of the 61st General Assem-  
12 bly and shall terminate at the adjournment of said session. For pur-  
13 poses of the program of the committee, the Civil War shall be con-  
14 sidered as commencing with the firing upon Fort Sumter and ending  
15 six days after Lee's surrender at Appomattox.

Approved April 24, 1959.

## CHAPTER 428

### CAPITOL GROUNDS EXTENSION

H. J. R. 23

A JOINT RESOLUTION providing for the exercise and acceptance of certain options to purchase by the state of Iowa certain parcels of real estate situated in Des Moines, Polk County, Iowa, from certain described vendors, and for the acquisition of certain other described property by purchase or condemnation, and improving the described properties by excavation, grading and paving, and providing funds for the payment thereof.

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

1 SECTION 1. (a) That the executive council of the state of Iowa  
2 be and is hereby authorized to exercise in the name of the state of  
3 Iowa an option granted to the state of Iowa dated January 19, 1959,  
4 by Glenn Signs and Katherine Signs to purchase the following de-  
5 scribed property situated in the city of Des Moines, county of Polk,  
6 and state of Iowa, to-wit: Lot seven (7) (except the north ninety-  
7 seven (97) feet), block six (6), W. A. Scott's Addition, now included  
8 in and forming a part of the city of Des Moines, Iowa, at and for the  
9 sum of nine thousand five hundred dollars (\$9,500.00), and to give  
10 notice of the exercise of said option by registered mail to the fore-  
11 going named vendors at their residence, 222 East 13th Street, Des  
12 Moines, Iowa.

13 (b) That the executive council of the state of Iowa be and is here-  
14 by authorized to exercise in the name of the state of Iowa an option  
15 granted to the state of Iowa dated January 19, 1959, by Venus A.  
16 Donahue to purchase the following described property situated in the  
17 city of Des Moines, county of Polk, and state of Iowa, to-wit: Lot  
18 seven (7), north ninety-seven (97) feet, block six (6), W. A. Scott's  
19 Addition, now included in and forming a part of the city of Des  
20 Moines, Iowa, at and for the sum of twelve thousand five hundred  
21 dollars (\$12,500.00), and to give notice of the exercise of said option  
22 by registered mail to the foregoing named vendor at her residence,  
23 226 East 13th Street, Des Moines, Iowa.

24 (c) That the executive council of the state of Iowa be and is here-  
25 by authorized to exercise in the name of the state of Iowa an option  
26 granted to the state of Iowa dated January 24, 1959, by Arno Wheeler  
27 and Genevieve Wheeler to purchase the following described property

28 situated in the city of Des Moines, county of Polk, and state of Iowa,  
29 to-wit: Lot eight (8), block six (6), W. A. Scott's Addition, now in-  
30 included in and forming a part of the city of Des Moines, Iowa, at and  
31 for the sum of twenty thousand dollars (\$20,000.00), and to give  
32 notice of the exercise of said option by registered mail to the fore-  
33 going named vendors at their residence, 1217 East Walnut Street,  
34 Des Moines, Iowa.

35 (d) That the executive council of the State of Iowa be and is here-  
36 by authorized to exercise in the name of the state of Iowa an option  
37 granted to the state of Iowa dated January 24, 1959, by Marvin R.  
38 Finchum and Blanche Finchum to purchase the following described  
39 property situated in the city of Des Moines, county of Polk, and state  
40 of Iowa, to-wit: Lot nine (9), block six (6), W. A. Scott's Addition,  
41 now included in and forming a part of the city of Des Moines, Iowa,  
42 at and for the sum of twelve thousand seven hundred and fifty dollars  
43 (\$12,750.00), and to give notice of the exercise of said option by reg-  
44 istered mail to the foregoing named vendors at their residence, 1215  
45 East Walnut Street, Des Moines, Iowa.

46 (e) That the executive council of the state of Iowa be and is here-  
47 by authorized to exercise in the name of the state of Iowa an option  
48 granted to the state of Iowa dated January 26, 1959, by B. S. West-  
49 lake and Gladys Westlake to purchase the following described prop-  
50 erty situated in the city of Des Moines, county of Polk, and state of  
51 Iowa, to-wit: Lot eleven (11), block six (6), W. A. Scott's Addition,  
52 now included in and forming a part of the city of Des Moines, Iowa,  
53 at and for the sum of twenty thousand dollars (\$20,000.00), and to  
54 give notice of the exercise of said option by registered mail to the  
55 foregoing named vendors at their residence, 1207 East Walnut Street,  
56 Des Moines, Iowa.

57 (f) That the executive council of the state of Iowa be and is here-  
58 by authorized to exercise in the name of the state of Iowa an option  
59 granted to the state of Iowa dated January 26, 1959, by the Stoner-  
60 McCray System to purchase the following described property situ-  
61 ated in the city of Des Moines, county of Polk, and state of Iowa, to-  
62 wit: Lot twelve (12), block six (6), W. A. Scott's Addition, now  
63 included in and forming a part of the city of Des Moines, Iowa, at  
64 and for the sum of five thousand nine hundred dollars (\$5,900.00),  
65 and to give notice of the exercise of said option by registered mail to  
66 the foregoing named vendor at its residence, 1213 Grand Avenue,  
67 Des Moines, Iowa.

1 SEC. 2. That the executive council of the state of Iowa is author-  
2 ized to acquire by purchase the following described property situated  
3 in the city of Des Moines, county of Polk, and state of Iowa, to-wit:  
4 Lot ten (10), block six (6), W. A. Scott's Addition, now included in  
5 and forming a part of the city of Des Moines, Iowa, at such price as  
6 the said council may deem reasonable, provided, however, in the event  
7 such purchase cannot be made for a reasonable price, the general as-  
8 sembly deeming the described property to be necessary for the public  
9 improvement involved herein, authorizes the institution and mainte-  
10 nance of condemnation proceedings to so acquire the described prop-  
11 erty by the executive council.



1 SEC. 3. The executive council is hereby authorized and directed to  
2 improve by excavating, grading and paving the foregoing described  
3 parcels except the parcel described in paragraph (c) and belonging to  
4 Arno and Genevieve Wheeler and to execute a contract for the per-  
5 formance of the foregoing described improvements to the lowest re-  
6 sponsible bidder after advertising one time in two newspapers pub-  
7 lished at the seat of government for sealed proposals for doing the  
8 foregoing work.

1 SEC. 4. There is hereby appropriated out of any funds in the  
2 treasury of the state of Iowa not otherwise appropriated the sum of  
3 one hundred fifteen thousand dollars (\$115,000.00) or so much thereof  
4 as may be necessary to be used by the executive council of the state of  
5 Iowa in performing the duties and directions hereinbefore made in  
6 the purchase of the foregoing described parcels of real estate and im-  
7 proving the same, said sums of money to be paid to the following  
8 persons: Glenn Signs and Katherine Signs; Venus A. Donahue; Arno  
9 Wheeler and Genevieve Wheeler, Marvin R. Finchum and Blanche  
10 Finchum; B. S. Westlake and Gladys Westlake; Stoner-McCray Sys-  
11 tem, in the amount provided in the described options given by the  
12 foregoing persons, and in the amount of the agreed purchase price,  
13 by warranty deed to the state of Iowa with covenants of full war-  
14 ranty, and delivery of an abstract of title thereto showing marketable  
15 title in each vendor and the property free and clear of all liens and  
16 encumbrances, and requisition for warrants for these several amounts  
17 to the several owners shall be drawn against the said appropriation  
18 by the executive council. In the event condemnation of Lot ten (10),  
19 block six (6), W. A. Scott's Addition, is resorted to in order to acquire  
20 title thereto the condemnation award and costs involved in such con-  
21 demnation proceeding shall be paid from this appropriation.

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

Approved March 13, 1959.

I hereby certify that the foregoing Act, House Joint Resolution 23, was published in the Brooklyn Chronicle, Brooklyn, Iowa, March 19, 1959, and in the West Des Moines Express, West Des Moines, Iowa, March 19, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

---

## RULES OF CIVIL PROCEDURE

No amendments to the Rules of Civil Procedure were filed with the 58th General Assembly. However some amendments were made by the General Assembly and may be found in chapter 152, sections 199 to 202, inclusive.

## ADDENDA

## CHAPTER 94

## VOTING MACHINES

S. F. 425

AN ACT to amend chapter fifty-two (52), Code 1958, relating to voting machines.

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

1 SECTION 1. Section fifty-two point three (52.3), Code 1958, is  
 2 hereby amended by striking the period (.) in line eight (8) and in-  
 3 serting in lieu thereof the following:  
 4 “, or levy not to exceed one-half ( $1\frac{1}{2}$ ) mill annually; and any  
 5 amounts so levied and collected in excess of actual costs of voting  
 6 machines shall revert to the general fund of the county, city, or town  
 7 concerned. In the case of a city or town, such levy shall be made for  
 8 the municipal enterprises fund.”

\*

.....  
 President of the Senate

VERN LISLE  
 Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 425, Fifty-eighth General Assembly.

RICHARD W. BERGLUND  
 Secretary of the Senate

Approved April 22, 1959.  
 HERSCHEL C. LOVELESS  
 Governor

\*According to enrolled Act as filed in the office of the Secretary of State on April 22, 1959.

See 169 Iowa 148.

## TABLE OF SENATE AND HOUSE FILES AND JOINT RESOLUTIONS

### SENATE FILES

No.	Page	No.	Page	No.	Page	No.	Page
1	238	167	421	304	492	485	270
6	134	168	162	305	233	486	50
9	174	170	222	311	98	487	50
12	224	172	469	313	509	489	303
21	255	173	95	315	100	490	178
22	162	178	420	316	143	492	88
23	254	189	160	318	99	494	63
28	173	195	296	320	428	496	296
34	227	197	259	321	259	498	327
37	93	198	163	326	280	500	53
39	157	200	301	331	521	502	304
40	292	201	135	336	236	503	67
43	170	210	226	345	186	504	68
46	514	212	333	346	279	507	69
47	226	213	271	352	36	508	70
51	328	223	172	362	114	509	70
52	339	225	497	364	233	510	85
53	235	229	265	375	247	512	336
62	525	234	166	377	546	514	84
74	478	235	229	378	158	515	88
76	179	237	273	380	302	516	51
80	337	239	425	394	294	517	54
84	524	240	425	397	336	519	272
90	484	248	225	398	338	520	265
92	308	250	241	400	512	521	40
99	250	251	244	401	504	522	215
100	519	253	486	403	121	523	83
103	304	256	423	404	117	524	71
104	333	261	420	405	125	525	214
109	539	262	239	406	124	526	170
110	424	264	327	409	423	528	262
112	289	265	94	411	101	529	235
115	223	266	299	412	55	531	71
116	245	268	126	419	507	532	1
118	290	270	485	420	151	533	301
119	305	272	246	425	127, 564	535	329
120	538	273	328	427	413	537	74
121	249	280	180	428	142	538	76
124	261	281	109	429	228	539	76
125	260	283	102	430	217	540	78
129	264	287	164	450	111	541	264
132	100	289	497	454	86	542	255
145	263	291	52	463	258	544	469
148	229	293	427	466	136	545	81
152	490	294	117	474	148	546	51
153	490	296	341	478	108	547	135
154	489	298	250	483	148	548	90
166	111	302	480	484	264		

### HOUSE FILES

No.	Page	No.	Page	No.	Page	No.	Page
3	182	23	158	40	292	56	298
4	270	26	260	47	476	57	175
8	174	29	251	48	179	65	283
10	522	33	495	51	306	67	243
15	172	34	494	53	262	75	492
18	520	38	479	54	169	76	479
19	282	39	421	55	237	80	137

## TABLE OF SENATE AND HOUSE FILES—Continued

## HOUSE FILES—Continued

No.	Page	No.	Page	No.	Page	No.	Page
81	335	260	284	443	469	667	332
90	510	264	293	444	531	672	334
92	289	266	160	446	246	678	127
98	165	271	297	449	528	680	477
99	169	272	481	450	530	681	159
104	234	289	242	451	480	686	53
116	491	297	221	452	339	688	245
117	294	299	252	455	299	690	137
120	79	308	115	463	248	692	504
123	342	309	257	473	257	695	109
124	424	311	269	476	516	698	486
125	93	312	266	477	517	699	332
126	294	314	254	478	225	701	187
128	484	318	178	479	225	702	126
136	289	319	426	480	228	703	220
139	145	321	503	487	110	706	332
142	181	324	252	494	542	708	475
146	485	329	491	498	30	709	309
151	481	330	303	503	218	710	219
153	493	340	250	509	108	712	46
154	478	344	169	511	494	713	47
156	94	347	340	515	300	714	47
157	343	348	340	518	149	715	48
161	492	355	218	519	147	717	48
167	165	357	220	520	545	718	487
168	46	358	221	522	306	719	214
171	513	359	98	523	224	720	477
173	164	360	219	525	412	721	143
175	387	363	276	533	173	726	506
182	244	364	335	539	330	731	535
183	293	368	344	543	110	734	508
188	265	369	157	547	541	736	269
196	181	377	423	548	57	738	102
199	101	378	223	556	283	741	31
206	181	379	231	571	308	745	23
207	40	382	182	588	499	746	216
210	422	392	116	591	97	747	41
217	533	393	136	592	101	748	308
218	536	395	278	594	487	751	29
220	239	397	330	609	526	752	49
225	115	403	268	638	267	753	91
232	475	410	307	653	532	755	543
233	511	414	95	654	518	757	527
235	487	425	56	656	247	758	91
240	89	426	87	659	83	760	269
244	271	427	213	660	217	761	334
245	261	429	340	661	218	762	534
247	186	437	214	662	87	763	79
256	227	440	490	663	476	764	268
259	183	442	501	666	82	766	55

## TABLE OF SENATE AND HOUSE FILES—Continued

---

**SENATE JOINT RESOLUTIONS**

No.	Page
7 .....	549
8 .....	551
17 .....	552
18 .....	553
19 .....	554

---

**HOUSE JOINT RESOLUTIONS**

No.	Page
3 .....	555
12 .....	557
17 .....	559
23 .....	561

---

Senate Files vetoed by the Governor: 3, 150, 171, 458

# TABLES OF SECTIONS REPEALED OR AMENDED

## CODE OF 1958

Section	Page	Section	Page	Section	Page
2.42	95	85A.12	143	166.16	179
2.45	95	85A.19	288	166.18	103
2.51	95	89.1	143	166.27	103
2.52	96	89.3	144	166.28	103
4.1	97, 208	89.6	144	167.15-167.17	180
8.5	98	89.7	144	169.25	103
8.6	98	93.6	224	170.1	181
8.14	99	96.3-96.5	151	170.2	181
8.15	99	96.7	148	173.1	104
8.16	100	96.9	149, 151	177.2	104
8.41-8.43	100	96.13	151	177.3	104
10.6	101	97A.6	113	178.3	104
11.9	101	97A.9	157	179.2	104
12.8	98	97A.10	158	181.3	104
15.5	102	97B.7	99	182.3	104
15.42	101	97B.48	158	183.3	105
16.24	102	97C.5	159	185.3	105
16.28	102	97C.7	160	190.1	182
17.27	108	97C.10	160	190.3	182
17.30-17.32	108	98.2	160	191.2	182
19.20	109	98.4-98.6	161	192.24	105
21.2	110	98.22	161	192.30	105
29.1	115	106.13	163	192.33	182
29.8	115	106.17	162, 163	199.10	105
29.9	115	106.28	163	218.4	187
29.18-29.20	116	107.7	164	218.9	213
29.32	116	107.8	164	218.18	214
39.13	342	107.13	164	218.30	187
39.17	126, 286	109.68	165	218.39	187
49.12	128	109.69	165	218.46	187
49.54	126	109.76	165	218.74	214
52.3	127, 564	109.106-109.108	166	218.75	214
52.9	127	109.109-109.113	167	218.76	187, 215
52.21	128	110.1	167	218.82	215
52.22	128	110.17	169	218.88	214
52.23	131	110A.6	170	219.13	187
53.1	131	111.16	103	222.1	187
53.3	131	111A.6	170	222.2-222.4	188
53.13	134	114.18	172	222.6	188
64.8	286	124.37	172	222.7	188
64.15	135	135B.1	173	222.10	188
67.12	135	135B.5	173	222.13	188
79.1	136	141.5	287	222.14	188
80.4	136	141.6	287	222.17	188
80.8	21	141.15	287	222.18	188
80.12	102	141.24	287	222.21	189
80.15	137	142.3	287	222.22	189
82.116	286	145.1	209	222.24-222.27	189
83.13	287	145.2	209	222.30	189
85.1	137	145.9	209	222.32	189
85.22	137, 142	145.11	209	222.34	189
85.27	137	145.14	209	222.35	190
85.31	138	145.16	209	222.36	190
85.33	138	147.31	103	222.37	190, 287
85.34	138	154.1	173	222.38	190
85.35	138	154.9	174	222.40-222.43	190
85.37	141	159.2	174	222.44-222.51	191
85.39	142	159.3	103	222.53-222.55	192
85.42	142	163.9	103	223.1	192
85.61	142	163.26	178	223.6	192
85A.9	143	164.9	179	223.7-223.11	193

## TABLE OF SECTIONS REPEALED OR AMENDED—Continued

CODE OF 1958					
Section	Page	Section	Page	Section	Page
223.13	193	229.41	220	275.29	235
223.14	193	229.42	202, 221	277.1	132, 232
223.16	193	230.1	202	277.4	132
223.19	193	230.2	202	277.5	132
223.21	219	230.4	203	277.23	132
224.1-224.3	194	230.6-230.13	203	277.24	132, 232
224.5	194	230.14	204	277.26	232
225.5	206	230.15	204	277.28	232
225.6	206	230.18	204	277.34	132
225.36	206	230.19	204	278.2	132
225.37	206	230.20	204, 221	279.1	232
225.38	207	230.23	204	279.13	238
225.39	207	230.24	204, 221, 222	279.14	133, 232
225.41	207	230.25	222	279.30	133
225.42	207	230.26	222	279.32	133
225.44	207	230.31	205	279.34	133
225A.1	194	231.8	223	279.37	133
225A.11	194	232.1	205	279.40	237, 238
225A.14	194	234.8	223	280.16	133
225A.15	194	234.12	224, 280	280.18	239
226.1	195	238.24	287	281.1	239
226.8	195	239.9	224	281.2	239
226.9	195	241.17	224	281.3-281.6	240
226.13-226.18	195	245.12	205	281.7-281.9	241
226.19	196	246.15	205	282.2	133
226.20	196	246.16	205	285.1	242
226.23	196	246.17	206	285.2	242
226.24	196	246.27	225	285.10	133
226.27	196	247.5	225	289.1	133
226.30	196	248.3	225	291.7	133
226.33	196	249.6	209	292.2	133
226.34	287	249.20	226	294.8	133
227.1	197	249.36-249.39	226	294.10	133
227.2	197	250.5	227	294.11	133
227.6	197	250.20	227	294.15	243
227.9	197	252.16	227	296.2	244
227.10	197	252.20-252.22	227	297.5	134
227.11	197	252.23	228	297.21	134
227.12	197	252.24	228	297.22	134
227.14-227.16	197	252.43	228	305.1	107
227.18	198, 222	257.5	132	306.14	245
228.1	198	262.1	105	306.20	245
228.8	198	262.7	105	306A.6	246
228.9	198	262.9	106, 229	307.5	247, 248
228.11	198	262.25	106	309.22	249
229.1	199	262.30	106	309.93	249
229.2	199	266.1-266.3	106	309.96	249
229.5-229.7	199	266.5-266.7	106	310.4	250
229.9	199	266.8	107	311.7	250
229.10	199	266.9	107	312.1	276
229.11	200	266.24	107	312.2	94
229.12	200	266.26	107	312.3	94
229.14-229.17	200	266.28	107	313.2	250
229.18	220	267.3	107	313.4	248
229.19	200	273.4	231, 232	317.1	251
229.20	200	273.9	232	317.3	252
229.22	200	273.13	233	317.20	252
229.23	201	274.5	233	320.1	134
229.24	201	274.7	132	321.1	254
229.26	201	275.1	234	321.24	254
229.27-229.30	201	275.5	235	321.34	255
229.31	202	275.24	234	321.35	256
229.33	202	275.25	235	321.37	256
229.37-229.40	202	275.27	234	321.40	257

## TABLE OF SECTIONS REPEALED OR AMENDED—Continued

CODE OF 1958					
Section	Page	Section	Page	Section	Page
321.50	257	363.41	296	448.13	210
321.53	256	363.42	296	452.10	98
321.56	276	363A.4	295	453.1	99
321.123	257	363B.9	297	454.9	336
321.163	21	363C.2	295	455.160	336
321.177	209	365.3	298	455A.19	337
321.210	258, 259	365.10	299	455A.33	337
321.236	259, 263	367.5	301	455A.36	338
321.238	259	367.8	301	462.14	210
321.270	287	368.6	288, 299	465.23	339
321.285	260, 261	368.47	300	467A.10	340
321.287	262	368A.2	301	467A.20	340, 341
321.293	263	370.1	298	469.19	210
321.310	262	370.13	301	471.4	340
321.321	264	373.1	298	472.14	341
321.322	263	374.3	298	472.25	341
321.345	263	374A.1	303	472.28	341
321.390	264	377.1	304	472.29	341
321.395	264	377.2	299, 304	474.2	342
321.430	264	380.6	305	478.23	343
321.453	265	389.31-389.36	306	499.54	412
321.456	265, 266	389.37	307	502.3	413
321.463	266	389.38	307	502.4	413, 414
321.466	267	390.1	307	502.5	414, 415, 419
321.467	268	391.1	307	502.6	415
321.480	269	391.2	307	502.7	415
322.3	269	391.39	307	502.10	419
322.5	269, 270	404.10	308	502.11	419
324.17	270	404.11	308	502.13	419
324.18	271	405.19	308	504.5	420
324.57	270	407.3	304	507B.4	420
325.1	271	409.1	172	507B.11	420
325.6	272	409.46	134	511.8	421
325.35	272	409.47	134	512.2	421
327.9	273	411.6	327	512.9	421
327.10	276	417.54	276	515.81	422
327A.14	276, 277	420.41	328	515.138	423
331.7	278	420.207	324	517A.1	423
333.11	209	422.4	328	518.29	422
335.2	282, 287	422.16	329	524.7	423
335.14	282	422.24	330	528.51	424
337.11	283	422.25	330, 331	529.3	424
338.1	283	422.26	332	529.4	425
340.2	289	422.32	329	533.10	425
340.9	289	422.33	332	533.18	425
340.19	287	425.11	324, 332	535.6	467
341.1	287	427.1	333	536.1	467
343.3	288	428.17	324	536.4	468
343.4	288	428.21	325	536.11	468
345.1	289, 290	428.35	325	536.12	467
347.7	292	432.7	325	536.13	467
347.8	290	433.6	325	536.15	467
347.10	290	436.8	325	536.16	467
347.12	291	437.7	325	536.18	467
347.13	210, 291	438.13	325	542.58	469
347.14	291	441.13	325	545.2	210
347.21	291	443.2	326	545.11	210
347.22	292	443.11	325	545.36	210
350.2	292	444.9	93	558.39	469
355.1	172	444.10	333	566.5	475
358A.3	293	444.12	334	566.6	475
359.43	294	445.29	335	566.15	475
363.34	294	446.10	335	573.8	475
363.39	294	448.12	210	581.1	476



## TABLE OF SECTIONS REPEALED OR AMENDED—Continued

CODE OF 1958					
Section	Page	Section	Page	Section	Page
581.3	476	605.1	18	670.5	207
591.1-591.4	477	605.3	481	670.17	208
591.6	477	605A.3	481	670.19	208
591.8	477	605A.4	482	675.21	212
591.10	477	605A.5	483	684.4	489
591.11	477	605A.6	483	684.17	14
595.3	210	605A.7	483, 484	709.9	288
597.6	211	605A.8	483	717.1	491
597.7	211	606.15	484	736A.5	491
597.9	211	614.8	211	739.9	288
598.8	211	614.22	212	740.5	288
598.10	478	618.11	485	740.6	288
598.19	211	618.13	485	742.3	288
598.22	211	622.4-622.6	212	745.15	492
600.3	211	622.63	288	746.1	492
600.7	211	622.93	485	757.3-757.5	493
602.6	479	638.34	486	775.5	494
602.13	479	663.3	486	777.12	495
602.49	480	670.2	207	792.5	208
604.8	480	670.4	207		

**TABLE OF RULES OF CIVIL PROCEDURE AMENDED  
IN ACTS OF THE FIFTY-EIGHTH GENERAL ASSEMBLY**

Rules	Page
13	212
17	212
56	212
165	212

## TABLES

**TABLE OF SECTIONS REFERRED TO IN ACTS  
OF THE FIFTY-EIGHTH GENERAL ASSEMBLY  
CODE OF 1958**

Section	Page	Section	Page	Section	Page
2.44	92	226.32	334	441.2	280
2.45	92	232.35	233	441.3	280
2.54	96	249.36	226	441.13	324, 325
8.5	29	258.8	47	441.16	325
35.9	22	275.12-275.23	236	442.7	325
35A.3	117	275.18	234	442.11	325
49.43-49.48	131	294.15	5	478.22	343
50.16	131	306.2	248	478.23	343
52.21	131	306.3	248	491.11	402
85.27	138-142	306.5-306.11	246	491.20	402
85.28	138-142	309.78	507	491.25	402, 403
85.42	142	321.34	256	491.28	402
85.62	142	321.55	276	491.30	402, 403
89.2	144	321.56	276	494.4	402
96.4	153	321.145	19, 273, 276	494.5	403, 412
96.6	151	321.209	259	494.8	403
96.7	150	321.215	258	499.45	412
96.9	150, 151	321.377	262	502.4	415
96.19	156	321.467-321.470	265	502.5	415
97A.8	158	324.17	271	502.7	415
97A.9	158	325.26	272	502.9	416
97B.11	483	325.28	272	502.10	417
97B.41	159, 484	325.29	272	511.8	475
97B.43	159, 484	325.31	272	515.109	423
98.2	161	325.35	272	539.4	491
100.35	162	351.15	313	541.85	268
106.13	163	359.44	294	542.58	333
106.17	163	368.39	503	605.2	490
109.38	166	368.40	503	618.13	486
109.107	168	368.56	303	633.13	486
110.1	168	368A.21	296, 297	635.65	44
156.4	174	372.7	302	668.3	475
156.5	174	405A.6	309	682.23	475
161.1-161.13	316	407B.4	420	684.19	490
190.1	182	422.25	381	755.14	493
192.3	181	422.43	113	758.1	493
218.58	554	423.2	113	775.4	495

**TABLE OF CHAPTERS REPEALED OR AMENDED IN  
ACTS OF THE FIFTY-EIGHTH GENERAL ASSEMBLY  
CODE OF 1958**

Chapter	Page	Chapter	Page	Chapter	Page
2	96	306	245	405A	309
23	111	308	248	407	327
52	131	324	271	441	280, 309
89	145	326	276	442	309
96	147	327A	277, 278	445	335
97B	158, 483	332	280	461	338
106	163	339	284	467A	339, 341
109	165, 167, 169	347	291, 292	478	343
156	174	361	282	533	426, 427
218	208, 217, 218	372	302	534	428
255	228	380	305	536	468
275	234, 236	386B	306	573	476
283	241	405	309	755	492

573  
TABLES

**TABLE OF CHAPTERS REFERRED TO IN THE ACTS  
OF THE FIFTY-EIGHTH GENERAL ASSEMBLY  
CODE OF 1958**

Chapter	Page	Chapter	Page	Chapter	Page
8 .....	29, 36, 47	275 .....	516, 518, 528,	498 .....	407
17A .....	247, 258		533, 535, 542	499 .....	407
24 .....	314	281 .....	47	499A .....	407
35A .....	117	285 .....	47	504 .....	407
37 .....	292, 513	286 .....	48	506 .....	407
49 .....	131	286A .....	46	508 .....	407
67 .....	551	321 .....	274, 275	510 .....	407
76 .....	302	340 .....	280	512 .....	407
85 .....	50	347 .....	305	514 .....	407
85A .....	138, 141	347A .....	292	515 .....	407
96 .....	5	357A .....	511	518 .....	407
97 .....	5	380 .....	291	519 .....	407
97A .....	20, 56	404 .....	328	520 .....	423
97B .....	5, 91, 159	405 .....	326	526 .....	407
97C .....	5	405A .....	326	527 .....	407
111 .....	501, 503	407 .....	327	528 .....	407
114 .....	172	427-443 .....	323	528B .....	407
141 .....	285, 286	441 .....	326	531 .....	407
142 .....	286	442 .....	326	532 .....	407
144 .....	286	482 .....	407	533 .....	407
174 .....	407	491 .....	407, 408, 409, 411	534 .....	407
176 .....	407	491-496 .....	410	605A .....	14, 18
225 .....	32	494 .....	407, 408, 409	626 .....	332
234 .....	42	495 .....	407, 408, 409	630 .....	315
255 .....	32	497 .....	407	656 .....	444
263 .....	33				

**TABLE OF SESSION LAWS REPEALED OR AMENDED IN  
THE ACTS OF THE FIFTY-EIGHTH GENERAL ASSEMBLY**

ACTS OF THE FIFTY-EIGHTH GENERAL ASSEMBLY

	Page
Senate File 168 .....	163
Senate File 229 .....	265
Senate File 430 .....	216
House File 403 .....	268
House File 672 .....	334

ACTS OF THE FIFTY-SEVENTH GENERAL ASSEMBLY

Chapter	Page
4 .....	46
43 .....	93

ACTS OF THE FIFTY-FOURTH GENERAL ASSEMBLY

Chapter	Page
33 .....	79

TABLES

ACTS OF THE FIFTY-FIRST GENERAL ASSEMBLY

Chapter	Page
63 .....	113

ACTS OF THE FIFTIETH GENERAL ASSEMBLY

Chapter	Page
61 .....	113

TABLE OF SESSION LAWS REFERRED TO IN THE ACTS OF THE FIFTY-EIGHTH GENERAL ASSEMBLY

ACTS OF THE FIFTY-SEVENTH GENERAL ASSEMBLY

Chapter	Section	Page
1	49.....	55
36	.....	91
47	2, 3.....	403
307	.....	552

ACTS OF THE FIFTY-SIXTH GENERAL ASSEMBLY

Chapter	Section	Page
5	9.....	40
12	1.....	19

TABLE OF PROPOSED AMENDMENTS TO THE CONSTITUTION OF THE STATE OF IOWA BY THE FIFTY-EIGHTH GENERAL ASSEMBLY

Article	Section	Page
V	3, 4, 5, 9, 11.....	549

TABLE OF ARTICLES OF THE CONSTITUTION OF THE STATE OF IOWA REFERRED TO IN THE ACTS OF THE FIFTY-EIGHTH GENERAL ASSEMBLY

Article	Section	Page
XI	5.....	284

TABLE OF CODES OF IOWA REFERRED TO IN THE ACTS OF THE FIFTY-EIGHTH GENERAL ASSEMBLY

Code	Chapter	Page
1924	241.....	250
1954	275..... 521, 523, 525, 526, 529	

---

**TABLE OF ACTS OF CONGRESS REFERRED TO IN THE  
ACTS OF THE FIFTY-EIGHTH GENERAL ASSEMBLY**

	Page
Public Law 761, Seventy-fifth Congress.....	497
Public Law 262, Eighty-first Congress.....	253
Public Law 875, Eighty-first Congress, Second Session— Federal Civil Defense Act.....	112
Public Law 920, Eighty-first Congress, Second Session— Federal Civil Defense Act.....	112
Public Law 350, section 14, Eighty-third Congress, Ch. 181, Second Session.....	253
Public Law 655, Eighty-fourth Congress—Federal Civil Defense Act.....	112
Public Law 864, Eighty-fifth Congress.....	48
Public Law 85-908, Eighty-fifth Congress.....	497
Public Law 85-606, Eighty-fifth Congress—Federal Civil Defense Act.....	112
Section 903 of the Social Security Act.....	149
Federal Securities Act of 1933.....	417
Social Security Act, Title II.....	159
Social Security Act, Title II (42 U.S.C. Ch. 7).....	155
Public Utility Holding Company Act of 1935.....	413
Section 701, Federal Housing Act of 1954.....	303
Federal Investment Company Act of 1940.....	418
Section 5, Home Owners' Loan Act of 1933.....	449, 451
23 U.S.C. 103(d).....	260
Internal Revenue Code of 1954.....	329

---

**SENATE CONCURRENT RESOLUTIONS**

- SCR 1 Committee appointed for arrangement for the inauguration of Governor and Lieutenant Governor, Senate Journal 23; House Journal 21.
- SCR 2 Code of Iowa and Session Laws to members of legislature, as requested by Chief Clerks and to the press, Senate Journal 23; House Journal 21.
- SCR 3 Bills and journals to county auditors, Senate Journal 23, 24; House Journal 21.
- SCR 4 Invitation to Mr. Meredith Willson to address joint convention, Senate Journal 24, 28.
- SCR 5 Adjourn February 27, reconvene March 9, 1959, Senate Journal 46; House Journal 68, 74.
- SCR 6 Joint convention, governor to read budget message, Senate Journal 91, 95; House Journal 117, 128.
- SCR 7 Final date for filing claims against state, Senate Journal 117, 120; House Journal 140, 160.
- SCR 8 Good Friday, recess March 27, 1959, Senate Journal 143, 172; House Journal 225, 231.
- SCR 9 Lincoln memorial service, joint convention, Senate Journal 172; House Journal 226, 231.
- SCR 10 Pioneer Lawmakers Association to meet with General Assembly, March 26, 1959, Senate Journal 190, 201; House Journal 256, 270.
- SCR 11 Football games between the State University and the State College of Agriculture and Mechanic Arts, Senate Journal 284, 285, 431.
- SCR 12 Bills approved and ordered paid by appropriations committee, Senate Journal 397, 398, 412; House Journal 551, 597, 603, 612.
- SCR 13 Congratulating the citizens of Alaska and Hawaii upon having attained statehood, Senate Journal, 550, 580, 1081, 1082; House Journal 788, 828.
- SCR 14 For Congress to authorize the issuance of a memorial stamp to Carrie Chapman Catt, Senate Journal 598, 636; House Journal 854, 886.
- SCR 15 Petitioning the President and the Congress to grant \$100 per month pension to World War I veterans at sixty years of age, Senate Journal 689, 1056.
- SCR 16 Directing the budget and financial control committee to employ a legislative fiscal director, Senate Journal 791, 818, 842, 878; House Journal 1166, 1704, 1705.
- SCR 17 To recognize and commend the accomplishments of today's famous Iowans, Senate Journal 812.

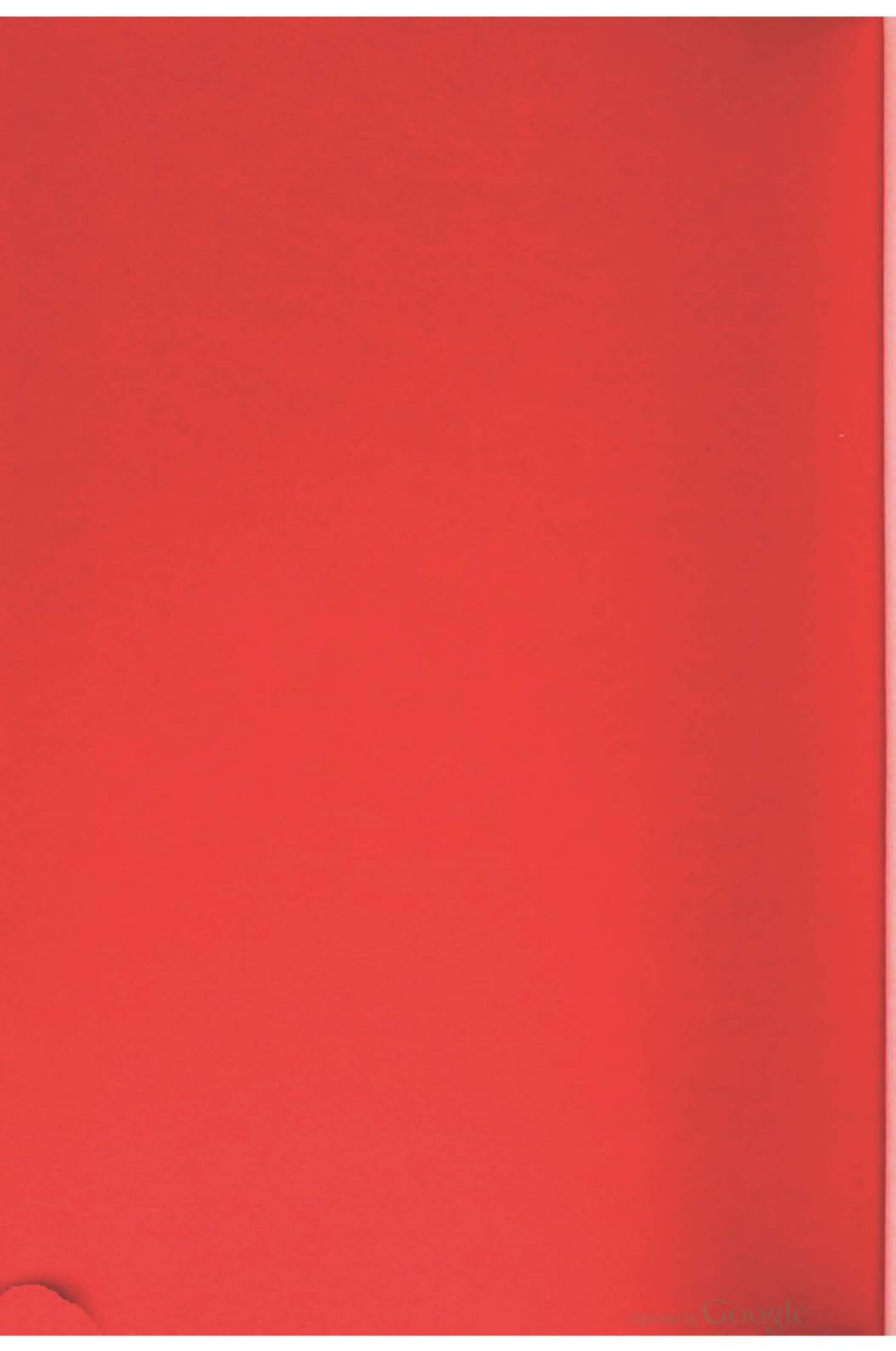
## SENATE CONCURRENT RESOLUTIONS—Continued

- SCR 18 Legislative research bureau be directed to make a study of legislative rules and procedure in Iowa and other states, Senate Journal 907, 983.
- SCR 19 Committee appointed to investigate suitability of the YMCA building in Des Moines for use as a rehabilitation and reorientation center for the blind, Senate Journal 983, 1133; House Journal 1286, 1400.
- SCR 20 Secretary of State and Chief Clerk of the House to attend the National Association of Legislative Service Agencies in its annual sessions in 1959 and 1960, Senate Journal 1003, 1176; House Journal 1489, 1563.
- SCR 21 Legislative research bureau be directed to undertake studies within priority classification according to priorities assigned by legislative research committee, Senate Journal 1004, 1090; House Journal 1383.
- SCR 22 Senator J. Kendall Lynes and Senator X. T. Prentis be presented with chairs which they occupied during Fifty-eighth General Assembly in appreciation of twenty years of distinguished service, Senate Journal 1050, 1177; House Journal 1489, 1563.
- SCR 23 Claims rejected by joint claims committee, be considered by the Senate and House, and action of joint committee approved, Senate Journal 1164-1169, 1176; House Journal 1501-1506.
- SCR 24 Requesting Governor to return Senate File 380 for further consideration, Senate Journal 1184; House Journal 1508.
- SCR 25 President of Senate and Speaker of House to be presented chairs occupied by them during session, Senate Journal 1215, 1223; House Journal 1565, 1625.
- SCR 26 Adjourn sine die at 5:00 p. m. May 1, 1959, Senate Journal 1222, 1281.
- SCR 27 Departments of state government, counties, and cities and towns to use only central standard time, Senate Journal 1253, 1321.
- SCR 28 Adjourn sine die at 5:00 p. m. May 6, 1959, Senate Journal 1301, 1341, 1391; House Journal 1698, 1747.
- SCR 29 Matters relevant to closing of Fifty-eighth General Assembly and reconvening, Senate Journal 1330; House Journal 1682.

## HOUSE CONCURRENT RESOLUTIONS

- HCR 1 Joint convention January 13, 1959 and Governor Loveless be invited to read his message, and that the votes for Governor and Lieutenant Governor be canvassed and result announced, House Journal 8; Senate Journal 25.
- HCR 2 Joint committee to nominate such additional employees as necessary for work of the session, House Journal 11; Senate Journal 25.
- HCR 3 Adjournment Thursday afternoon, January 15, to reconvene at 11:00, Monday, January 19, House Journal 32; Senate Journal 28.
- HCR 4 Fixing compensation of the chaplains, officers and employees of the General Assembly, House Journal 94; Senate Journal 84, 90.
- HCR 5 Agriculture Hall of Fame, to provide suitable location in Iowa, House Journal 70; Senate Journal 54.
- HCR 6 Invitation to Mr. Preston J. Moore, National Commander of American Legion, to address joint convention, House Journal 147, 160; Senate Journal 130, 172.
- HCR 7 Lincoln's birthday, Honorable William E. Darrington invited to address joint convention, House Journal 171, 214; Senate Journal 173.
- HCR 8 Application to Congress calling for convention to propose amendment to the Constitution of the United States regarding annual appropriations of Congress, House Journal 481, 534, 541, 556, 789; Senate Journal 524.
- HCR 9 To welcome Marian Anderson, the great contralto, and Lincoln High School chorus of Des Moines, as guests at joint convention April 10, 1959, House Journal 1003, 1032; Senate Journal 789, 911, 912.
- HCR 10 Highway 80 memorialized as Blue Star Memorial Highway, House Journal 1003, 1049, 1140; Senate Journal 1087.
- HCR 11 Recommending executive council grant permission to "Friends of Lincoln" organization to erect Lincoln statue on statehouse grounds, House Journal 1078, 1139; Senate Journal 856, 912.
- HCR 12 Recalling House File 260 from Governor for correction, House Journal 1289; Senate Journal 996.
- HCR 13 Bills authorized by legislative action approved and ordered paid, House Journal 1373, 1440; Senate Journal 1142, 1171, 1172, 1231.
- HCR 14 Requesting Governor to return House File 403 for correction, House Journal 1552.

## INDEX





# INDEX

References are to pages  
In general the page cited is the beginning of the act or section.

## ABSENT VOTERS LAW

Affidavit, 134

## ACKNOWLEDGMENTS

Foreign, 469

## ACTIONS

Assessments, 321  
Computation of time, 97  
Controlled-access facilities, damage, 246  
Credit unions, 426  
Des Moines municipal court, 485  
Divorce, counterclaim, 478  
Eminent domain, appeal, 341  
Governmental agencies, 487  
Habeas corpus, municipal courts, 486  
Income tax violations, 330  
Limitation, school corporations, 233  
Municipal court, publication, 485  
Publication of legal notice, 485

## AGED PERSONS

Iowa study committee, 85

## AGRICULTURE

Aid for fairs, 88  
Bangs disease, tattoo mark, 179  
Marketing division, 175  
Motor vehicle fuel refunds, 270  
Public warehouse defined, 469  
Registration tolerance, raw farm products, 267  
Sales yards or barns, 186  
Soil conservation districts, discontinuance, 340  
Soil conservation subdistricts, 339, 340  
Stockyard waste material, 178  
Swine, importation control, 178  
Transportation of dead animals, 180  
Transporting farm implements, 265  
Virulent hog cholera, control, 179  
Wagon-box trailers, 257  
Workmen's compensation, 137

## AGRICULTURE DEPARTMENT

Appropriation, 1  
Domesticated fur-bearing animals, 174  
Food establishments, 181  
Marketing division, 175  
Milk and dairy products, 182, 183  
Sales yards or barns, 186  
Swine, importation control, 178  
Veterinary inspection fee, 186  
Virulent hog cholera control, 179

## ALLEYS

Speed limits, 259

## AMATEUR RADIO OPERATORS

Special automobile plates, 255

## ANIMALS

Bangs disease, tattoo mark, 179  
Bounty on rattlesnakes, 292  
Dogs, injuries to, 491  
Domesticated fur-bearing, 174  
Guide dogs, public places, 298  
Hunting season, 170  
Sales yards or barns, 186  
Swine, importation control, 178  
Transportation of dead animals, 180  
Veterinarian's lien, 476  
Virulent hog cholera, control, 179  
Waste material from stockyards, 178

## APPROPRIATIONS

Abbott, Lucille, 79  
Adams county treasurer, 63  
Adair county treasurer, 63  
Agriculture department, 1  
Ahquabi State Park, 57  
Aid to blind, 41, 46  
Aid to dependent children, 41, 46  
Aid to disabled fund, 41  
Algona community school, 63  
Allamakee county treasurer, 63  
Ames community school, 63  
Anderson, Richard, 81  
Ankeny community school, 63  
Annie Wittenmyer Home, 23  
Appanoose county treasurer, 63  
Atlantic, city of, 63  
Attorney general, 1  
Auditor of state, 1  
Augspurger, Olive Whisler, 67  
Auwaerter, Manny John, 67  
Backbone State Park, 57  
Bacteriological laboratory, 31  
Bailey, Lenore, 81  
Baker, Herschel James, 74  
Baldrege, Frank S., 74  
Bartachek, Ed., 76  
Baughman, Merle, 76  
Baxter community school, 63  
Beeds Lake State Park, 57  
Bennett community school, 63  
Bentler, Frances, 81  
Bentler, William, 81  
Berard's Flowers, 90  
Bergsten, E. A., 81  
Bettendorf, city of, 63  
Bibby, Don Marion, 67  
Bittner, Grover J. and Waive, 76  
Bixby State Park, 90  
Black Hawk Lake, 90  
Blind, commission, 1  
Blind school, 31  
Blue, Robert D., 85  
Bogaard Funeral Home, 68  
Boring, Carl D., 67

## References are to pages

In general the page cited is the beginning of the act or section.

## APPROPRIATIONS—Continued

Boy's training school at Eldora, 29, 30  
 Bourne, Dr. M. G., 70  
 Bresnahan, Ray, 79  
 Browns Lake State Park, 57  
 Buena Vista county, 63  
 Buffalo Center, town of, 63  
 Buss, Melvin J., 76  
 Butler, Guy G., 84  
 Caldwell-Brien Funeral Home, 68  
 Calhoun county treasurer, 63  
 Campbell, W. R., 79  
 Cameron, Esther M., 76  
 Capital improvements, reversion, 53  
 Capitol planning commission, 554  
 Car dispatcher, 1  
 Carson Funeral Home, 68  
 Cass county treasurer, 63  
 Centennial building appropriation, 36  
 Chicago, Burlington & Quincy R. R., 74  
 Chickasaw county, 74  
 Child welfare fund, 41  
 Civil defense administration, 1, 111  
 Civil war centennial, 559  
 Clark, Daniel P., 74  
 Clark county, 63  
 Clayton county treasurer, 63  
 Clear Lake State Park, 57  
 Code editor, 1  
 Colburn, Jay C., 74  
 Commerce commission, 1  
 Community school district of West Bend, 63  
 Comptroller, 1  
 Conservation commission, 1  
 Consolidated school of Washington township, 63  
 Control, board of,  
   Capital improvements, 30  
   Eldora, 29  
   General, 23  
   Real estate, 217  
 Conservation commission, 56, 57  
 Cornelia, Lake, 57  
 Coulter, R. L., 76  
 Council of state government, 1  
 Cresco, city of, 63  
 Crooks, Mrs. Rose, 81  
 Dailey, Thomas J., 81, 83  
 Dallas county, 63  
 Darling, Lake, State Park, 57  
 Darrington, William E., 86  
 Davidsons, 90  
 Davison, Mrs. Floyd C., 68  
 Deaf school, 31  
 Dean, Marion, 81  
 Dean Studios, 90  
 Decatur County, John H. Ryan bequest, 89  
 De Groot, Harry, 69  
 Des Moines county, 74  
 Des Moines Rubber Stamp Co., 90  
 Development commission, 1

## APPROPRIATIONS—Continued

Dewel, Duane, 83  
 Dietrich, Alvia, 81  
 Direct educational aid, 1  
 District court judges, 1  
 Dolliver Memorial State Park, 57  
 Donald, Lloyd, 67  
 Drebenstedt, Fred, 81  
 Dreessen, Donald, 74  
 Dreier, William H., 85  
 Dumont, Omer F., 76  
 Dykstra, C. J., 74  
 Eagle Grove, city of, 63  
 East Okoboji Lake, 57  
 Educational research, 40  
 Election and election privileges committee, 83  
 Election contests, 79  
 Elijah, Earl, 85  
 Elwood, Frank, 81  
 Emergency relief, 46  
 Emergency relief fund, 41  
 Emmetsburg community school, 63  
 Employment security commission, 1, 91  
 Erosion control, state-owned artificial lakes, 57  
 Ertz, Mrs. Robert J., 81  
 Estherville independent school, 63  
 Executive Council, 1, 90  
 Eyler, J. H., Funeral Home, 68  
 Fair board, 1, 88  
 Fairchild, Bert K., 83  
 Fairfield independent school, 63  
 Farmington, town of, 63  
 Farm-to-market roads, 250  
 Fitzsimmons, Donald H., 76  
 Five Island Lake, 57  
 Flage, Arthur, 76  
 Floyd county, 63  
 Fort Defiance State Park, 57  
 Franklin county, 63  
 Fremont, town of, 63  
 French, Donald E., 74  
 Fulton Funeral Home, 68  
 Gade, Arnold, 76  
 General Assembly, miscellaneous, 90  
 General contingent fund, 91  
 General school aid, 46  
 Geneseo consolidated school district, 63  
 Geode State Park, 57  
 Geological survey, 1  
 George Wyth Memorial State Park, 57  
 Girls' training school, Mitchellville, 30  
 Glenwood state school, 23  
 Goodner, Eva I., 76  
 Gottsch, Mrs. Jennie D., 85  
 Gould, Helen Marr, 67  
 Governor, 1  
 Governor's inaugural, 87  
 Green Valley Lake State Park, 57  
 Grinnell, city of, 63

## References are to pages

In general the page cited is the beginning of the act or section.

## APPROPRIATIONS—Continued

Grundy Center, city of, 63  
 Grundy Center community school, 63  
 Gull Point State Park, 57  
 Hagge, Harry R., 74  
 Hagie, S. L., 81  
 Hamilton county, 63  
 Hamilton's Funeral Chapel, 68  
 Harden Funeral Home, 68  
 Hartzell, Cassie M., 76  
 Hartzell, C. Deane, 76  
 Hauptert, John F., 76  
 Health department, 1  
 Heck Grocery, 74  
 Heddinger, John E., 76  
 Heitoff, Robert C., 79  
 Helmke, Mrs. Marion, 76  
 Henry county, 63  
 Henry, Jim O., 86  
 Herbert Hoover Birthplace, 1  
 High Lake, 57  
 Highway survey, 557  
 Hill, Dean, 79  
 Historical society, 1  
 History and archives, 1  
 Hoey, Charlotte, 76  
 Holthusen, William, 74  
 Horvath, Dr. Steven M., 85  
 Hospital school, 31  
 Hoxie, Frank, 86  
 Hunt, C. E., 69  
 Industrial commissioner, 1  
 Industrial commissioner, highway  
 commission claims, 50  
 Ingham Lake, 57  
 Insurance department, 1  
 Interstate co-operation committee, 84  
 Iowa Braille and Sight-saving school,  
 31, 36  
 Iowa development commission, 303  
 Iowa legislative research committee,  
 83  
 Iowa Methodist Hospital, 74  
 Iowa-Nebraska boundary study com-  
 mittee, 86  
 Iowa reciprocity board, 1  
 Iowa school for the deaf, 36  
 Iowa State College, 31, 36, 63  
 Iowa State Teachers College, 31, 36  
 Jackson county, 74  
 Johns, Neil E., 84  
 Johnson, Arthur L., 79  
 Johnson, E. V., 81  
 Johnson, Fred L., 86  
 Johnson, Joseph J., 76  
 Jones county treasurer, 63  
 Jones, Elvin V., 81  
 Jones, William, 79  
 Juvenile home, 23  
 Kempter-Gallagher Funeral Home, 68  
 Kendrick, William R., 90  
 Kenning, B. J., 78  
 Keomah, Lake, 57  
 Keppy, Fred J., 74

## APPROPRIATIONS—Continued

Klodnycky, Joseph, M.D., 67  
 Koch Brothers, 90  
 Koenig, Mrs. Otto, 81  
 Kossuth county treasurer, 74  
 Iowa public employees investment  
 board, 82  
 Labor, bureau of, 1  
 Lacey-Keosauqua State Park, 57  
 Lacquement, C. H., 79  
 Lake Ahquabi, State Park, 57  
 Lake City, city of, 63  
 Lake Cornelia, 57  
 Lake Darling, 57  
 Lake Keomah, 57  
 Lake Macbride State Park, 57  
 Lake Manawa State Park, 57  
 Lake of Three Fires Park, 57  
 Lakes, siltation and boundary surveys,  
 57  
 Lake Wapello, 57  
 Lathrum, Bernal G., 76  
 Laughlin, Dwight, 76  
 Lawler, town of, 63  
 Ledges State Park, 57  
 Lee county, 74  
 Legislative printing, 87  
 Legislative research bureau, 40  
 Lewis and Clark State Park, 57  
 Leydens, Frank, 79  
 Libraries, 1  
 Lieutenant governor, 1  
 Likes, Kenneth W., 79  
 Liquor control commissioners, 1  
 Lisbon consolidated school district, 63  
 Lizard Lake, land acquisition, 57  
 Lost Island State Park, 57  
 Loth, Alan, 79  
 Louisa county treasurer, drainage  
 claim, 70  
 Lucken, J. Henry, 85  
 Lund, Albert, 83  
 Lynes, J. Kendall, 83  
 Macbride, Lake, State Park, 57  
 McFarlane, Arch W., 82  
 McGregor Areas, 57  
 McIntosh Woods State Park, 57  
 McNeal, Clark, 83  
 Mahaska county, 63  
 Malmberg, Mrs. Harold, 81  
 Manawa, Lake, State Park, 57  
 Maquoketa Caves State Park, 57  
 Marengo, city of, 63  
 Margo Frankel Woods State Park, 57  
 Marion county, 63  
 Marketing division, 175  
 Martensdale community school, 63  
 Martin, Myrl, 76  
 Mason City, city of, 63  
 Mensing, A. L., 82  
 Mental health institute, Mt. Pleasant,  
 30  
 Mental health institutes, 23  
 Mentally retarded, education, 49

## INDEX

## References are to pages

In general the page cited is the beginning of the act or section.

## , APPROPRIATIONS—Continued

Mertens, Mrs. Floyd, 81  
 Messerschmidt, Marvin, 74  
 Meyer Funeral Home, 68  
 Mills county courthouse, 74  
 Milroy, J. N., 83  
 Minburn independent school, 63  
 Mine examining board, 1  
 Mine inspectors, 1  
 Morris, Dr. W. W., 85  
 Morrow, Keith L., 76  
 Motor vehicle fuel tax audit, 551  
 Motor vehicle fuel tax refunds, 52  
 Murray, John J., 79  
 Muscatine, city of, 63  
 Naden, Robert W., 83  
 Nagel, Peter, 67  
 National and state guard, 1, 51  
 National defense education, 48  
 Natural resources council, 1  
 Nevada, city of, 63  
 New Hampton, city of, 63  
 Nine Eagles State Park, 57  
 Nolan, D. C., 86  
 Novak, Emil L., 84  
 Oak Grove State Park, 57  
 O'Brien county treasurer, 63  
 O'Brien, Frank, 76  
 O'Conner, John J., 84  
 Okamanpedan State Park, 57  
 O'Keefe, Hazel, 81  
 Old-age assistance, 41, 46  
 Olin consolidated school, 63  
 O'Malley, George, 83  
 Orleans Beach, 57  
 Osceola county, 63  
 Oskaloosa, city of, 63  
 Ottumwa, city of, 63  
 Ottumwa independent school, 63  
 Ozark Air Lines, Inc., 69  
 Palisades-Kepler State Parks, 57  
 Palo Alto county treasurer, 63  
 Pammel State Park, 56  
 Parkersburg community school, 63  
 Parole board, 1  
 Payer, Donald R., 76  
 Peet, Roscoe L., 67  
 Penal institutions, 23  
 Pharmacy examiners, 1  
 Pikes Point State Park, 57  
 Pilot Knob State Park, 57  
 Pine Lake State Park, 57  
 Pioneer lawmakers, 1  
 Pocahontas county treasurer, 70  
 Pottawattamie county treasurer, 63  
 Potthoff-Rosene Company, 90  
 Prairie Rose State Park, 57  
 Prentis, X. T., 83  
 Preparation Canyon State Park, 57  
 Price, Carroll, 84  
 Primary road fund:  
   Biennial, 1959-1961, 50  
   Highway commission claims, 50  
   State-owned roads, 247

## , APPROPRIATIONS—Continued

Printing board, 1, 88  
 Printing board, legislative printing, 87  
 Psychopathic hospital, 31  
 Public assistance study committee, 555  
 Public instruction, 1, 46, 47, 48, 49  
 Public safety, 1, 55  
 Public safety, highway patrol, 55  
 Public safety, radio, 54  
 Purdy, Perry Wayne, 76  
 Raumbuehler, Elmer, 81  
 Real estate commission, 1  
 Red Haw State Park, 57  
 Red Oak, city of, 63  
 Reed, Charlotte, 81  
 Reed Funeral Home, 68  
 Regents, board of, 31, 36, 63  
 Regents, board of, capital improvements, 36  
 Regents, emotionally disturbed children, 40  
 Reynolds, Dick, 67  
 Reynoldson, W. W., 79  
 Rhodes, J. Reed and Ruth R., 76  
 Rice Lake State Park, 57  
 Richards, Harold, 81  
 Rigler, Robert R., 84  
 Road use tax fund, 557  
 Rock Creek Lake, 57  
 Rose, Dr. J. E., 74  
 Ross, Johnson, Northrop, Stuart & Tinley, 79  
 Ryan, M. J., 76  
 Sanatorium, 31, 36  
 Savery Hotel, 79  
 Schaefer, H. J., 63  
 School lunch program, 49  
 School of commerce, 74  
 Scott county, 63  
 Secretary of state, 1  
 Service compensation fund, 117  
 Shaff, David O., 84  
 Shepherd, A. R., 79  
 Shimek State Forest, land acquisition, 57  
 Sioux Industries, Inc., 69  
 Sisters of the Humility of Mary, 67  
 Smith, Ethel H., 79  
 Smith, Harry H., 79  
 Social welfare, 41  
 Social welfare, board members, 1  
 Social welfare, retention of funds, 46  
 Soil conservation, 1  
 Soil conservation committee, 51  
 Soldiers' bonus board, 1  
 Soldiers' home, 23, 30  
 Spanish-American War veterans, 1  
 Specified school aid, 47  
 Spirit Lake, 57  
 Springbrook State Park, 57  
 St. Ann Hospital, 70  
 State aid for school transportation, 47  
 State college, 31, 86

## References are to pages

In general the page cited is the beginning of the act or section.

## APPROPRIATIONS—Continued

State Farm Mutual Insurance, 76  
 State historical society, building, 36  
 State sanatorium, 31, 36  
 State teachers college, 31, 36  
 Steamboat Rock community school, 63  
 Steffy Funeral Home, 68  
 Stephens State Forest, 57  
 Stevens, Henry, 86  
 Stockman, Myrtle, 81  
 Stone Park, 57  
 Stoner Piano Co., 90  
 Storm Lake, 57  
 Story City, town of, 63  
 Strohman, James C., 71  
 Stuart, W. C., 83  
 Superintendent of buildings and grounds, 1, 53  
 Supplemental aid, 48  
 Support for Indians, 41  
 Supreme court, 1  
 Supreme court, clerk, 1  
 Supreme court, reporter, 1  
 Swanson, Don C., 79  
 Swigelson, Albert Clyde, 67  
 Swisher, Scott, 83  
 Tama county, 63  
 Tate, W. H., 84  
 Tax commission, 1  
 Teachers retirement allowance, 243  
 Thie, Sam, 81  
 Three Fires State Park, 57  
 Townsend, R. A., 90  
 Traverse, Jack, 74  
 Treasurer of state, 1  
 Turner, Oscar T., 67  
 Twin Lakes State Park, 57  
 Uniform laws, commission, 1  
 Union Grove State Park, 57  
 University hospital, 31  
 University hospital building, revision, 40  
 University of Iowa, 31, 36  
 Upper Pine Lake, 57  
 Urbandale independent school, 63  
 Vermeer, Elmer H., 84  
 Veterans' education, 49  
 Vinton consolidated school, 74  
 Vitek, Josephine, 79  
 Wagler, Clarence E., 67  
 Walter Funeral Home, 68  
 Wapello, Lake, 57  
 Wapsipinicon State Park, 57  
 Watson, Lewis E., 67  
 Waubonsie State Park, 57  
 Weber, Joe, 67  
 West Des Moines, city of, 63  
 West Okoboji Lake, 57  
 Whittemore Rural Lines, 76  
 Wild Cat Den State Park, 57  
 Wilkinson, Mary, 79  
 Wilson, Helen, 81  
 Wilson, Mrs. Gerald, 81

## APPROPRIATIONS—Continued

Winn, Robert O., investment of funds, 79  
 Winnebago county treasurer, 70  
 Winterset, city of, 63  
 Woodward state hospital, 23  
 Yellow River Forest, 57  
 Y.M.C.A. building purchase, 553

## ARBITRATION

Disputes between government agencies, 487  
 Fire department employees, 145

## ARBOR WEEK

Observance, 181

## ARCHEOLOGIST

State archeologist, 244

## ARRESTS

Bail bonds, 493  
 Officer's duties, 493  
 Persons restrained, rights, 492

## ASSESSORS

Abstract to state tax commission, 322  
 Actions, 314, 321, 322  
 Actual, assessed and taxable values, 316  
 Adjustment by county auditor, 323  
 Appeal on behalf of public, 322  
 Appeals to district court, 321  
 Applicants, examination, 310  
 Appointment, 311  
 Appraisers employed, 323  
 Assessment, change of, 320  
 Assessment, protest, 320  
 Assessment rolls and books, 317  
 "Assessor" or "assessors", construction, 324  
 Board of review, 318  
 Board of review, state, 323  
 Bonds, 313  
 Books and papers, produced, 314  
 Budget, 313  
 City assessor by ordinance, 326  
 Completion of assessment, oath, 318  
 Conference board, 309  
 Deputies, 312  
 Dog fee, 312  
 Duties, 314  
 Duty, failure to perform, 324  
 Electric transmission lines, 325  
 Examining board, 310  
 Express companies, 325  
 Forest and fruit-tree reservations, 316  
 Grain handling, 325  
 Homestead tax credit, 324  
 Insurance companies, 325  
 Legal counsel, 322  
 Listing and valuation, 315  
 Merchandise inventories, 325  
 Notice of increase, 323  
 Notice of valuation, 316

References are to pages  
In general the page cited is the beginning of the act or section.

**ASSESSORS—Continued**

Notice of voluntary settlement, 322  
Oath, 316  
Office created, 309  
Office personnel, 313  
Office space, 313  
Omitted property, appeal, 325  
Omnibus repeal, 326  
Optional procedure, certain cities, 323  
Owner to assist, 315  
Pending acts, 325  
Personal property, 325  
Pipe-line companies, 325  
Plat book, 318  
Political activity prohibited, 324  
Power of court, 322  
Prior assessments and taxes, 326  
Protest notice, 317  
Removal, 312  
Severability clause, 326  
Special charter cities, 324  
State board of review, 323  
Statement, false, 317  
Statement, refusal to furnish, 316  
Stocks of merchandise, 324  
Tax lists, actual values, 326  
Tax, maintenance of office, 313  
Telephone and telegraph companies, 325  
Term, 311  
Uniform assessment rolls, 317  
Vacancy, 311  
Valuations, adjusted, 323  
Values, actual and assessed, 316

**ATTORNEY GENERAL**

Appropriation, 1  
Charitable trusts, 487  
Corporations, involuntary dissolution, 386  
Primary road fund, supervision, 50

**ATTORNEYS**

Arrested or restrained persons, 492  
County attorneys, salaries, 289  
Criminal cases, fees, 494  
Workmen's compensation, 142

**AUDITOR OF STATE**

Appropriation, 1  
Appropriation, service compensation fund, 117  
County, municipal and school examiners, salaries, 101

**AVIATION**

Gasoline tax, state aviation fund, 271

**BANKING DEPARTMENT**

Salaries, 423

**BANKS AND BANKING**

Bank examiners, salaries, 423  
Building and loan associations, 428  
Credit unions, consolidation, 427  
Credit unions, credit committee, 425  
Credit unions, dividends, 425  
Credit unions, records, 426  
Installment loans, 424  
Parking lot offices, 424  
Savings and loan associations, 428  
Small loans, 467

**BEER AND MALT LIQUORS**

Minors, violations, 172

**BLIND**

Aid, appropriation, 41  
Commission appropriation, 1  
Commission, powers and duties, 224  
Dog guides, public places, 293  
Funeral expenses, 224

**BOATS**

Regulated, 163

**BOILERS**

Inspection, 143

**BONDS**

Assessors and deputies, 313  
Bail, 493  
Conservation commission, officers and employees, 164  
County clerks and cashiers, 135  
County hospital, 290  
County recreational, 170  
Municipal auditoriums, 327  
Municipal, recreation buildings, 304  
Revenue, 111  
River-front improvements, 302  
School, election, 244  
Voting machines, 127

**BONDS LEGALIZED**

Adair-Casey community school, 514  
Battle Creek community school, 518  
Bettendorf community school, 519  
Bettendorf funding bonds, 512  
Cardinal community school, 521  
Cerro Gordo county, courthouse bonds, 509  
Eagle Grove community school, 526  
Emmetsburg community school, 530  
Guthrie Center community school, 531  
Holstein community school, 532  
Indianola, memorial bonds, 513  
Ocheyedan community school, 536  
Plainfield community school, 538  
Pocahontas community school, 539  
Whiting community school, 541

**BOUNDARY, STATE**

Study committee, 552

**BOUNTIES**

Rattlesnakes, 292

References are to pages  
In general the page cited is the beginning of the act or section.

**BRIDGES**

Cass county, contracts legalized, 507

**BUDGET AND FINANCIAL CONTROL COMMITTEE**

Board of control, real estate, 217  
Compensation and terms of office, 95  
Conservation commission, appropriations, approval, 57  
General contingent fund, 91  
Institutional appropriation, joint control, 30  
Schools, federal funds, 241  
Self-liquidating educational buildings, 229  
Special reserve fund abolished, 100

**BUILDING AND LOAN ASSOCIATIONS**

See *SAVINGS AND LOAN ASSOCIATIONS*

**BUSES**

Certificated common carriers, 271  
Charter passenger carriers, 271  
Municipal enterprises fund, 308  
Speed limit, 262

**CAPITOL PLANNING COMMISSION**

Created, 554

**CEMETERIES**

Oakview Cemetery Association, legalized, 506  
Trust funds, investment, 475

**CERTIFICATED COMMON CARRIERS**

Charter carriers, 271

**CHATTEL MORTGAGES**

Recording, name printed, 282

**CHILDREN**

Aid to dependent, 41  
Child welfare appropriation, 41  
Dependent, funeral expenses, 224  
Detention homes, schooling, 233  
Hunting licenses not required, 169  
Iowa Uniform Gifts to Minors Act, 469  
Special education required, 239

**CITIES AND TOWNS**

Appraisers, 308  
Assessors, See *ASSESSORS*  
Association of fire employees, arbitration, 145  
Auditoriums, 327  
Auditorium, trustees, 303  
Bettendorf funding bonds legalized, 512  
Bonds, recreation buildings, 304  
Bus service, 308  
City hospitals, 290, 305  
Civil defense administration, 111  
Civil service, veterans preference, 299  
Commissions, abolishment, 298  
Controlled-access roads, closing of road or street, 246

**CITIES AND TOWNS—Continued**

Councilmen, compensation, 294, 297  
Cultural and scientific facilities, taxation, 304  
Des Moines municipal court, 485  
Electricians and electrical contractors, 299  
Emergency interim government, 119  
Emergency seat of government, 125  
Federal government contracts, 300  
Form of government, elections, 294  
Indianola, memorial building bonds legalized, 513  
Judicial retirement, contributions, 481  
Lakes, recreation fund, 308  
League of Iowa Municipalities, 296  
LeClaire, title to certain lands, 504  
Mayor, compensation, 297  
Mayor pro tempore, compensation, 294  
Mayor's court, 301  
Monticello, sale of real estate, 503  
Motor vehicle testing stations, 259  
Municipal courts:  
  Certain papers and fees, 479  
  Publications, 485  
  Salaries, 480  
  Temporary appointments, 479  
  Unclaimed fees, 479  
  Writs of habeas corpus, 486  
Park boards, leasing, 301  
Parking lots, 307  
Planning assistance, 303  
Plats, subdivisions, 172  
Public construction contracts, 476  
Revenue bonds, 111  
River-front improvement commissions, 302  
Road use tax fund, 94  
Sidewalk improvements, 306  
Special charter, general powers, 328  
State-owned streets, etc., 247  
Surveyor's plats, 172  
Transit system contracts, 306  
Voting machines, 127  
Voting machines, procedures, 127

**CITIZENSHIP**

Discharged parolees, 225

**CIVIL DEFENSE ADMINISTRATION**

Appropriation, 1  
Created, 111

**CIVIL WAR CENTENNIAL**

Committee, 559

**CODE EDITOR**

Appropriation, 15  
Universities, name changes, 108

**COLLEGES**

Community colleges, 239  
Iowa State University, name, 102  
Self-liquidating buildings, 229  
Study higher education, 40

## References are to pages

In general the page cited is the beginning of the act or section.

**COMMERCE COMMISSION**

- Appointive commission, 342
- Appropriation, 1
- Highway-railroad grade crossings, 343

**COMPTROLLER, STATE**

- Appropriation, 1
- Claims certified, 99
- Reports to treasurer, 98
- Warrants, coding system, 100
- Warrants, prison industry fund, 215

**CONSERVATION COMMISSION**

- Appropriation, 1
- Appropriations for various lakes, etc., 57
- Appropriation, Pammel State Park, 56
- Bonds, 164
- Drainage assessment claims, 70
- Officers, compensation, 164
- Regulation of state waters, 163

**CONSTITUTION**

- Amendments, voting machines, 127

**CONTRACTS**

- Cass County bridges, legalized, 507
- Municipal corporations with federal government, 300
- Municipal transit systems, 306
- Public construction contracts, 476
- Public, revenue bonds, 111
- Teachers, termination, 238

**CONTROL, BOARD OF**

- Acquisition and sale of real estate, 216, 217
- Amphetamine or derivatives to inmates, 492
- Appropriation, 23
- Appropriation, capital improvements, 30
- Architect, capitol planning commission, 554
- Boys training school, transfer, 218
- Consultants, 218
- Director of industries, 214, 215
- Employees exempted from personnel division, 98
- Executive officers of institutions, 213
- Gifts, authorized to accept, 217
- Glenwood and Woodward, clothing and transportation, 219
- Institutional payrolls, 214
- Mental health director, 214
- Mental patients, transfer, 218
- Penitentiary and reformatory, industry revolving fund, 225
- Revenue bonds, 111
- Voluntary mental patients, 220

**CONTROLLED-ACCESS HIGHWAYS***See ROADS AND HIGHWAYS***CONVEYANCES**

- Recording, names typed or printed, 282

**CORONERS**

- Replaced by medical examiner, 284

**CORPORATIONS**

- Actions by shareholders, 361
- Actions, informal by shareholders or directors, 407
- Annual license fees, collection, 400, 401
- Annual report, 397, 398
- Appeal from secretary of state, 405
- Articles:
  - Amendment, 367-370
  - Amendment in reorganization proceedings, 371
  - Filing and recording, 365
  - Material to be set forth, 364
  - Merger or consolidation, 376
  - Restated, 370
- Assets, mortgage or pledge, 379
- Assets, sale or disposition, 379
- Authorized shares, 350
- Board of directors:
  - Classification, 359
  - Executive committee, 360
  - Liability, 361
  - Number and election, 359
  - Organization meeting, 367
  - Penalties, 405
  - Place and notice of meeting, 360
  - Qualifications, 359
  - Quorum, 359
  - Vacancies, 359
- Books and records, 363
- Bylaws, 356
- Capital, stated, 353
- Certificate of incorporation, 365
- Certificates and certified copies, evidence, 406
- Certificates representing shares, 354
- Consolidation, procedure, 375
- Constitutionality clause, 412
- Corporate name, 347
- Definitions, 344
- Dissent by shareholders, 380
- Dissolution, involuntary, *See Involuntary dissolution below*
- Dissolution, voluntary, *See Voluntary dissolution below*
- Distributions in partial liquidation, 361
- Dividends, 360
- Documents, filing and recording, 366
- Domestic and foreign corporations, 378
- Evidence, certificates and certified copies, 406
- Existing corporations, 407
- Expenses of organization, reorganization and financing, 354



## References are to pages

In general the page cited is the beginning of the act or section.

## CORPORATIONS—Continued

Expiration, survival of rights and remedies, 390  
 Fees and charges, 398-401  
 Foreign commerce, application to, 411  
 Foreign corporations:  
   Admission, 390  
   Amendments and fees, 412  
   Annual license fee, 399-401  
   Annual report, 397, 398  
   Articles of incorporation, amendment, 394  
   Capital and fees, 412  
   Certificate of authority:  
     Amended, 394  
     Application, 391, 392  
     Effect, 392  
     Revocation, 396  
     Transacting business without, 396  
   Certificate of revocation, 396  
   Change in name, 391  
   Interrogatories by secretary of state, 405  
   Merger, 394  
   Penalties, 404, 405  
   Powers, 391  
   Process, service, 393  
   Registered office and registered agent, 393  
   Withdrawal, 395  
 Forms furnished by secretary of state, 406  
 General assembly, reservation of power, 411  
 General powers, 345  
 Income tax, increase, 332  
 Income tax, Internal Revenue Code, 328  
 Incorporation, by whom, 364  
 Informal action, 407  
 Interrogatories by secretary of state, 405  
 Interstate commerce, application to, 411  
 Involuntary dissolution:  
   Action by attorney general, 386  
   Claims in liquidation proceedings, 388  
   Decree of dissolution, 389  
   Deposits with state treasurer, 389  
   Discontinuance of liquidation, 388  
   Jurisdiction of court to liquidate, 387  
   Notification, 386  
   Procedure in liquidation, 387  
   Reasons, 386  
   Receivers, 388  
   Survival of rights and remedies, 390  
   Venue and process, 387  
 Iowa Business Corporation Act, title, 344  
 Legalizing acts re-enacted, 477  
 Liability of subscribers and shareholders, 355

## CORPORATIONS—Continued

Liquidation, distributions, 361  
 Meetings of shareholders, 356  
 Merger, procedure, 375  
 Mergers or consolidation:  
   Approval by shareholders, 375  
   Articles, 376  
   Domestic and foreign corporations, 378  
   Effect, 377  
   Procedure, 375  
 Subsidiary corporation, 376  
 Mortgage or pledge of assets, 379  
 Name, 347, 348  
 National T.T.T. Society, 420  
 Notice:  
   Dissolution, 386  
   Incorporation, 366  
   Shareholders' meetings, 356  
   Waiver, 406  
 Officers:  
   Authority and duties, 363  
   Liability, 361  
   Penalties, 405  
   Removal, 363  
 Organization, expenses, 354  
 Organization meeting, 367  
 Penalties, 404, 405  
 Political contributions prohibited, 411  
 Powers, unauthorized assumption, 407  
 Process, service of, 350, 393  
 Purposes, 345  
 Quorum of shareholders, 357  
 Reacquired shares, cancellation, 373  
 Record date, fixing, 356  
 Redeemable shares, cancellation, 372  
 Redeemable shares, redemption or purchase, 372  
 Registered agent, 348, 349  
 Registered name, 348  
 Registered office, 348, 349  
 Reorganization proceedings, 371  
 Reservation of power by General Assembly, 411  
 Reserved name, 347  
 Sale of assets, 379  
 Secretary of state, powers, 405  
 Shareholders:  
   Dissenting, 380  
   Liability, 355  
   Pre-emptive rights, 355  
 Shares:  
   Acquisition and disposal by corporation, 346  
   Authorized, 350  
   Consideration for, 352  
   Fractional or scrip, 355  
   Payment for, 353  
   Preferred or special, 351  
   Reacquired shares, 373  
   Redeemable, 372  
   Subscriptions for, 352  
 Short title, 344

## References are to pages

In general the page cited is the beginning of the act or section.

**CORPORATIONS—Continued**  
 Stated capital:  
   Annual license fee, 399  
   Determination of amount, 353  
   Reduction in, 374  
 Stock rights and options, 353  
 Subscribers, liability, 355  
 Subscriptions for shares, 352  
 Subsidiary corporation, merger, 376  
 Surplus and reserves, 375  
 Survival of rights and remedies, 390  
 Tax liens, 332  
 Transfer books, closing, 356  
 Ultra vires, defense, 346  
 Unauthorized assumption of corporate powers, 407  
 Voluntary dissolution:  
   Articles of dissolution, 385  
   By act of corporation, 382  
   By consent of shareholders, 382  
   By incorporators, 381  
   Deposit with state treasurer, 389  
   Procedure after statement, 383  
   Revocation by act of corporation, 384  
   Revocation by consent of shareholders, 384  
   Statement of intent, effect, 383  
   Statement of revocation, effect, 385  
   Survival of rights and remedies, 390  
 Voting list, 357  
 Voting of shares, 357  
 Voting requirements, 406  
 Voting trust, 358  
 Waiver of notice, 406

**COUNTIES**  
 Assessors, *See* ASSESSORS  
 Auditor, assistance lien for insane, 222  
 Board of education, election, 231  
 Board of review, assessments, 309  
 Board of supervisors:  
   Drainage and levy districts, 338  
   Election, 278  
   Expenditures, 289  
   Zoning, 293  
 Bonds, recreational and conservation, 170  
 Cass county bridge contracts legalized, 507  
 Cerro Gordo county courthouse bonds, 509  
 Civil defense administration, 111  
 Clerk and cashier, bond premiums, 135  
 Clerk of grand jury, salary, 494  
 County attorneys, salaries, 289  
 County home inmates, 169  
 Court expense fund, taxation, 333  
 Decatur county, John H. Ryan bequest, 89  
 Deputy officers, salaries, 289  
 Detention homes, school instruction, 233  
 Election contest fees, legalized, 508

**COUNTIES—Continued**  
 Emergency interim government, 119  
 Emergency seat of government, 125  
 Fund for the insane, 221  
 Hospitals, 290  
 Judicial retirement, contributions, 481  
 Licensing certain business establishments, 280  
 Medical examiner, replace coroner, 284  
 Mental health fund, 221  
 Mentally ill, 221  
 Mentally ill, voluntary admission, 220  
 Municipal hospitals to county hospitals, 290, 305  
 Officers and employees, 279  
 Officers, terms, 126  
 Probation officers and secretaries, 223  
 Public construction contracts, 476  
 Recorder, names on recording instruments, 282  
 Recording fees, 282  
 Revenue bonds, 111  
 Secondary road budgets, 249  
 Secondary road improvement, 250  
 Settlement, 227  
 Sheriff, boarding of prisoners, 283  
 Social welfare, disabled persons, 41  
 State institution fund, mental patients, 334  
 State-owned streets, etc., 247  
 Supervisors, licensing powers, 280  
 Supervisors, medical examiner, 284  
 Support of poor, 227  
 Surveyors, 172  
 Tama, appropriation, 283  
 Taxation, maximum millage rate, 93  
 Treasurer, certificates of title, 254  
 Treasurer, motor vehicle registration receipts, 257  
 Treasurer, personal property taxes, 335  
 Treasurer, registration plates, 255  
 Voting machine procedure, 127  
 Weed commissioners and deputies, expenses, 252  
 Winneshiek, courthouse repairs legalized, 510  
 Zoning, 293

**COURTHOUSES**

Cerro Gordo county legalized, 509  
 Winneshiek county, repairs, 510

**COURTS**

Clerk district court, 126, 279  
 Clerk municipal court, 479, 480  
 Continuity in event of attack, 117  
 Court expense fund, 333  
 Criminal cases, attorney fees, 494  
 De facto judges, 481  
 Des Moines municipal, publications, 485  
 District, eminent domain, 341

## References are to pages

In general the page cited is the beginning of the act or section.

**COURTS—Continued**

- District, fees, 484
- Inferior, rules by supreme court, 490
- Judicial conferences, 490
- Judicial nominating commissions, 549
- Judicial retirement system, 481, 484, 549
- Juvenile probation officers and secretaries, 223
- Mayor's court, mayor pro tem., 301
- Municipal:
  - Destruction of certain papers, 479
  - Publication of proceedings, 485
  - Salaries, 480
  - Temporary appointments, 479
  - Unclaimed fees, 479
  - Writs of habeas corpus, 486
- Polk county, district judges, 480
- Supreme, chief justice, 489, 490

**CREDIT UNIONS**

- Consolidation, 427
- Credit committee, 425
- Dividends, 425
- Records and files, 426

**CRIMINAL LAW**

- Arrested or restrained persons, 492
- Attorney fees, 494
- Drainage districts, certain construction, 338
- Felony, legal counsel, 495
- Fires, public buildings, 162
- Income tax violations, 330
- Paroles, 225
- Paroles, restoration of citizenship, 225

**DAIRY PRODUCTS**

- Adulteration, 182
- Containers, 182
- Grades and classification, 183
- Nonfat dry milk, labeling and sale, 182

**DEAD BODIES**

- Post-mortem examinations, 284
- Transportation, animals, 180

**DEEDS**

- Foreign acknowledgments, 469
- Recording, names printed, 282

**DISABLED PERSONS**

- Aid, 41

**DIVORCE**

- Counterclaim, 478

**DOGS**

- Guide dogs, 293
- Maiming, 491

**DRAINS AND DRAINAGE**

- Assessments, claim against state, 70
- Buildings and construction work, 338
- Drainage that runs to public highway, 339
- Governing boards, duties, 336
- Muscatine Island levee district, perpetual easement, 504

**DRUGS**

- Amphetamine or derivatives to inmates, 492

**EASEMENTS**

- Coralville reservoir project, 497
- Muscatine Island levee district, 504

**ELECTIONS**

- Absent voters affidavit, 134
- Appropriations, contests, 79, 81
- Board of supervisors, 278
- Canvass forms, 127
- Cedar county, legal counsel fees legalized, 508
- Cities, form of government, 294
- Community schools, 131
- Counties, combining duties, 279
- County boards of supervisors, expenditures, 289
- County bonds, 170
- County hospital bonds, 290
- County officers, terms of office, 126
- Indianola memorial building bonds, 513
- Judicial nominating commission, 549
- Municipal, bus service, 308
- Municipal, commissions abolished, 298
- Municipal hospitals to county, 290, 305
- Municipal, "special appraiser funds", 308
- Official ballot, publication, 126
- School, date changed, 231
- School indebtedness, 244
- Voting machine procedures, 127
- Voting machines, taxation, 127

**ELECTRICIANS**

- Licenses, 299

**EMERGENCY INTERIM GOVERNMENT**

- Executive and judicial succession Act, 117
- Legislative succession Act, 121
- Political subdivisions, 125
- State seat of government, 124

**EMINENT DOMAIN**

- Appeal, deposits, 341
- Appraisers report, 341
- Soil conservation subdistricts, 340

References are to pages  
In general the page cited is the beginning of the act or section.

**EMPLOYMENT SECURITY**

- Acquisition of lands and buildings, 147
- Appropriation, 1
- Charge-back statements, 148
- Contributions, 148
- I.P.E.R.S., membership and refunds, 158
- Unemployment compensation benefits, 151
- Unemployment trust fund, use, 149

**ENGINEERS**

- Professional, 172

**ESTATES OF DECEDENTS**

- Final reports, 486

**EXECUTIVE COUNCIL**

- Appropriation, 1
- Car dispatcher salary, 1
- Eastern Iowa Light and Power Co., land sale, 501
- Inventories and records, 108
- Iowa-Illinois Gas and Elec. Co., land sale, 499
- Purchase of East Walnut street real estate, 561
- Supplies, competitive bidding, 109
- Y.M.C.A. building, 553

**EXECUTORS AND ADMINISTRATORS**

- Final reports, 486
- Savings and loan accounts, 438

**FAIR BOARD**

- Appropriation, 1, 88
- Revenue bonds, 111

**FARM MACHINERY**

- Transporting, dealer to purchaser, 265

**FEDERAL AID FUNDS**

- Aging persons, problems, 497
- Aid to disabled, 41
- Educational purposes, 241
- Employment security commission, 147
- National defense education, 48

**FELONY**

- Legal counsel, 495

**FIRE DEPARTMENTS**

- Arbitration of differences, 145
- Disability benefits, 327

**FIRE DISTRICTS**

- Ringsted benefited fire district, 511

**FIRES**

- Apparatus on highways, 265
- Protection, township taxation, 294
- Public buildings, negligently setting, 162
- Standard insurance policy, 423

**FISH AND GAME**

- Children, hunting licenses, 169
- Commercial fishing, 166
- County home inmates, 169
- Fishing restrictions, artificial lakes, 165
- Hunting season, certain areas, 170
- Spearing fish, 165
- Turtles or crayfish, 169

**FLOOD CONTROL**

- Iowa natural resources council, 337

**FOOD ESTABLISHMENTS**

- Licenses, 181, 280
- Vehicles, included, 181

**FOODS**

- Containers, 182
- Iowa grading law for milk, 183
- Milk and dairy products, adulteration, 182
- Nonfat dry milk, 182

**FUNERAL DIRECTORS**

- Licenses, 174

**FUNERALS**

- Dependent children and blind, 224
- Disabled persons, aid, 41

**GASOLINE TAX**

- See *MOTOR VEHICLE FUEL TAX*

**GIFTS**

- Board of control, 217
- Commission for blind, 224
- Iowa Uniform Gifts to Minors Act, 469

**GOVERNOR**

- Appropriation, 1
- Arbor week, 181
- Capitol planning commission, 554
- Civil defense administration, 111
- Civil war centennial committee, 559
- Commerce commission appointments, 342
- Conference on aging, 497
- Judicial appointments, 549
- Land patents, when issued, 101
- Mississippi Parkway, 252
- Motor vehicle, purchase, 110
- Real estate patent, Devlin, 543
- Real estate patent, Kizers, 545
- Real estate patent, Wright, 546

**GRAND JURY**

- Clerk, salary, 494

**HABEAS CORPUS**

- Municipal courts, 486

**HEALTH DEPARTMENT**

- Appropriation, 1

References are to pages  
In general the page cited is the beginning of the act or section.

**HIGHWAY COMMISSION**

- Contractors claims, 475
- Controlled-access facilities, closing of roads, 246
- Co-operation with fiscal administrative and engineering survey committee, 557
- Duties, 247
- Duties, primary road system, 248
- Highway property, rental, 245
- Limitation on certain expenses, 269
- Mississippi Parkway, 252
- Primary road fund, expenditures, 50
- Public construction contracts, 476
- Road systems and parks, duties, 250
- Yield of right of way signs, 263

**HIGHWAYS**

See *ROADS AND HIGHWAYS*

**HOMESTEAD TAX CREDIT**

Owner defined, 332

**HOSPITALS**

- City hospitals, 290, 305
- County, 290
- Decatur county hospital, 89
- Licensure and regulation, 173
- Mental, county chargeable, 221
- Mental, emergency disasters, 219
- Mental health terminology, 187
- Parolees, treatment, 228

**HOTELS**

- Licenses, expiration, 181
- Negligently setting fire, 162

**INCOME TAX**

- Corporate, increase, 332
- Distress warrants, 332
- Internal Revenue Code of 1954, 328
- Nonresidents, withholding, 329
- Installment payment, 330
- Social security tax, 160
- Violations and penalties, 330

**INDIANS**

- Law-enforcement officers, 283
- Support appropriation, 41
- Support for poor, 228

**INDICTMENT**

- Felony, legal counsel, 495

**INDUSTRIAL COMMISSION**

- Appropriation, 1
- Appropriation, highway commission claims, 50

**INSANE PERSONS**

See *MENTALLY ILL*

**INSTRUMENTS**

- Recording, names typed or printed, 282

**INSURANCE**

- Cancellation, notice, 422
- Fraternal beneficiary associations, 421
- Life insurance companies, investments, 421
- Standard fire policy, 423
- State of Iowa, liability, 423
- Unfair trade practices, 420

**INSURANCE COMMISSIONER**

- Appropriation, 1
- Securities, regulation of sale and dealers, 413

**INTEREST**

- Small loans, 467

**INTERSTATE CO-OPERATION COMMISSION**

Established, 114

**INVESTMENTS**

- Cemetery trust funds, 475
- Iowa Uniform Gifts to Minors Act, 469
- I.P.E.R.S. advisory board, 82
- Life insurance companies, 421
- Securities, sales and dealers, 413

**IOWA DEVELOPMENT COMMITTEE**

- Planning assistance for certain cities, 303

**IOWA PUBLIC EMPLOYEES RETIREMENT SYSTEM**

- Advisory investment board, appropriation, 82
- Appropriation, 91
- Federal civil service, 158
- Investment of funds, 98
- Refunds to judges, 481

**IOWA STATE UNIVERSITY**

- Agriculture marketing board, 175
- Name changed, 102

**JOINT RESOLUTIONS**

- Boundary study committee, 552
- Capitol planning commission, 554
- Civil war centennial committee, 559
- Constitutional amendment, Art. V, judicial, 549
- Executive council, purchase of real estate, 561
- Motor vehicle fuel tax, committee, 551
- Public assistance study committee, 555
- Survey of highways, committee, 557
- Y.M.C.A. building, purchase, 553

References are to pages  
In general the page cited is the beginning of the act or section.

**JUDGES**

Chief justice, 489, 490  
De facto judges, status, 481  
District court, appropriation, 1  
District, Polk county, 480  
Emergency interim succession, 117  
Judicial conferences, 490  
Judicial nominating commission, 549  
Municipal, salaries, 480  
Retirement system, 481, 484, 549  
Supreme court, appropriation, 1

**JUVENILE COURTS**

Compensation of officers and secretaries, 223

**LABOR**

Organization dues, 491

**LABOR COMMISSIONER**

Boiler inspection, 143

**LEGALIZING ACTS**

Adair-Casey community school, 514  
Allamakee community school, 516  
Battle Creek community school, 518  
Bettendorf community school, 519  
Bettendorf, funding bonds, 512  
Bridgewater - Fontanelle community school, 520  
Cardinal community school, 521  
Cass county, bridge construction, 507  
Cedar county, election contest, fees, 508  
Cerro Gordo county courthouse bonds, 509  
Charles City community school, 522  
Columbus community school, 524  
Community school of Dunlap, 525  
Community school of Whiting, 541  
Corporations, legalizing acts re-enacted, 477  
County bonds, recreational and conservation, 170  
Eagle Grove community school, 526  
Eastern Allamakee community school, 517  
Eddyville community school, 527  
Emmetsburg community school, 528  
Emmetsburg community school, bonds, 530  
Guthrie Center community school, 531  
Holstein community school, 532  
Horton township school, merger, 536  
Indianola, memorial building bonds, 513  
Louisa-Muscatine community school, 533  
Monticello, sale of real estate, 503  
Morehead, O. W., bridge contract, 507  
Mormon Trail community school, 534  
New Market community school, 535  
Oakview Cemetery Association, 506  
Ocheyedan community school, 536

**LEGALIZING ACTS—Continued**

Plainfield community school, 538  
Pocahontas community school, 539  
Ringsted benefited fire district, 511  
School districts, proceedings prior to July 1, 1958, 478  
School districts, proceedings prior to Jan. 2, 1959, 477  
South Winneshiek school, 542  
Winneshiek county courthouse repairs, 510  
Yegge & Blosser Const. Co., bridge contract, 507

**LEGISLATIVE RESEARCH BUREAU**

Appropriation, educational research, 40  
Director's salary, 95  
Participation in legislative research, 95

**LEGISLATIVE RESEARCH COMMITTEE**

Appropriation, 83  
Participation in research, 96

**LEGISLATURE**

Appropriation for printing, 87  
Budget and financial control committee, 95  
Capitol planning commission, 554  
Continuity in event of enemy attack, 121  
Legislative research committee, 95  
Legislative research director's salary, 95  
Motor vehicle fuel tax, committee, 551  
Public assistance, study committee, 553

**LICENSES**

Amateur radio, special vehicle plates, 255  
Commercial fishing, 166  
Corporations, annual, 399-401  
County business establishments, 280  
Driver's license, suspension, 258  
Electricians and electrical contractors, 299  
Fish and game, exemptions, 169  
Food establishments, 181  
Funeral directors and embalmers, 174  
Hospitals, 173  
Hunting, children, 169  
Motor vehicle dealers, 269, 270  
Professional engineers, 172

**LIENS**

Delinquent head tax, abolished, 226  
Insane persons, assistance, 222  
Mobile homes and trailers, 257  
Personal property, tax, 335  
Tax, distress warrants, 332  
Veterinarian's, 476

## INDEX

## References are to pages

In general the page cited is the beginning of the act or section.

**LIQUIDS AND GASES**

Liquid transport carriers, 276

**LIQUOR CONTROL COMMISSION**

Commissioners' salaries, 1

**LOANS**Banks, installment loans, 424  
Small loans, 467**LOGS**

Standard log rule, 186

**MEDICINE AND SURGERY**County medical examiner, 284  
Optometry, 173**MENTAL HEALTH, DIRECTOR**Appointments by, 213  
Duties, 214  
Institutional payrolls, 214  
Transfer of patients, 218**MENTALLY ILL**Assistance lien, 222  
Counties chargeable, 221  
County fund, 221  
Custody pending appeal, 220  
Mental health terminology, 187  
State institution fund, use, 334  
Transfer to reformatory, 218  
Voluntary admission, 220**MILK AND DAIRY PRODUCTS***See DAIRY PRODUCTS***MINORS**Beer and malt liquor violations, 172  
Gifts of securities and money, 469  
Hunting licenses not required, 169**MISSISSIPPI RIVER**Commercial fishing, 166  
Eastern Iowa Light and Power Co-operative, 501  
Iowa-Illinois Gas Company, sale of land, 499  
LeClaire, title to real estate, 504  
Muscatine, Louisa counties, easement rights, 504  
Parkway planning commission, 252**MOBILE HOMES**Defined, 254  
Registration fee, 257  
Transportation, special permits, 268**MONEY AND INTEREST**Iowa Uniform Gifts to Minors Act, 469  
Small loans, 467**MORTGAGES**Life insurance companies, investment, 421  
Recording, names typed or printed, 282**MOTOR VEHICLE FUEL TAX**Audit of tax division, 551  
Refunds, certain uses, 270  
State aviation fund, 271  
Tax refund, appropriation, 52**MOTOR VEHICLES**Amateur radio operators, special plates, 255  
Amber parking lamps, 264  
Brake requirements, 264  
Buses, speed limit, 262  
Certificated common carriers, charter, 271  
Certificates of title, destruction, 254  
Dealers' license, 269, 270  
Dealers, Sunday sales, 269  
Drivers licenses, suspension, 258  
Fleet owners, inspection and testing, 259  
Fleet owners, registration, 273  
Food establishments, 181  
Freight transportation, fees, 272  
Height, 265  
Iowa reciprocity board established, 273  
Maximum gross weights, 266  
Mobile homes, *See MOBILE HOMES*  
Movement of certain equipment, 265  
Off-street parking, 307  
Purchase by state, 110  
Reflectors, height, 264  
Registration receipts, 257  
Registration reciprocity board, 273  
Registration tolerance, raw farm products, 267  
Right of way and yield signs, 263  
Speed limits:  
Alleys, 259  
Buses, 262  
Fully - controlled - access facilities, 260  
Interstate highways, 260  
Primary highways, 261  
Secondary roads, 261  
Trailers, 260  
Testing stations, 259  
Trailers behind certain trucks, 262  
Truck-tractor registration plates, 255  
Weight registration emblems, 255**NATIONAL GUARD AND STATE GUARD**Active service, 115  
Advisory council, 115  
Appropriation, 1, 51  
Commissioned or warrant agent, 115  
Field training, 115  
Fiscal officer, 115  
Quartermaster and property officer, 116  
Rifle and pistol range, 115**NATIONAL T.T.T. SOCIETY**

Nonpecuniary corporation, 420

References are to pages  
In general the page cited is the beginning of the act or section.

**NATURAL RESOURCES COUNCIL**

- Appropriation, 1
- Powers of council, 337
- Water permit fees, 337

**NEWSPAPERS**

- Official ballots published, 126

**NOTICES**

- Assessed valuation, 316, 317, 320
- Assessment, increase, 323
- Assessments, voluntary settlement, 322
- Assessor examination, 310, 311
- Assessor, removal, 312
- Charitable trusts, 487
- Controlled-access roads, hearing, 246
- Corporation, meetings, 356, 360
- Corporation, waiver, 406
- Corporation, cause for dissolution, 386
- Delinquent tax, 335
- Des Moines municipal court, 485
- Drainage, repairs, 336
- Insurance, cancellation, 422
- Incorporation, 366
- Publication of legal notices, 485
- Municipal transit systems, 306
- School reorganization, 236
- Special charter cities, appropriations, 328
- Teachers, conference with board of directors, 238

**NUISANCES**

- Drainage, obstructing or damaging, 336

**OFFICERS, STATE**

- Commission to examine accounts, 135

**OLD-AGE ASSISTANCE**

- Appropriation, 41, 46
- Head tax repealed, 226
- Transfer of property, tax deed, 226

**OPTOMETRY**

- Definition and dispensing, 173

**PARKING LOTS**

- Banks, drive-up or walk-up teller's window, 424
- Municipal, 307

**PARKS**

- Coralville reservoir project, 497
- County bonds, 170
- Lakes, recreation fund, 308
- Leasing of property, 301
- Monticello, sale of land, 503
- Roadside, 250
- Roads, streets, etc., 247

**PAROLES**

- Citizenship restored, 225
- Parolees, hospital treatment, 228
- Termination or discharge, 225

**PATENTS**

- Land patents:
  - Devlin, Thomas A., 543
  - Eastern Iowa L. & P. Co., 501
  - Iowa-Illinois Gas and Elec. Co., 499
  - Kizer, Lester and Mildred, 545
  - When to be issued, 101
  - Wright, Joseph, 546

**PEACE OFFICERS**

- Appropriation, 55
- Persons restrained, rights, 492
- Retirement, accident and disability system, 421
- Retirement system, 157

**PENITENTIARY AND REFORMATORIES**

- Appointments, 213
- Boys training school transfer, 218
- Industrial equipment depreciation, 215
- Industry revolving fund, 225
- Mental patients, transfer to, 218
- Parolees, citizenship restored, 225
- Parolees, hospital treatment, 228
- Paroles, 225
- Payrolls, semimonthly, 214

**PHARMACY DEPARTMENT**

- Appropriation, 1
- Motor vehicles, purchase, 110

**POINT SYSTEM**

- Driver's license, 258

**POLICEMEN**

- Retirement systems, disability benefits, 327

**POOR**

- Indians, support, 228
- Support, 227

**PRINTING BOARD**

- Appointive members, salaries, 102
- Appropriation, 1
- Appropriation, printing and binding, 88
- Departmental publications, 1, 108
- Duplicators, use of, 101

**PRISONERS**

- Boarding by sheriff, 283

**PUBLIC BUILDINGS**

- Handicapped persons, entrances, 109
- Negligently setting fire, 162

**PUBLIC CONSTRUCTION CONTRACTS**

- Payments on, 476

**PUBLIC EMPLOYEES**

- Re-employment after retirement, 158
- State, vacations, 136



References are to pages  
In general the page cited is the beginning of the act or section.

**PUBLIC INSTRUCTION, BOARD OF**

- Appropriation, 1
- Appropriations:
  - General state aid, 46
  - Mentally retarded, 49
  - National defense education act, 48
  - School lunch, 49
  - Specified school aid, 47
  - State aid for transportation, 47
  - Supplemental aid, 48
  - Veterans administration, 49
- Federal funds, distribution, 241

**PUBLIC SAFETY DEPARTMENT**

- Appropriation, 1, 55
- Appropriation, radio communication, 54
- Dismissal of employees, 137
- Drivers' point system, 258
- Highway patrol headquarters, 55
- Highway patrol increased, 136
- Motor vehicles purchased, 110
- Peace officers retirement, absence in armed services, 157
- Peace officers, retirement systems, 157

**PUBLIC UTILITIES**

- Drainage or levee districts, structures, 338
- Emergency telephone calls, 490
- Highways, relocation of facilities, 246
- Real estate, sale to, 499, 501

**RAILROADS**

- Grade crossings, 343

**RATTLESNAKES**

- Bounty, 292

**REAL ESTATE**

- Assessment, *See ASSESSORS*
- Board of control:
  - Acquisition and sale, 216, 217
  - Gifts, 217
- Board of regents, sale, 229
- Change of title, fee, 484
- Coralville Reservoir project, easement, 497
- Delinquent head tax liens, 226
- Eastern Iowa L. & P. Co., sale to, 501
- Employment security commission, 147
- Executive council, capitol grounds extension, 561
- Foreign acknowledgments, 469
- Highway corners, 245
- Highway property, rental, 245
- Homestead tax credits, 332
- Insane, assistance lien, 222
- Iowa-Illinois Gas and Elec. Co., sale to, 499
- Land patents, when issued, 101
- LeClaire, title to certain lands, 504
- Monticello, sale by, 503
- Muscatine Island levee district, perpetual easement, 504

**REAL ESTATE—Continued**

- Patents:
  - Devlin, Thomas A., 543
  - Kizer, Lester and Mildred, 545
  - Wright, Joseph, 546
- Registered land surveyors, 172
- Sidewalk assessments, 306
- Tax deed, old-age assistance, 226
- Y.M.C.A. building, purchase, 553

**REAL ESTATE BONDS AND MORTGAGES**

- Life insurance companies, investment, 421

**RECIPROCITY**

- Funeral directors and embalmers, 174
- Motor vehicle board established, 278

**REGENTS, BOARD OF**

- Appropriation, 31
- Appropriation, capital improvements, 36
- Appropriation, emotionally disturbed children, 40
- Iowa State University, name, 102
- Revenue bonds, 111
- Sale of real estate, 229
- Self-liquidating buildings and facilities, 229
- State archaeologist, 244

**RESTAURANTS**

- Expiration of license, 181, 280

**RETIREMENT SYSTEMS**

- Iowa public employees:
  - Advisory investment board, 82
  - Appropriation, 91
  - Membership, 158
- Judicial, 481, 484, 549
- Peace officers, 157
- Peace officers appropriation, 55
- Policemen and firemen disability benefits, 327
- Public employees re-employment, 158
- Teachers, 243

**ROADS AND HIGHWAYS**

- Alleys, speed limits, 259
- Buses, speed limits, 262
- Claims against contractors, 475
- Controlled-access, closing of roads, 246
- Corners on established highways, 245
- County secondary road budgets, 249
- Drainage that runs to highway, 339
- Driver's license, suspension, 258
- Farm-to-market funds, claims, 475
- Farm-to-market, resurfacing, 250
- Fiscal, administrative and engineering survey, 557
- Highway grade crossing fund, 94
- Highway grade crossing safety fund, 343
- Highway-railroad grade crossings, 343

## References are to pages

In general the page cited is the beginning of the act or section.

- ROADS AND HIGHWAYS—Continued**  
 Mississippi Parkway planning commission, 252  
 Morehead, O. W., contract legalized, 507  
 Movement of certain equipment, 265  
 Patrol increased, 136  
 Primary, duties of highway commission, 248  
 Primary road fund expenditures, 50, 269  
 Rental of property, 245  
 Roadside parks, 250  
 Road systems, defined, 250  
 Road use tax fund, 94  
 Secondary improvement by private funds, 250  
 Secondary roads speed limits, 261  
 Speed limits:  
   Alleys, 259  
   Buses, 262  
   Fully - controlled - access facilities, 260  
   Interstate highways, 260  
   Primary highways, 261  
   Secondary roads, 261  
   Trailers, 260  
 State-owned streets, etc., 247  
 Thistles, 251  
 Trailers behind certain trucks, 262  
 Utilities, relocation of facilities, 246  
 Yegge & Blosser Const. Co., contract legalized, 507  
 Yield of right of way signs, 263  
 Workmen's compensation claims, 50
- SAVINGS AND LOAN ASSOCIATIONS**  
 (Revised statutes)  
 Accounts, record, 435  
 Acknowledgments by employees, 462  
 Actions, accrued, 435  
 Annual meeting, notice, 440  
 Annual reports, violation, 460  
 Annual statement, 460, 463  
 Appeal, disapproval of authority, 431  
 Articles, 430  
 Banking prohibited, 442  
 Bond, fidelity, 432  
 Bonds, indemnity, 434  
 Books and records, access, 433  
 Books and records, federal associations, 434  
 Bylaws, 430  
 Certificate of authority, 430  
 Commencement of business, 433  
 Communication with members, 433  
 Compensation of officers and agents, 456  
 Conservatorship, 456  
 Contracts for savings programs, 448  
 Consolidation:  
   Executive council approval, 452  
   Members' approval, 453
- SAVINGS & LOAN ASSN.—Continued**  
**CONSOLIDATION—Continued**  
 Receivership, 453  
 Voting, 453  
 With other companies, 452  
 Contingencies, reserve, 455  
 Conversion:  
   Into Federal association, 448  
   Into state-chartered association, 450  
   Members rights, 450  
   Report filed, 451  
   State auditor's approval, 451  
 Corporate existence, 432  
 Corporations, existing, 466  
 Creditors, rights, 451  
 Criminal offenses, 461, 464  
 Declaratory judgment, 466  
 Defamation of institutions, 441  
 Definitions, 428  
 Directors, 434, 465  
 Discrimination in foreign states, 461  
 Dividends, 455  
 Emergency operations, 445  
 Examinations, 453  
 Executive council records, 432  
 Executive council, revocation of certificate, 432  
 Expenditures and expenses, 456  
 Federal associations, 434, 436, 448, 451  
 Fees, 460  
 Fees, foreign associations, 459  
 Fidelity bond, 432  
 Financial statement, 434  
 Fiscal agent, 444  
 Foreign associations:  
   Annual reports, 460  
   Articles amended, 459  
   Actions, notice, 459  
   Certificate of authority, 458  
   Conditions attending approval, 458  
   Deposit, 458  
   Fees, 459  
   Liability of deposit, 459  
   Process agent, 459  
   Report to executive council, 458  
   Unauthorized company, sale of stock, 460  
 Foreign states, discrimination, 461  
 Funds, deposit, 442  
 General powers:  
   Additional powers, 445  
   Borrow, 445  
   Fiscal agent, 444  
   General corporate powers, 443  
   Insured and guaranteed loans, 443  
   Loans on share accounts, 443  
   Lock boxes, 445  
   Mortgage loans, 443  
   Participation loans, 444  
   Property improvement loans, 444  
   Purchase and lend upon loans, 444  
   Purchase of contracts, 444  
   Servicing loans, 444  
   Successors in interest, 443

## References are to pages

In general the page cited is the beginning of the act or section.

SAVINGS & LOAN ASSN.—Continued  
 Incorporation and organization, 430  
 Incorporators committee, 432  
 Indemnity bonds, 434  
 Interest rates, 448  
 Investment, home office buildings, 443  
 Investments, securities and real estate, 442  
 Legal investment, 439  
 Limitation on savings, 441  
 Liquidation, 451  
 Liquidation, reorganization, 452  
 Liquidation, supervision, 452  
 Liquidation, voluntary, 452  
 Loan requirements, 445  
 Loans, 443, 445  
 Members:  
   General rights, 440  
   Conversion, rights, 450  
   Lien on share accounts, 440  
   Limitation on savings, 441  
   Redemption, 441  
   Voting, 440  
   Withdrawal, 440  
 Membership records, 435  
 Minutes, record, 435  
 Mortgages, transfer—maturity, 452  
 Notice, annual meeting, 440  
 Notice of incorporation, 432  
 Notice, redemption, 441  
 Officers and agents, compensation, 456  
 Officers, director or agent, criminal offenses, 461, 464  
 Officers, directors and employees, transactions, 434  
 Organization, 432  
 Paid-in savings liability, 432  
 Petition for certificate of incorporation, 430  
 Proxies, 440  
 Receiver, 458, 464  
 Receivership, 451  
 Receivership, consolidation, 453  
 Records, 435  
 Reorganization, liquidation, 452  
 Reserve for contingencies, 455  
 Reserve for operating expense, 431, 432  
 Revocation of certificate, 432, 455, 461, 464  
 Savings liability, 436  
 Separability, 466  
 Share accounts:  
   Administrators, executors, and other fiduciaries, 438  
   Duplicate account books and certificates, 437  
   Evidence of ownership, 436  
   Joint accounts, 437  
   Legal investments, 439  
   Liens, 440  
   Loans on, 443  
   Minors, 437  
   Ownership, 436

SAVINGS & LOAN ASSN.—Continued  
 SHARE ACCOUNTS—Continued  
   Pay on death accounts, 439  
   Pledge, joint tenancy, 438  
   Powers of attorney, 439  
   Redemption, 441  
 Short title, 428  
 Supervisor, 453  
 Unincorporated associations:  
   Additional deposits, 462  
   Annual reports, 463, 464  
   Certificate of authority, approval, 463  
   Criminal offenses, 464  
   Deposit of securities, 462  
   Examination, 463  
   Officers' bonds, approval, 463  
   Revocation of certificate, receiver, 464  
   Securities held in trust, 463  
   Statement of resources, liabilities and plan, 462  
   Statutes applicable, 462  
 Unlawful transactions, 434  
 Voting, 440, 453

SCHOOLS AND SCHOOL DISTRICTS  
 Adair-Casey community school, 514  
 Allamakee community school, 516  
 Appropriations:  
   Educational study, 40  
   General state aid, 46  
   State aid for transportation, 47  
   Supplemental aid, 48  
 Battle Creek community school, 518  
 Bettendorf community school, 519  
 Bond issues, election, 244  
 Bridgewater-Fontanelle community school, 520  
 Cardinal community school, 521  
 Charles City community school, 522  
 Children, special education required, 239  
 Columbus community school, 524  
 Community colleges, 239  
 Community district board, 235  
 Community districts, powers, 131  
 Community school of Dunlap, 525  
 Community school of Whiting, 541  
 Detention homes, school instruction, 233  
 Districts, less than four sections, 235  
 Eagle Grove community school, 526  
 Eastern Allamakee community school, 517  
 Eddyville community school, 527  
 Election dates changed, 231  
 Emmetsburg community school, 528  
 Emmetsburg community school bonds, 530  
 Federal funds, distribution, 241  
 Guthrie Center community school, 531  
 Holstein community school, 532  
 Horton township school merger, 536

## References are to pages

In general the page cited is the beginning of the act or section.

**SCHOOLS AND SCHOOL DISTRICTS**  
—Continued

- Legalizing proceedings prior to July 1, 1958, 478
- Legalizing proceedings prior to Jan. 2, 1959, 477
- Limitation of actions, 233
- Louisa-Muscatine community school, 533
- Mormon Trail community school, 534
- New Market community school, 535
- Ocheyedan community school, 536
- Plainfield community school, 538
- Pocahontas community school, 539
- Public construction contracts, 476
- Reorganization, 234
- Reorganization, high school district, 236
- Revenue bonds, 111
- Sick leave, 237
- South Winneshiek school, 542
- Teachers' retirement, appropriation, 243
- Teachers, termination of contract, 238
- Transportation, 242

**SECRETARY OF STATE**

- Appropriation, 1
- Real estate patents, 543, 545, 546

**SECURITIES**

- Gifts to minors, 469
- Regulation of sales, dealers, etc., 413

**SOCIAL SECURITY**

- State income tax, 160
- Taxation for, 159
- Unemployment trust fund, 149

**SOCIAL WELFARE DEPARTMENT**

- Appropriation, 41
- Board members salaries, 1
- Disabled persons, aid to, 41
- Employees qualifications, 223
- Indians, support of poor, 228
- Retention of balances, certain funds, 46
- Transfer of property, tax deed, 226

**SOIL CONSERVATION**

- Appropriation, 1, 51
- Discontinuance of districts, 340
- Subdistricts, eminent domain, 340
- Subdistricts, organization expense, 340
- Subdistricts, powers, 339

**SOLDIERS, ETC.**

- Bonus board appropriation, 1
- Civil service preference, 299
- Commandant of soldiers home, 213
- Commission emergency fund, 227
- Public safety officers retirement, 157
- Service compensation fund appropriation, 117
- Soldiers relief commission, 227

**SPECIAL RESERVE FUND**

- Abolished, 100

**STATE INSTITUTIONS**

- Amphetamine or derivatives to inmates, 492
- Appropriation, capital improvements, 30
- Boys training school appropriation, 29
- Director of industries, 214, 215
- Executive officers, 213
- Glenwood and Woodward, clothing and transportation, 219
- Institution fund, mental patients, 334
- Mental, emergency disasters, 219
- Mental health director, 214
- Mental health terminology, 187
- Mentally ill, custody pending appeal, 220
- Payrolls semimonthly, 214
- State-owned streets, etc., 247
- Transfer from boys training school, 218

**STATE OF IOWA**

- Claims against, 99
- Commission on interstate co-operation, 114
- Commission to examine accounts, 135
- Departmental use of duplicators, 101
- Eastern Iowa L. & P. Co., land sale, 501
- Emergency interim government, 117, 121
- Emergency location of seat of government, 124
- Employees vacations, 136
- Inventories and records, 108
- Land patents, 499, 501, 545, 546
- Iowa-Illinois Gas and Elec. Co., land sale, 499
- LeClaire, title to certain lands, 504
- Legislature, continuity, enemy attack, 121
- Liability insurance, 423
- Litigation between agencies, 487
- Motor vehicles, purchases, 110
- Publications, 1, 108
- Public buildings, entrances, 109
- Public construction contracts, 476
- Sinking fund transferred, 336
- State-owned streets, etc., 247
- Supplies, competitive bidding, 109
- Warrants, coding system, 100
- Workmen's compensation, 137
- Y.M.C.A. building purchase, 553

**STATUTES**

- Computation of time, 97
- Reprints, distribution, 108

**STOCKYARDS**

- Waste materials, 178

## References are to pages

In general the page cited is the beginning of the act or section.

**SUNDAY**

Motor vehicle sales, 269

**SUPERINTENDENT OF BUILDINGS AND GROUNDS**

Appropriation, 1

Appropriation, capital improvements, 53

Capitol planning commission, 554

**SUSPENSION, STATE OFFICERS**

Commission to examine accounts, 135

**TAXATION**

Aid to disabled, 41

Assessors, *See ASSESSORS*

Assessor's office, maintenance, 313

Aviation gasoline refund, 271

Battle Creek community school, 518

Cerro Gordo county courthouse, 509

Cities and towns, cultural and scientific facilities, 304

Community school of Whiting, 541

Compensation tax on motor vehicles, 273

Corporate income, Internal Revenue Code, 328

Corporate income tax, 332

Countries, maximum millage rate, 93

County, recreation and conservation, 170

Court expense fund, 333

Delinquent tax notices, 335

Drainage assessments, claims against state, 70

Eagle Grove community school, 526

Emmetsburg community school, 530

Exemptions, goods in public warehouses, 333

Fire-fighting and protection, 294

Guthrie Center community school, 531

Head tax abolished, 226

Holstein community school, 532

Homestead tax credits, "owner", 332

Income, corporate increase, 332

Income, distress warrants, 332

Income, installment payments, 330

Income, Internal Revenue Code Amendments, 328

Income, nonresidents withholding, 329

Income, social security tax, 160

Income, violations, 330

Indianola, memorial buildings bonds, 513

Motor vehicle fuel tax, 52, 270, 271

Municipal appraisers, 303

Nonresidents, withholdings, 329

Personal property, immediate collection, 335

Recreation fund, lakes, 303

River-front bonds, 302

Road use tax, funds, 94

Sidewalk improvement, 306

Social security, 159

**TAXATION—Continued**

Soil conservation subdistricts, 340

Tax deed, old-age assistance, 226

Tax lien, distress warrants, 332

Voting machines, 127

**TAX COMMISSION**

Appropriation, 1

Assessor's, *See ASSESSORS*

Distress warrants, 332

**TELEPHONE**

Emergency calls, obstruction, 490

**TOWNSHIPS**

Motor vehicle dealers, 269

Revenue bonds, 111

Taxation, fire protection, 294

**TRANSIT SYSTEMS**

Charter carriers, 271

Municipal contracts, 306

Urban transit systems, 93

**TREASURER OF STATE**

Appropriation, 1

Conservation commission appropriation, investment, 57

Employment security administration fund, 149

Federal funds, aging persons, 497

Fund for aid to disabled, 41

Highway grade crossing safety fund, 94

Prison industry depreciation fund, 215

Public funds, investment, 93

Sinking fund, 336

State aviation fund, 271

**TRUCKS AND TRAILERS**

Annual permit fee, 272

Brake requirements, 264

Certificates of title, liens and registration, 257

Driver's license, suspension, 258

Four-wheel trailers behind trucks, 262

Height, 265

House trailer defined, 254

Maximum gross weight, 266

Mobile homes, transportation, 268

Reflectors, height, 264

Registration plates, 255

Registration tolerance, raw farm products, 267

Speed limits, fully-controlled-access facilities, 260

Transportation of dead animals, 180

Weight emblems, 255

**TRUSTS**

Charitable, attorney general, 487

**UNEMPLOYMENT COMPENSATION**

Benefits, 151

Funds, control, management and use, 149

References are to pages  
In general the page cited is the beginning of the act or section.

**UNFAIR TRADE PRACTICES**  
Insurance prohibited, 420

**VAGRANTS**  
Definition, 492

**VETERINARIANS**  
Liens, 476

**VETOED BILLS**  
Attorney general, assistants, S. 150  
Iowa co-operative associations, S. 458  
Larceny and shoplifting, S. 3  
School starting age, S. 171

**VIRUS**  
Hog cholera, 179

**WAR**  
Civil War centennial, 559  
Emergency seat of political subdivisions, 125  
Emergency seat of government, state, 124  
Executive and judicial functions, continuity, 117  
Legislature, continuity, 121  
Mental institutes, use, 219

**WAREHOUSES**  
Public warehouses defined, 469

**WARRANTS**  
Distress, tax liens, 332

**WATER REGULATION**  
Permit fees, 337

**WATERS, STATE**  
Appropriations, 57  
Coralville reservoir project, 497  
County home inmates, licenses, 169  
Regulations, 163

**WEEDS**  
County commissioners and deputies, expenses, 252  
Thistles, 251

**WINN, ROBERT O.**  
Investment of funds, 79

**WRITS**  
Habeas corpus, municipal courts, 486

**WORKMEN'S COMPENSATION**  
Attorney fees, 142  
Increased benefits, 137  
Occupational diseases, radiation injuries, 143

**ZONING**  
County, 293