

State of Iowa  
1961

# ACTS AND JOINT RESOLUTIONS

PASSED AT THE

REGULAR SESSION

OF THE

Fifty-ninth General Assembly

OF THE

STATE OF IOWA



CHARLES W. BARLOW  
CODE EDITOR

WAYNE A. FAUPEL  
DEPUTY CODE EDITOR

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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-ninth General Assembly of the State of Iowa.



June, 1961.

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-ninth 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.

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

### OFFICERS, COMMISSIONS AND BOARDS

#### ELECTIVE OFFICERS

Name and Office	County from which originally chosen
<b>GOVERNOR</b>	
Norman A. Erbe.....	Boone
<b>LIEUTENANT GOVERNOR</b>	
W. L. Mooty.....	Grundy
<b>SECRETARY OF STATE</b>	
Melvin D. Synhorst.....	Sioux
<b>AUDITOR OF STATE</b>	
Chet B. Akers.....	Wapello
<b>TREASURER OF STATE</b>	
M. L. Abrahamson.....	Boone
<b>SECRETARY OF AGRICULTURE</b>	
L. B. Liddy.....	Polk
<b>ATTORNEY GENERAL</b>	
Evan L. Hultman.....	Black Hawk
Oscar Strauss, First Assistant.....	Polk
Frank D. Bianco, Assistant.....	Polk
C. J. Lyman, Assistant.....	Polk
Theodor Rehmann, Assistant.....	Polk
Frank Craig, Assistant.....	Buchanan
Wilbur N. Bump, Assistant.....	Polk
John Allen, Assistant.....	Warren
George Wright, Assistant.....	Polk
<b>COMMERCE COMMISSION</b>	
Harold E. Hughes.....	Ida
Bernard J. Martin.....	Polk
Ray H. Thompson.....	Jasper

## STATE OFFICERS—Continued

## APPOINTIVE OFFICERS

Name and Office	City or Town from which originally chosen	Term Ending
<b>ACCOUNTANCY BOARD</b>		
Donald R. Denman.....	Des Moines.....	June 30, 1962
Willard J. Hunzelman.....	Storm Lake.....	June 30, 1964
Waldo E. Brooks.....	Dubuque.....	June 30, 1963
<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 (Iowa Public Employees Retirement System)</b>		
William F. Poorman.....	Des Moines.....	June 30, 1965
George Foerstner.....	Amana.....	June 30, 1963
Dale K. DeKoster.....	Melbourne.....	June 30, 1967
Senator Howard Buck.....		
Representative A. L. Mensing.....		
<b>AERONAUTICS COMMISSION</b>		
Roy C. Smith.....	Davenport.....	June 30, 1965
Jack Snodgrass.....	Waterloo.....	June 30, 1963
Albert H. Detje.....	Traer.....	June 30, 1963
Ray Nyemaster.....	Des Moines.....	June 30, 1967
R. K. Belt.....	Red Oak.....	June 30, 1967
Frank Berlin, Director.....	Des Moines.....	
<b>APPEAL BOARD (Public Contracts and Bonds)</b>		
Chet B. Akers.....	Auditor of State.....	
M. L. Abrahamson.....	Treasurer of State.....	
Marvin R. Selden, Jr.....	Comptroller.....	
<b>APPEAL BOARD (Education, Control and Fair Board Contracts)</b>		
Marvin R. Selden, Jr.....	Comptroller, Chairman.....	
No other appointments of record		
<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
Charles V. Richardson.....	Davenport.....	June 30, 1966
Stanford Griffith.....	Fort Dodge.....	June 30, 1966
<b>ARMORY BOARD (Appointed by the Armory Advisory Council)</b>		
Maj. Gen. Fred C. Tandy.....	Des Moines.....	Pleasure of the Governor.
Brig. Gen. Carlton K. Smith.....	Coggon.....	
Maj. Gen. Walter L. Anderson.....	Boone.....	
Brig. Gen. Frank W. Berlin.....	West Des Moines.....	All indefinite
Robert Gamrath.....	Fairfield.....	
Deloss Marken.....	Des Moines.....	
Ted Corry.....	Davenport.....	
Frank Williams.....	Waterloo.....	
Ray Fountain.....	Des Moines.....	
Ray Franck.....	Denison.....	
Ward Reynoldson.....	Osceola.....	

## STATE OFFICERS—Continued

Name and Office	City or Town from which originally chosen	Term Ending
<b>STATE BANKING BOARD</b>		
Clay W. Stafford	Ames	June 30, 1965
William A. Kneeland	Postville	June 30, 1965
Max Von Schrader	Ottumwa	June 30, 1965
Herbert Knuth	Holstein	June 30, 1965
Ralph McGee	Osceola	June 30, 1965
<b>BASIC SCIENCE</b>		
Dr. Leland P. Johnson	Des Moines	June 30, 1967
Dr. W. Bernard King	Ames	June 30, 1967
Rev. Warren E. Nye	Dubuque	June 30, 1965
George M. Robertson	Grinnell	June 30, 1965
Elmer W. Hertel	Waverly	June 30, 1963
John P. Hummel	Iowa City	June 30, 1963
<b>CAR DISPATCHER</b>		
Bill E. Algood	Des Moines	At the pleasure of the Executive Council
<b>CIVIL DEFENSE ADMINISTRATION</b>		
Mrs. Rosa Cunningham	Des Moines	June 30, 1963
Darrell M. Hanna	Sioux City	June 30, 1963
Carl H. Hensly	Exira	June 30, 1963
Charles J. Read	Davenport	June 30, 1963
Nicholas A. Scholtus	Cedar Rapids	June 30, 1963
Dr. Cameron C. Shierk	Algona	June 30, 1963
Brig. Gen. Frank P. Williams	Waterloo	June 30, 1963
Ivan H. Goddard	Muscatine	June 30, 1963
Arley Wilson	Marshalltown	June 30, 1963
<b>CLERK OF THE 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
Mrs. Mary Louise Smith	Eagle Grove	June 30, 1963
William C. Hahle	Sumner	June 30, 1962
Kenneth Jernigan, Director	Des Moines	
<b>COMPTROLLER</b>		
Marvin R. Selden, Jr.	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
Robert E. Beebe	Sioux City	June 30, 1967
Ed Weinheimer	Fontanelle	June 30, 1967
Lynn Powers, Director		
<b>BOARD OF CONTROL</b>		
Carroll Price	Knoxville	June 30, 1967
Jim O. Henry	Carson	June 30, 1965
Walter I. Conway	Muscatine	June 30, 1963
M. J. Brown, Administrative Assistant		

## STATE OFFICERS—Continued

Name and Office	City or Town from which originally chosen	Term Ending
<b>EMPLOYMENT AGENCY COMMISSION</b>		
Melvin D. Synhorst.....	Secretary of State	
Warren L. Huebner.....	Industrial Commissioner	
Clarence D. Daily.....	Labor Commissioner	
<b>EMPLOYMENT SECURITY COMMISSION</b>		
Jerome W. Corbett.....	Sioux City	June 30, 1965
Henry E. Carter.....	Burlington	June 30, 1963
Ross M. Carrell.....	Des Moines	June 30, 1967
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, 1965
Chesley J. Posey.....	Iowa City	June 30, 1965
Gary Gill, Secretary		
<b>EXECUTIVE COUNCIL</b>		
Norman A. Erbe, Governor.....	Boone	January, 1963
Melvin D. Synhorst, Secretary of State.....	Orange City	January 2, 1963
Chet B. Akers, Auditor of State.....	Ottumwa	January 2, 1963
M. L. Abrahamson, Treasurer of State.....	Boone	January 2, 1963
L. B. Liddy, Secretary of Agriculture.....	West Des Moines	January 2, 1963
Gary Gill, Secretary		
<b>FAIR BOARD</b>		
Members:		
J. W. Cory, Jr., President.....	Spencer	
Lyle R. Higgins, Vice President.....	Harlan	
L. B. Cunningham, Secretary.....	Des Moines	
William J. Hitz.....	Polk City	
Ex-officio Members:		
Norman A. Erbe, Governor.....		
J. H. Hilton, President Iowa State University.....		
L. B. Liddy, Secretary of Agriculture.....		
<b>FIRE MARSHAL</b>		
Edward J. Herron.....		
<b>GEOLOGICAL BOARD</b>		
Norman A. Erbe, Governor.....		
Chet B. Akers, Auditor of State.....		
Virgil M. Hancher, President, State University of Iowa.....		
J. H. Hilton, President, Iowa State University.....		
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:		
Norman A. Erbe, Governor.....		
Melvin D. Synhorst, Secretary of State.....		
Chet B. Akers, Auditor of State.....		
M. L. Abrahamson, Treasurer of State.....		
L. B. Liddy, Secretary of Agriculture.....		

## STATE OFFICERS—Continued

## MEMBERS—BOARD OF HEALTH

Name and Office	City or Town from which originally chosen	Term Ending
Dr. Donald C. Konzett.....	Dubuque.....	January, 1963
Dr. Franklin H. Top.....	Iowa City.....	January, 1963
John D. Caulfield, M. D.....	New Hampton.....	January, 1963
Sidney L. Sands.....	Des Moines.....	January, 1963
Dr. Paul D. Pederson.....	Council Bluffs.....	January, 1963

## COMMISSIONER OF HEALTH

Edmund G. Zimmerer, M. D.....	Des Moines.....	June 30, 1965
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## HEALTH DEPARTMENT

## PRACTICE ACT EXAMINING BOARDS

*Barber Examiners*

Leslie Jones.....	Burlington.....	June 30, 1962
Aldin E. Morehouse.....	Cedar Rapids.....	June 30, 1964
Clarence E. Wright.....	Sioux City.....	June 30, 1963

*Podiatry Examiners*

Dr. V. E. Wicks.....	Mason City.....	June 30, 1962
Dr. E. S. Thompson.....	Davenport.....	June 30, 1964
Dr. Claude Reinheimer.....	Newton.....	June 30, 1963

*Chiropractic Examiners*

Dr. Raymond L. Deming.....	Dubuque.....	June 30, 1962
Dr. Geo. T. Lammers.....	Iowa Falls.....	June 30, 1964
Dr. H. T. Opsahl.....	Decorah.....	June 30, 1963

*Cosmetology Examiners*

Mona Kathryn Burke.....	DeWitt.....	June 30, 1962
Mrs. Lucille Nielsen.....	Mason City.....	June 30, 1964
Mrs. Catherine Murray.....	Chariton.....	June 30, 1963

*Dental Examiners*

A. M. Idema, D.D.S.....	Sheldon.....	June 30, 1964
Dr. Philip A. Hahn.....	Burlington.....	June 30, 1963
Dr. A. E. Newsarb.....	Cedar Falls.....	June 30, 1962
Dr. LeRoy Larson.....	Fort Dodge.....	June 30, 1966
Morris B. Katzoff, D.D.S.....	Cedar Rapids.....	June 30, 1965

*Embalmer Examiners*

Joseph M. Conley.....	Des Moines.....	June 30, 1962
James Vander Ploeg.....	Sheldon.....	June 30, 1964
Cecil Goettsch.....	Monticello.....	June 30, 1963

*Medical Examiners*

Dr. J. W. Billingsley.....	Newton.....	June 30, 1964
Dr. H. E. Farnsworth.....	Storm Lake.....	June 30, 1963
Dr. F. C. Coleman.....	Des Moines.....	June 30, 1967
Dr. Frank R. Peterson.....	Cedar Rapids.....	June 30, 1966
Dr. George H. Scanlon.....	Iowa City.....	June 30, 1965

## STATE OFFICERS—Continued

Name	City or Town from which originally chosen	Term Ending
<i>Nurse Examiners</i>		
Etta Rasmussen.....	Iowa City.....	June 30, 1964
E. Frances Stoney, R.N.....	Burlington.....	June 30, 1963
Hazel M. Buhrman, R.N.....	Knoxville.....	June 30, 1962
Lois Bailey Thomas, R.N.....	Marshalltown.....	June 30, 1965
Sister Mary Annetta (Moloney).....	Iowa City.....	June 30, 1966
<i>Optometry Examiners</i>		
Dr. James C. Manville.....	Cedar Rapids.....	June 30, 1963
Dr. Alfred Klein.....	Spirit Lake.....	June 30, 1964
John Martin, O.D.....	Carroll.....	June 30, 1962
<i>Osteopathic Examiners</i>		
Dr. George W. Sutton.....	Mt. Pleasant.....	June 30, 1963
Dr. Lydia Jordan.....	Davenport.....	June 30, 1964
R. B. Anderson, D.O.....	Sioux City.....	June 30, 1962

## IOWA HOSPITAL AND OTHER HEALTH FACILITIES

*Advisory Council*

Benjamin F. Carter, Jr.....	Forest City.....	June 30, 1965
Dr. John Schwartz, Sr.....	Des Moines.....	June 30, 1965
Dr. Samuel Leinbach.....	Belmond.....	June 30, 1965
B. D. Fickess, R.N.B.A.....	Nevada.....	June 30, 1965
Merrill E. Hunt.....	Des Moines.....	June 30, 1964
Mrs. Jay Tone, Jr.....	Des Moines.....	June 30, 1964
James Anderson.....	Fort Dodge.....	June 30, 1964
C. N. Hyatt, Jr.....	Corydon.....	June 30, 1964
Dr. R. N. Larimer.....	Sioux City.....	June 30, 1963
Dr. Floyd Pillars.....	Des Moines.....	June 30, 1963
Louis B. Blair.....	Cedar Rapids.....	June 30, 1963
Mrs. James Henderson.....	Waterloo.....	June 30, 1963
Dr. H. B. Willard.....	Davenport.....	June 30, 1963
Marian Maschmann.....	Ottumwa.....	June 30, 1962
Leon A. Bondi.....	Davenport.....	June 30, 1962
Wendell L. Downing, M. D.....	Le Mars.....	June 30, 1962
Mrs. Burton Field.....	Waterloo.....	June 30, 1962

## HIGHWAY COMMISSION

Howard B. Helscher.....	Cedar Rapids.....	June 30, 1965
Everett Shockley.....	Council Bluffs.....	June 30, 1965
William H. Nicholas.....	Clear Lake.....	June 30, 1963
Jo S. Stong.....	Keosauqua.....	June 30, 1963
Robert Kier.....	Spencer.....	June 30, 1963
L. M. Clauson, Chief Engineer.....		

## HISTORY AND ARCHIVES DEPARTMENT

Jack W. Musgrove, Curator.....	Des Moines
Fleming Fraker, Assistant Editor, Annals.....	Des Moines

## HISTORICAL SOCIETY

Jesse E. Marshall.....	Sioux City.....	June, 1962
F. V. Maytum.....	Spirit Lake.....	June, 1962
Mrs. Margaret Hinderman.....	Washington.....	June, 1962
William Ferguson.....	Glidden.....	June, 1962
L. Dale Ahern.....	Decorah.....	June, 1962
Eugene Garbee.....	Fayette.....	June, 1962
Otha Wearin.....	Hastings.....	June, 1962
William D. Houlette.....	Des Moines.....	June, 1962
Ruth Hollingshead.....	Albia.....	June, 1962

## STATE OFFICERS—Continued

Name and Office	City or Town from which originally chosen	Term Ending
<b>INDUSTRIAL COMMISSIONER</b>		
Warren L. Huebner	Des Moines	June 30, 1967
<b>INSURANCE COMMISSIONER</b>		
William E. Timmons	Dubuque	June 30, 1963
<b>IOWA DEVELOPMENT COMMISSION</b>		
Carter Dennis	Sioux City	June 30, 1963
T. Joe Smith	Council Bluffs	June 30, 1963
L. P. Boudreaux	Cedar Rapids	June 30, 1962
E. A. Hayes	Mt. Pleasant	June 30, 1966
James A. Flanagan	Boone	June 30, 1965
Hans Morgan	Clarinda	June 30, 1964
Richard O. Wilson	Clinton	June 30, 1964
(Two members of each house of the 59th General Assembly to hold office until the convening of the next Legislative Session)		
<b>House</b>		
Mrs. Katherine M. Falvey	Albia	
Miss Percie Van Alstine	Gilmore City	
<b>Senate</b>		
Edward Wearin	Red Oak	
Robert Rigler	New Hampton	
<b>JUDICIAL STATISTICIAN</b>		
Clarence A. Kading	Knoxville	At the pleasure of the Supreme Court
<b>LABOR COMMISSIONERS</b>		
Clarence D. Daily	Des Moines	June 30, 1963
<b>LAW EXAMINERS</b>		
Evan Hultman, Attorney General, Chairman		
Lowell C. Kindig	Sioux City	June 30, 1962
Homer S. Stephens	Clarinda	June 30, 1962
Phillip H. Cless	Des Moines	June 30, 1962
Charles F. Swisher, Esq.	Waterloo	June 30, 1963
David M. Elderkin	Cedar Rapids	June 30, 1963
<b>LIBRARY BOARD OF TRUSTEES</b>		
Norman A. Erbe, Governor		
T. G. Garfield, Supreme Court Justice		
Paul F. Johnston, Superintendent of Public Instruction		
<b>Librarian, Law:</b>		
Geraldine Dunham (Acting)	Des Moines	
<b>Librarian, Traveling:</b>		
Ernestine Grafton		
<b>Librarian, Medical:</b>		
Dr. Jeanette Throckmorton		
<b>LIBRARY</b> (Board of Trustees of State Traveling)		
Mrs. Jeanne Gee	Shenandoah	June 30, 1964
Russell Schaal	Belmond	June 30, 1963
Clifford S. Thomas	Knoxville	June 30, 1962
Mrs. H. L. Witmer	Tipton	June 30, 1961
Mrs. A. S. Wendel	Bronson	June 30, 1965

## STATE OFFICERS—Continued

Name and Office	City or Town from which originally chosen	Term Ending
<b>LIQUOR COMMISSION</b>		
Homer R. Adcock.....	Des Moines.....	June 30, 1965
C. J. Burris.....	Maquoketa.....	June 30, 1963
J. C. Colburn.....	Harlan.....	June 30, 1967
<b>MERIT SYSTEM COUNCIL</b>		
Ralph E. Kittinger.....	Des Moines.....	Dec. 31, 1963
Prof. John Harlow.....	Iowa City.....	Dec. 31, 1962
Helen Irwin.....	Des Moines.....	Dec. 31, 1961
<b>MINE INSPECTOR</b>		
W. Dean Aubrey.....	Ottumwa.....	June 30, 1963
<b>MISSISSIPPI RIVER PARKWAY PLANNING COMMISSION</b>		
Charles H. Young.....	Muscatine.....	June 30, 1965
C. E. Dove.....	Dubuque.....	June 30, 1965
Mrs. Stanley Hart.....	Keokuk.....	June 30, 1965
Art Johnson.....	Waukon.....	June 30, 1965
James F. Lischer.....	Davenport.....	June 30, 1965
George C. Aschom.....	Lansing.....	June 30, 1965
<b>NATURAL RESOURCES COUNCIL</b>		
Stanley R. Haynes.....	Mason City.....	June 30, 1965
William G. Murray.....	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
Clifford N. Naser.....	Fort Dodge.....	June 30, 1967
Dr. H. Garland Hershey.....	Iowa City.....	June 30, 1967
Joseph W. Howe.....	Iowa City.....	June 30, 1967
Othie R. McMurry, Director.....	Ankeny.....	
<b>PAROLE BOARD</b>		
Harold L. Martin.....	Hamburg.....	June 30, 1965
Arnold Utzig.....	Dubuque.....	June 30, 1963
William W. Parker.....	Waterloo.....	June 30, 1967
R. W. Bobzin, Secretary.....	Des Moines.....	
(Appointed Administrator Interstate Parole and Probation Compact—January 12, 1961)		
<b>PERMIT BOARD</b>		
Melvin D. Synhorst, Secretary of State.....		
Chet B. Akers, Auditor of State.....		
John J. O'Connor, State Tax Commission.....		
<b>PERSONNEL DIRECTOR</b>		
Lucius B. Liddy (acting).....	West Des Moines.....	Indefinite
<b>PHARMACY EXAMINERS</b>		
Wilbert J. Boertz.....	Council Bluffs.....	June 30, 1964
Clarence D. Caldwell.....	Pella.....	June 30, 1963
Oscar E. Johnson.....	Kanawha.....	June 30, 1962
J. R. Rabe, Secretary.....		



## STATE OFFICERS—Continued

Name and Office	City or Town from which originally chosen	Terru Ending
<b>PRINTING BOARD</b>		
Melvin D. Synhorst, Secretary of State		Ex-officio
Chet B. Akers, Auditor of State		Ex-officio
Evan L. Hultman, Attorney General		Ex-officio
J. C. Moore	Winterset	June 30, 1963
Victor D. Gallo	Strawberry Point	June 30, 1962
S. E. Tennant, Superintendent	Colfax	
Carl Ball, Ass't Superintendent	Mystic	
<b>PUBLIC INSTRUCTION</b>		
Robert D. Wells, 1st District	Davenport	Jan. 2, 1962
C. W. Antes, 2nd District	West Union	Jan. 2, 1962
Harry Reed, 3rd District	Waterloo	Jan. 2, 1964
Sterling Martin, 4th District	Melrose	Jan. 2, 1964
Mrs. James Shannahan, 5th District	Des Moines	Jan. 2, 1966
John A. Hanna, 6th District	Webster City	Jan. 2, 1962
Delmar Busse, 7th District	Oakland	Jan. 2, 1966
Lester Menke, 8th District		Jan. 2, 1964
<b>SUPERINTENDENT OF PUBLIC INSTRUCTION</b>		
Paul F. Johnston	Des Moines	Jan. 1, 1963
Administrative Assistant		
Walter T. Edgren		
Assistant Superintendent for Administration		
W. Dale Chismore		
<b>COMMISSIONER OF PUBLIC SAFETY</b>		
Carl H. Pesch	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
George L. Towne	Des Moines	June 30, 1965
Alton H. Sanders	Waterloo	June 30, 1965
Stephen G. Darling	Iowa City	June 30, 1963
Earl A. Hart, Director		
<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
Stanley Redeker	Boone	June 30, 1967
John C. Oberhausen	Dubuque	June 30, 1967
Wilbur C. Molison	Grinnell	June 30, 1967
<b>Finance Committee:</b>		
Carl Gernetzky, Chairman	Des Moines	June 30, 1963
David A. Dancer, Secretary	Des Moines	June 30, 1963
<b>REPORTER—SUPREME COURT</b>		
Charles W. Barlow, Reporter	Mason City	Dec. 31, 1962
Alice Foarde, Deputy	Des Moines	Dec. 31, 1962

## STATE OFFICERS—Continued

Name and Office	City or Town from which originally chosen	Term Ending
<b>SERVICE COMPENSATION BOARD</b> (Korean Bonus Board)		
Chet B. Akers, Auditor of State.....		
M. L. Abrahamson, Treasurer of State.....		
Maj. Gen. Fred C. Tandy, Adjutant General.....		
Raymond J. Kaufmann, Executive Secretary.....		
<b>SOCIAL WELFARE BOARD</b>		
Marshall C. Jewell.....	Onawa.....	June 30, 1965
Mrs. Irene Mae Smith.....	Ottumwa.....	June 30, 1963
Senator Lawrence Putney.....	Gladbrook.....	June 30, 1967
R. H. Whitlatch, Secretary.....		
<b>SOIL CONSERVATION BOARD</b>		
Bryan Weberg.....	Kiron.....	June 30, 1963
Fred Cherry.....	Rowley.....	June 30, 1967
Wendell C. Pellett.....	Atlantic.....	June 30, 1967
Donald Johnson.....	Fairfield.....	June 30, 1965
M. Wayne Casey.....	Peterson.....	June 30, 1965
Dean Floyd Andre, Iowa State University.....	Ames.....	
William H. Greiner, Executive Secretary.....		
<b>SUPERINTENDENT OF BUILDING AND GROUNDS</b>		
Robert Maggert.....	At the pleasure of the Executive Council	
<b>TAX COMMISSION</b>		
Andrew L. George.....	Waterloo.....	June 30, 1965
John J. O'Connor.....	Strawberry Point.....	June 30, 1963
Senator X. T. Prentis.....	Mount Ayr.....	June 30, 1967
<b>UNIFORM STATE LAWS</b>		
Mason Ladd.....	Iowa City.....	June 30, 1964
Edward A. McDermott.....	Dubuque.....	June 30, 1964
Ingalls Swisher.....	Iowa City.....	June 30, 1964
<b>VOTING MACHINE COMMISSION</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
Joseph Davis.....	Des Moines.....	June 30, 1962
James R. Williams.....	Storm Lake.....	June 30, 1964
Elton L. Scott.....	Pocahontas.....	June 30, 1963
James L. Willis.....	Centerville.....	June 30, 1963
<b>WORLD WAR II BONUS BOARD</b>		
55th G. A. transferred the functions of this Board to the State Auditor's office—effective July 4, 1953.		
<b>WORLD WAR I BONUS BOARD</b>		
Chet B. Akers, Auditor of State.....		
M. L. Abrahamson, Treasurer of State.....		
Maj. Gen. Fred C. Tandy, Adjutant General.....		
R. J. Laird, Adjutant, Iowa Department of American Legion.....		
F. P. Patterson, Secretary.....		

## INTERIM COMMITTEES

## 59th General Assembly

## BUDGET &amp; FINANCIAL CONTROL COMMITTEE

**Senators**

J. Kendall Lynes, Plainfield  
 George E. O'Malley, Des Moines  
 John D. Shoeman, Atlantic  
 George L. Scott, West Union  
 Andrew G. Frommelt, Dubuque

**Representatives**

Marvin W. Smith, Paullina  
 Floyd P. Edgington, Sheffield  
 Casey Loss, Algona  
 Conrad Ossian, Red Oak  
 Scott Swisher, Iowa City

## CIVIL WAR CENTENNIAL

**Senators**

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

**Representatives**

A. L. Mensing, Lowden  
 Elmer F. Lange, Sac City

## LEGISLATIVE RESEARCH

**Senators**

C. Joseph Coleman, Clare  
 Clifford M. Vance, Mt. Pleasant  
 John A. Walker, Williams

**Representatives**

Richard L. Stephens, Ainsworth  
 Carl Hirsch, Indianola  
 John M. Ely, Jr., Cedar Rapids

## INTERSTATE CO-OPERATION

**Senators**

Charles F. Eppers, Keokuk  
 D. C. Nolan, Iowa City  
 Robert R. Rigler, New Hampton  
 Jack Schroeder, Davenport  
 David O. Shaff, Clinton

**Representatives**

Harold O. Fischer, Wellsburg  
 Raymond Eveland, Kelley  
 Elmer H. Den Herder, Sioux Center  
 Ray C. Cunningham, Ames  
 Robert W. Naden, Webster City

**Appointed by the Governor:**

Marvin R. Selden, Jr., Des Moines, June 30, 1963  
 Carroll Price, Knoxville, June 30, 1963  
 Maurice Crabbe, Eagle Grove, June 30, 1963

## CAPITOL PLANNING COMMISSION

**Senators**

John Gray, Oskaloosa  
 Carl Hoschek, Burlington

**Representatives**

Charles E. Grassley, New Hartford  
 Leroy H. Petersen, Grimes

## HIGHWAY STUDY COMMITTEE

**Senators**

Martin Wiley, Cedar Rapids  
 John J. Brown, Emmetsburg  
 J. Louis Fisher, Osceola

**Representatives**

Russell L. Eldred, Anamosa  
 Dewey E. Goode, Bloomfield  
 Merle W. Hagedorn, Royal

## JUDICIAL DEPARTMENT

## JUDICIAL DEPARTMENT

## JUDGES OF THE SUPREME COURT

T. G. Garfield, Chief Justice	Ames	Dec. 31, 1964
Robert L. Larson	Iowa City	Dec. 31, 1966
Henry K. Peterson	Council Bluffs	Dec. 31, 1966
T. Eugene Thornton	Waterloo	Dec. 31, 1964
Wm. L. Bliss	Mason City	Dec. 31, 1962
Norman R. Hays	Knoxville	Dec. 31, 1962
G. K. Thompson	Cedar Rapids	Dec. 31, 1962
Bruce M. Snell	Ida Grove	Dec. 31, 1966
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
*Chas. N. Pettit	Bloomfield	Nov. —, 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. Rawlins	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

James P. Gaffney	Marengo	Dec. 31, 1964
*Clair E. Hamilton	Iowa City	Nov. —, 1962

\*Appointed to fill vacancy.

## JUDICIAL DEPARTMENT—Continued

## 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
Robert D. Jackson	Des Moines	Dec. 31, 1964
Ralph R. Randall	Des Moines	Dec. 31, 1962

## Tenth Judicial District

Peter Van Metre	Waterloo	Dec. 31, 1962
George C. Heath	Waterloo	Dec. 31, 1962
Blair C. Wood	Waterloo	Dec. 31, 1962
*Carroll E. Engelkes	Grundy Center	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
William P. Butler	Mason City	Dec. 31, 1962
Carrol H. Wild	Allison	Dec. 31, 1964
L. E. Plummer	Northwood	Dec. 31, 1964

## Thirteenth Judicial District

W. H. Antes	West Union	Dec. 31, 1962
George B. Richter	Waukon	Dec. 31, 1962
E. B. Shaw	Oelwein	Dec. 31, 1964

## Fourteenth Judicial District

*Richard W. Cooper	Storm Lake	Dec. 31, 1962
Fred M. Hudson	Pocahontas	Dec. 31, 1962
G. W. Stillman	Algona	Dec. 31, 1962
Joseph P. Hand	Emmetsburg	Dec. 31, 1964

## Fifteenth Judicial District

Bennett Cullison	Harlan	Dec. 31, 1962
Harold E. Davidson	Clarinda	Dec. 31, 1962
R. Kent Martin	Atlantic	Dec. 31, 1962
Folsom Everest	Council Bluffs	Dec. 31, 1962
Leroy H. Johnson	Red Oak	Dec. 31, 1964

## Sixteenth Judicial District

Vacancy		
William C. Hanson	Jefferson	Dec. 31, 1962
*Robert K. Brannon	Denison	Nov.—, 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

\*Appointed to fill vacancy.

## JUDICIAL DEPARTMENT—Continued

## Twentieth Judicial District

George O. Van Allen .....	Mount Pleasant.....	Dec. 31, 1962
E. O. Newell .....	Burlington .....	Dec. 31, 1964

## Twenty-first Judicial District

T. E. Klay .....	Orange City.....	Dec. 31, 1964
Leo O. Lampman .....	Primghar .....	Dec. 31, 1962
Archie R. Nelson .....	Cherokee .....	Dec. 31, 1962

## JUDGES OF THE MUNICIPAL AND SUPERIOR COURTS

## Municipal Courts

Albert Steinberg .....	Ames
Jesse L. Thomas .....	Burlington
Forest E. Eastman .....	Cedar Falls
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, Jr. ....	Des Moines
Harry B. Grund .....	Des Moines
R. M. O'Bryon .....	Marshalltown
Willard E. Dullard .....	Ottumwa
Berry J. Sisk .....	Sioux City
John M. Fachman .....	Sioux City
Geo. J. Sager .....	Waterloo
Ben G. Howery .....	Waterloo

## Superior Courts

Paul Proctor .....	Keokuk
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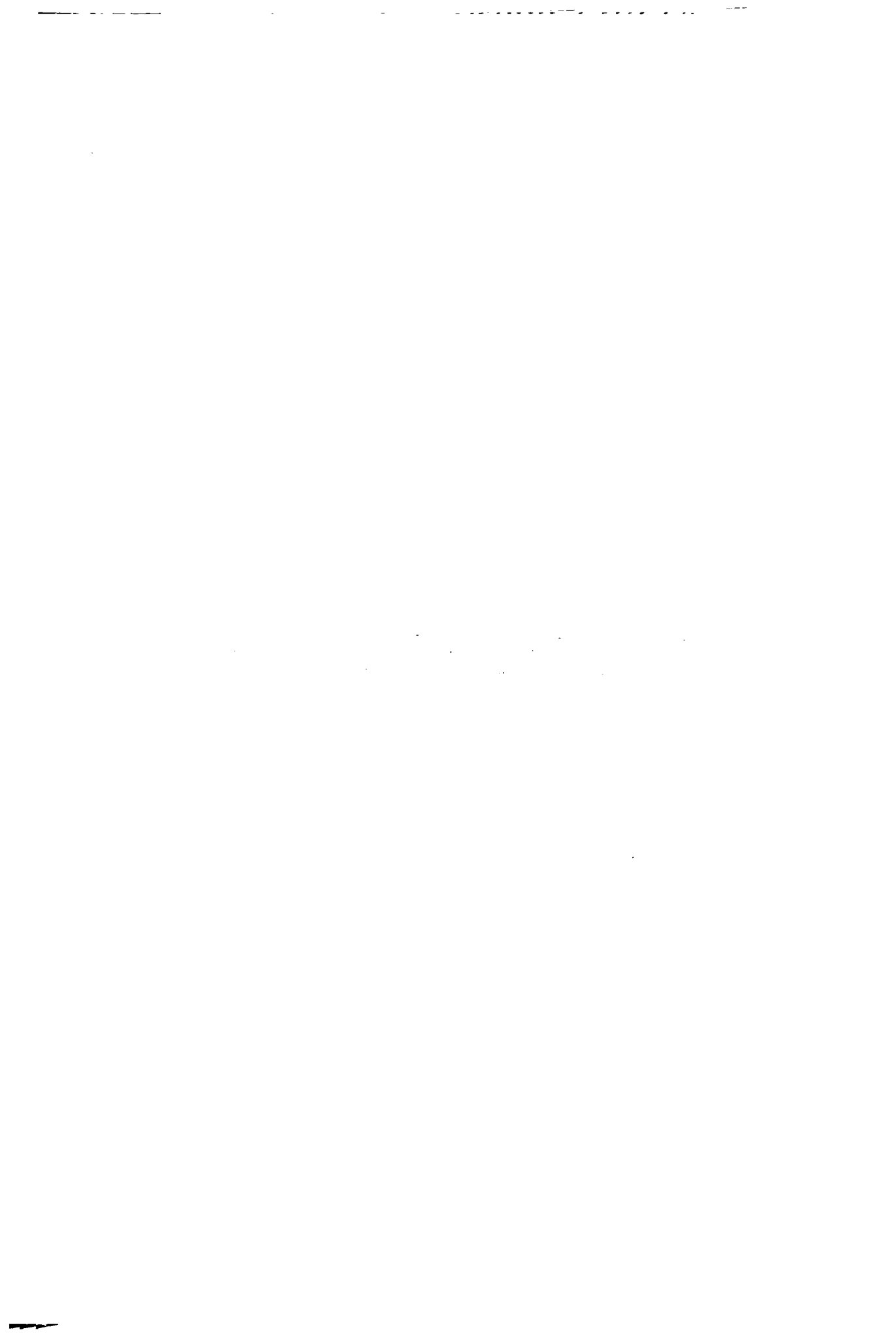
## CONGRESSIONAL DIRECTORY

## United States Senators

Bourke B. Hickenlooper .....	Cedar Rapids .....	Dec. 31, 1962
Jack Miller .....	Sioux City .....	Dec. 31, 1966

## Representatives in Congress

1. Fred Schwengel .....	Davenport .....	Dec. 31, 1962
2. James E. Bromwell .....	Cedar Rapids .....	Dec. 31, 1962
3. H. R. Gross .....	Waterloo .....	Dec. 31, 1962
4. John Kyl .....	Bloomfield .....	Dec. 31, 1962
5. Neal E. Smith .....	Altoona .....	Dec. 31, 1962
6. Merwin Coad .....	Boone .....	Dec. 31, 1962
7. Ben F. Jensen .....	Exira .....	Dec. 31, 1962
8. Charles B. Hoeven .....	Alton .....	Dec. 31, 1962



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

NAME	Address	Age	Occupation	Dist.	Counties Composing District	Former Legislative Service
**Beneke, Donald G.	Laurens	42	Attorney	50	Buena Vista, Humboldt, Pocahontas	
Brown, John J.	Emmetsburg	47	Real Estate & Ins.	49	Emmet, Kossuth, Palo Alto	58
Buck, Howard C.	Melbourne	61	Semi-Retired Farmer	28	Marshall	53 54 55 56 57 58
†Butler, Guy G.	Rolfe	73	Farmer-Banker	50	Buena Vista, Humboldt, Pocahontas	52 52X 54 55 56 57 58
Coleman, C. Joseph	Clare	37	Farmer	27	Calhoun, Webster	57 58
Cowden, Harry L.	Guthrie Center	59	Insurance Agent	17	Audubon, Dallas, Guthrie	
Curran, Leigh R.	Mason City	54	Purebred Livestock Farm.	43	Cerro Gordo, Hancock	
Dykhouse, J. T.	Rock Rapids	71	Insurance & Real Estate	24	Lyon, Osceola, Sioux	47 48 49 50 50X 51 52 52X 53 54 55 56 57 58
Elijah, Earl	Clarence	72	Farmer & Banker	23	Cedar, Jackson, Jones	55 56 57 58
Elders, Adolph	Elkader	49	Farmer	36	Clayton	
*Eppers, Charles F.	Keokuk	41	Restaurant Operator	1	Lee	58
Fisher, J. Louis	Osceola	52	Retail Business	11	Clarke, Warren	57 58
Flatt, Joseph B.	Winterset	38	Clothier	16	Adair, Madison	58
*Frommelt, Andrew G.	Dubuque	39	Insurance & Real Estate	35	Dubuque	55 56 57 58
Getting, LeRoy	Sanborn	58	Farmer & Livestock Feeder	47	Clay, Dickinson, O'Brien	58
*Gilmour, C. Edwin	Grinnell	42	College Professor	12	Keokuk, Poweshiek	58
Gray, John	Oskaloosa	53	Farmer	14	Mahaska	56 57 58
Grimstead, Jacob	Lake Mills	55	Farm Owner	41	Mitchell, Winnebago, Worth	55 56 57 58
*Hansen, Peter F.	Manning	65	Investments & Securities	48	Carroll, Greene, Sac	58
*Hill, Eugene M.	Newton	47	Farmer	29	Jasper	58
*Hoschek, Carl	Burlington	68	Retired	9	Des Moines	53 58
*Hoxie, Frank	Shenandoah	63	Farming	7	Fremont, Page	56 57 58
Long, Irving D.	Manchester	65	Lawyer	33	Buchanan, Delaware	49 50 50X 51 52 52X 57 58
Lucken, J. Henry	LeMars	64	Farmer, Owner Operator	46	Cherokee, Ida, Plymouth	52 52X 53 54 55 56 57 58
Lynes, J. Kendall	Plainfield	57	Farmer	39	Bremer, Butler, Franklin	49 50 50X 51 52 52X 53 54 55 56 57 58
*Mincks, Jake B.	Ottumwa	47	Assembler, John Deere Ottumwa Wks.	13	Wapello	58
*Moore, Robert G.	Dunlap	72	Veterinarian	34	Crawford, Harrison, Monona	45 45X 46 46X 47 58
Nolan, D. C.	Iowa City	58	Lawyer	25	Iowa, Johnson	55 56 57 58
Nystrom, Clifford N.	Boone	58	Auto Dealer	31	Boone, Story	53 54
*O'Malley, George E.	Des Moines	55	Attorney	30	Polk	53 54 55 56 57 58
Phelps, Dewey B.	Hillsboro	62	Farmer	2	Jefferson, Van Buren	
*Potter, Lynn	Cresco	48	Accountant	42	Howard, Winneshiek	58
Prentis, X. T.	Mount Ayr	64	Farming & Business	5	Decatur, Ringgold, Union	48 49 50 50X 51 53 54 55 56 57 58
Price, Carroll L.	Knoxville	49	Farm Equipment	15	Marion, Monroe	57 58
*Putney, Lawrence	Gladbrook	60	Farmer	45	Benton, Grundy, Tama	51 52 52X 53 54 55 56 57 58
*Rigler, Robert R.	New Hampton	37	Banker	44	Floyd, Chickasaw	56 57 58
*Schroeder, Jack	Bettendorf	35	Lawyer	21	Scott	54 55 56 57 58
Scott, George L.	West Union	73	Retired Farmer	40	Allamakee, Fayette	46 46X 47 48 49 50 55 56 57 58
*Shaff, David O.	Clinton	36	Lawyer	22	Clinton	55 56 57 58

GENERAL ASSEMBLY



SENATORS IN GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	Dist.	Counties Composing District	Former Legislative Service
*Shoeman, John D.	Atlantic.....	58	Veterinarian.....	18	Cass, Shelby.....	56 57 58
Stuart, W. C.	Chariton.....	40	Lawyer.....	4	Lucas, Wayne.....	55 56 57 58
Turner, Richard C.	Council Bluffs...	33	Lawyer.....	19	Pottawattamie.....	
*Vance, Clifford M.	Mt. Pleasant.....	58	Lawyer.....	10	Henry, Washington.....	57 58
Van Eaton, Charles S.	Sioux City.....	71	Business.....	32	Woodbury.....	51 52 52X 53 54 55 56
*Walker, John A.	Williams.....	48	Farmer & Bank Interests...	37	Hamilton, Hardin, Wright.....	52 52X 53 54 55 56 57 58
Walter, Orval C.	Lenox.....	57	Implement Dealer, Farmer	6	Adams, Taylor.....	
Wearin, Edward A.	Red Oak.....	42	Livestock Farmer.....	8	Mills, Montgomery.....	
*Weber, George W.	Columbus Jct....	77	Grain Dealer, Bank Pres...	20	Louisa, Muscatine.....	56 57 58
Wiley, Martin.....	Cedar Rapids....	60	Fruit Farmer.....	26	Linn.....	
Wilson, Joe N.....	Unionville.....	38	Farmer.....	3	Appanoose, Davis.....	
*Wolf, Melvin H.	Waterloo.....	38	Lawyer.....	38	Black Hawk.....	58

\*Holdover Senators in Fifty-ninth General Assembly.

\*\*Elected to fill vacancy.

†Deceased.

REPRESENTATIVES IN GENERAL ASSEMBLY

NAME	Address	Age	Occupation	County	Dist.	Former Legislative Service
Andersen, Leonard C.	Sioux City.....	49	Insurance & Real Estate Investor...	Woodbury.....	58	None
Balloun, Charles F.	Toledo.....	56	Farming.....	Tama.....	50	None
Baringer, Maurice E.	Oelwein.....	39	Animal Nutritionist.....	Fayette.....	71	None
Baumhover, John A.	Carroll.....	65	Retired Farmer, Insurance.....	Carroll.....	55	56 57 58
Bock, Mrs. Lenabelle.	Garner.....	56	Housewife.....	Hancock.....	86	None
Briles, James E.	Corning.....	34	Auctioneer.....	Adams.....	13	56 58
Camp, John.....	Bryant.....	45	Farm Management.....	Clinton.....	45	58
Carnahan, Cleve L.	Ottumwa.....	65	Retired R. R. Switchman.....	Wapello.....	18	None
Carstensen, Lawrence D.	Clinton.....	30	Lawyer.....	Clinton.....	45	58
Casey, Reed.....	Corydon.....	45	Farmer.....	Wayne.....	5	58
Chalupa, LeRoy.....	Pleasant Plain...	47	Merchant & Farmer.....	Jefferson.....	19	56 57 58
Coffman, William J.	North English...	42	General Insurance.....	Iowa.....	40	57 58
Crane, Everett.....	Vail.....	50	Farmer.....	Crawford.....	56	None
Cunningham, Ray C.	Ames.....	67	Speaker & Counselor.....	Story.....	52	57 58
Darrington, William E.	Persia.....	56	Farmer.....	Harrison.....	32	54 55 56 57 58
Den Herder, Elmer H.	Sioux Center....	52	Farmer.....	Sioux.....	81	57 58
Denman, William F.	Des Moines.....	35	Lawyer.....	Polk.....	37	56
Dietz, Riley.....	Walcott.....	55	Roofing Contractor.....	Scott.....	43	56 57 58
Dodds, Robert R.	Danville.....	36	Farmer.....	Des Moines....	21	57 58
Duffy, John L.....	Dubuque.....	61	Lawyer.....	Dubuque.....	69	52 52X 53 56 57 58
Dunton, Keith H.	Thornburg.....	45	Farmer, Businessman.....	Keokuk.....	24	58
Edgington, Floyd P.	Sheffield.....	61	Farmer.....	Franklin.....	74	55 56 57 58
Eichenlaub, W. S.	Fort Madison....	65	Retired Jeweler.....	Lee.....	1	57

REPRESENTATIVES IN GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	County	Dist.	Former Legislative Service
Eldred, Russell L.	Anamosa	49	Livestock Farmer	Jones	47	56 57 58
Ely, John M., Jr.	Cedar Rapids	41	Purchasing Agt.	Linn	48	None
Eveland, Raymond	Kelley	40	Farmer	Boone	53	57 58
Falvey, (Mrs.) Katherine M.	Albia	56	Retail Lumber	Monroe	17	58
Fischer, Harold O.	Wellsburg	43	Insurance & Real Estate	Grundy	65	58
Fisher, C. Raymond	Grand Jct.	53	Farming & Livestock Feeder	Greene	54	58
Freed, Willard M.	Gowrie	43	Lawyer	Webster	62	56 57 58
Fuelling, K. W.	Farmersburg	48	Retail Lumber	Clayton	70	58
Gittins, Harry R.	Underwood	50	Farmer, School Supt.	Pottawattamie	31	None
Goode, Dewey E.	Bloomfield	62	Retired Businessman, Farming	Davis	3	45 45X 46 46X 47 48 49 50 50X 53 54 55 56 57
Graham, J. W.	Ida Grove	58	Farm Management	Ida	59	None
Grassley, Charles E.	New Hartford	27	Farmer	Butler	73	58
Hagedorn, Merle W.	Royal	49	Farmer	Clay	83	56 57 58
Hagen, Walter R.	Waterville	45	Farmer	Allamakee	91	None
Hagie, Ray W.	Clarion	50	Farmer, Manufacturer, Seedsman	Wright	75	None
Hakes, Mrs. Frances	Laurens	62	Housewife	Pocahontas	77	None
Halling, Eugene	Orient	65	Farming	Adair	29	56 57 58
Hanrahan, Ray	Des Moines	38	Lawyer	Polk	37	None
Hanson, A. C.	Inwood	69	Livestock Dairy Farmer	Lyon	99	45 45X 53 54 55 56 57 58
Hanson, Fred B.	Osage	72	Insurance, County Fair Sec'y	Mitchell	93	None
Hensley, Carl H.	Exira	63	Retired Farmer	Audubon	34	57
Hirsch, Carl	Indianola	58	Farming & Livestock	Warren	27	57 58
Hougen, Chester O.	Waterloo	53	Merchant, Lawyer	Black Hawk	66	None
Jarvis, Fred M.	Alta	62	Farmer	Buena Vista	78	57 58
Johannes, W. J.	Ashton	70	Bank President	Osceola	98	46 46X 47 48 49 50 50X 53 56 57 58
Kibbie, John P.	Emmetsburg	31	Farmer	Palo Alto	84	None
Kluever, Lester L.	Atlantic	40	Attorney-at-Law	Cass	30	57 58
Knock, Joseph G.	Creston	44	Banker, Farming	Union	14	None
Knowles, Paul W.	Davenport	36	Life Insurance Underwriter	Scott	43	None
Kreager, Max W.	Newton	44	Home Improvement Business	Jasper	38	None
Lange, Elmer F.	Sac City	43	Pres., Sac City Creamery Co.	Sac.	60	None
Lisle, Vern	Clarinda	54	Manufacturer	Page	9	53 54 55 56 57 58
Loss, Casey	Algona	56	Farmer	Kossuth	85	52 52X 53 54 56 57 58
Lutz, Cecil V.	Osceola	59	Farmer	Clarke	15	58
Lynes, William S.	Waverly	67	Drainage Engr., Banking Interests	Bremer	72	52 52X 53 54 55
Main, Franklin S.	Lamoni	44	Farmer	Decatur	6	57 58
Maule, Elroy	Onawa	47	Teacher, Farmer	Monona	57	58
McCracken, Robert A.	New Hampton	32	Farmer	Chickasaw	89	57
McElroy, Paul E.	Percival	53	Farmer	Fremont	10	None
Mensing, A. L.	Lowden	64	Retired Merchant	Cedar	44	54 55 56 57 58
Messierly, Francis L.	Finchford	46	Building Contractor	Black Hawk	66	None
Meyer, Alvin P.	Winterset	63	Farm, Restaurant, Gas & Oil Dist.	Madison	8	None

REPRESENTATIVES IN GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	County	Dist.	Former Legislative Service
Millen, H. E.	Farmington	71	Retired	Van Buren	2	None
Moffit, Delmont	Mystic	48	Farmer	Appanoose	4	None
Mowry, John L.	Marshalltown	55	Attorney-at-Law	Marshall	51	57 58
Mueller, Harold	Manly	54	Farmer	Worth	94	58
Naden, Robert W.	Webster City	39	Mfr.—Boats & Scoreboards	Hamilton	63	56 57 58
Nelson, Henry C.	Forest City	59	Farm Manager	Winnebago	95	56 57 58
Nielsen, Niels J.	Ringsted	64	Farmer	Emmet	96	57 58
Olson, Marion E.	Mason City	71	Retired U.S. Govt. Official	Cerro Gordo	87	None
Ossian, Conrad	Red Oak	60	Farmer, Merchant	Montgomery	12	57 58
O'Toole, Thomas P.	Dubuque	64	Merchant	Dubuque	69	58
Parker, Kenneth L.	Lamont	56	Farmer	Buchanan	67	None
Patton, James E.	Manchester	65	Farmer	Delaware	68	58
Paul, George L.	Brooklyn	57	Farmer	Poweshiek	39	52X 53 54 55 56 57 58
Petersen, Leroy H.	Grimes	45	Farmer, Insurance Agent	Dallas	36	None
Peterson, Louis A.	Lawton	51	Farming	Woodbury	58	None
Pierce, Neal	Russell	46	Farmer	Lucas	16	57 58
Prine, Dan	Oskaloosa	39	Farmer	Mahaska	25	None
Rapson, George P.	Cherokee	57	Retired	Cherokee	79	58
Riley, J. W. Tom	Cedar Rapids	31	Lawyer	Linn	48	None
Robinson, Samuel E.	Guthrie Center	66	J. P. & Insurance	Guthrie	35	57 58
Rockwell, John B.	Mount Pleasant	49	Farmer	Henry	20	58
Scherle, William J.	Henderson	37	Farmer	Mills	11	None
Sersland, Hillman H.	Decorah	54	Farmer, Merchant	Winneshiek	90	55 56 57 58
Shaw, Wayne	Charles City	62	Retired	Floyd	88	58
Sickels, Lester	Kellerton	51	Farmer	Ringgold	7	58
Smith, Marvin W.	Paullina	59	Farmer, Teacher	O'Brien	82	57 58
Smith, Roy J.	Spirit Lake	71	Farming	Dickinson	97	53 54 55 56
Stageman, Richard F.	Council Bluffs	34	Attorney-at-Law	Pottawattamie	30	None
Stanley, David M.	Muscatine	32	Lawyer	Muscatine	42	58
Steenhusen, Peter	Irwin	57	Hardware, Feed & Seed	Shelby	33	57 58
Stephens, Richard L.	Ainsworth	56	Farmer & Livestock Producer	Washington	23	57 58
Stevenson, Ross	Lime Springs	54	Farmer	Howard	92	None
Stokes, Gordon	Le Mars	62	Farming	Plymouth	80	None
Summa, Dewey	Rockwell City	62	Farmer	Calhoun	61	58
Swisher, Scott	Iowa City	41	Lawyer	Johnson	41	56 57 58
Tabor, Howard	Baldwin	66	Farmer	Jackson	46	58
Van Alstine, (Miss) Percie	Gilmore City	55	Retired	Humboldt	76	None
Vermeer, Elmer H.	Pella	40	Farmer	Marion	26	55 56 57
Walter, Paul M.	Union	56	Farmer	Hardin	64	53 54 55 56 57 58
Ware, Harvey W.	Ottumwa	36	Teacher	Wapello	18	None
Weichman, David E.	Newhall	39	Lawyer	Benton	49	None
Wells, Ivan	Bedford	68	Auctioneer	Taylor	8	57 58
Wier, Fred E.	Letts	68	Farmer	Louisa	22	58

GENERAL ASSEMBLY—Continued

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## OFFICERS OF THE FIFTY-NINTH GENERAL ASSEMBLY

### OFFICERS OF THE HOUSE

*Speaker*—Henry C. Nelson.....Forest City  
*Speaker Pro Tempore*—W. E. Darrington.....Persia  
*Majority Floor Leader*—Robert W. Naden.....Webster City  
*Minority Floor Leader*—Scott Swisher.....Iowa City  
*Chief Clerk*—William R. Kendrick.....Des Moines  
*Assistant Chief Clerk*—Burl B. Beam.....Martensdale  
*Reading Clerk*—Jim Oleson.....Bondurant  
*Legislative Counsel*—Lillian Leffert.....Des Moines  
*Assistant Legislative Counsel*—Warren C. Fletcher...Des Moines  
*Chief Journal Clerk*—Sue Reed.....Des Moines  
*Assistant Journal Clerk*—Maxine Dayton.....Des Moines  
*Secretary to Chief Clerk*—Charlotte Prichett.....Des Moines  
*Secretary to Chief Clerk*—Jacqueline Day.....Des Moines  
*Engrossing Clerk*—Lucille Long.....Des Moines  
*Supervisor of Clerks*—Maxine Schweiker.....Des Moines  
*Chief Enrolling Clerk*—Nancy Morrison.....Des Moines  
*Assistant Enrolling Clerk*—Pauline E. Kephart.....Des Moines  
*Assistant Enrolling Clerk*—Jane Sperry.....Des Moines  
*Clerk to Chief Clerk*—Betty Putzler.....Des Moines  
*Secretary to Legislative Counsel*—Shirley Beller...Des Moines  
*Secretary to Speaker*—Myrtle Pearson.....Des Moines  
*General Clerk*—Jessie Augustine.....Des Moines  
*Index Clerk*—Mary Haskins.....Des Moines  
*Sergeant-at-Arms*—Ralph Lancaster.....Des Moines  
*Assistant Sergeant-at-Arms*—Clarence Anderson.....Des Moines  
*Bill Clerk*—Robert F. Linquist.....Charlton  
*Assistant Bill Clerk*—Carleton Garver.....Des Moines  
*File Clerk*—Daisy McAllister.....Des Moines  
*File Clerk*—Curtis Lekwa.....Williams  
*Supply Clerk*—Mary Freels.....Clinton  
*Supply Clerk*—Carrie Randal.....Des Moines  
*Chief Electrician*—Alex W. Thompson.....Des Moines  
*Assistant Electrician*—S. Wallace Carmichael.....Des Moines  
*Control Board Operator*—Charles M. Wright.....Des Moines  
*Postmistress*—Margaret S. Purmort.....Des Moines

### OFFICERS OF THE SENATE

*President*—Wm. L. Mooty.....Grundy Center  
*President Pro Tempore*—Irving D. Long.....Manchester  
*Majority Floor Leader*—J. Kendall Lynes.....Plainfield  
*Minority Floor Leader*—Andrew G. Frommelt.....Dubuque  
*Secretary*—Carroll A. Lane.....Carroll  
*Asst. Secretary & Journal Clerk*—Edna Gillespie...Des Moines  
*Law Clerk*—Anthony M. Critelli.....Des Moines  
*Reading and Asst. Law Clerk*—Larry A. Herrmann...Des Moines  
*Secretary's Secretary*—Ruth E. Fisher.....Des Moines  
*Lieutenant Governor's Secretary*—Ruth Mosher...Des Moines  
*Assistant Journal Clerk*—Helen Wagner.....Des Moines  
*Secretary's Clerk*—Phyllis H. Hall.....Des Moines  
*Engrossing Clerk*—Maretta H. Blanchard.....Des Moines  
*Enrolling Clerk*—June Peterson.....Des Moines  
*Assistant Enrolling Clerk*—Alice Mae Hulbert.....St. Charles  
*Assistant Enrolled Bills Clerk*—Katherine Walter....Des Moines  
*Assistant Enrolled Bills Clerk*—Margaret Schultz...Des Moines  
*Payroll Clerk*—Relda Armington.....Des Moines  
*Supply Clerk*—Dorothy Hohnbaum.....Des Moines  
*Sergeant-at-Arms*—Fred A. Smith.....Des Moines  
*Assistant Sergeant-at-Arms*—Victor E. Lindquist.....Chariton  
*Assistant Sergeant-at-Arms*—John Nelson.....Jewell  
*Chief Doorkeeper*—Albert Marshall.....Northwood  
*Bill Clerk*—W. E. Shelton.....Des Moines  
*File Clerk*—Daniel E. Smith.....Des Moines  
*Assistant File Clerk*—Doyle W. Darnall.....Winterset  
*Postmistress*—Dora Dykhouse.....Rock Rapids

# CONDITION OF STATE TREASURY

Receipts, Disbursements and Balances in the Several Funds  
For Each Year of the Biennial Period Ending June 30, 1960

## Fiscal Year Ending June 30, 1959

	Balance July 1, 1958	Total Receipts and Transfers	Total Available	Total Warrants Redeemed Treasurer's Checks Issued and Transfers	Balance June 30, 1959
General Revenue	\$ 51,717,281.29*	\$159,212,205.27	\$211,058,656.56	\$ 96,989,126.69	\$ 57,845,250.08
Transfers		129,170.00		56,274,279.79	
Trust Funds	48,220,073.82	91,185,809.93	264,733,094.05	216,861,620.83	48,371,473.22
Transfers		126,327,710.80			
Special Funds (Comptroller Warrants)	94,909,473.69	82,232,818.58	250,489,816.16	128,832,759.65	121,657,056.51
Transfers		73,347,523.94			
Special Funds (Treasurer's Checks)	13,555,663.35	159,787,873.79	173,453,939.24	76,189,124.16	12,947,273.50
Transfers		110,402.10		84,317,541.58	
<b>TOTAL</b>	<b>\$208,402,491.65</b>	<b>\$691,333,014.86</b>	<b>\$899,735,506.01</b>	<b>\$658,914,452.70</b>	<b>\$240,821,053.31</b>
Balance July 1, 1958	\$208,402,491.65				
Receipts and Transfers	691,333,014.86				
Total	\$899,735,506.01				
Disbursements and Transfers	658,914,452.70				
Balance June 30, 1959	\$240,821,053.31				

## Fiscal Year Ending June 30, 1960

	Balance July 1, 1959	Total Receipts and Transfers	Total Available	Total Warrants Redeemed Treasurer's Checks Issued and Transfers	Balance June 30, 1960
General Revenue	\$ 57,845,250.08	\$173,239,858.36	\$231,242,788.44	\$109,739,088.14	\$ 66,289,594.75
Transfers		157,630.00		55,214,055.55	
Trust Funds	48,371,473.22	91,848,912.95	267,811,577.53	200,113,721.69	67,697,855.84
Transfers		127,591,191.36			
Special Funds (Comptroller Warrants)	121,657,056.51	223,304,338.62	426,062,811.88	291,585,546.81	134,477,265.07
Transfers		80,601,416.75			
Special Funds (Treasurer's Checks)	12,947,273.50	8,815,279.61	21,915,918.06	14,519,603.85	7,396,314.71
Transfers		153,364.95			
<b>TOTAL</b>	<b>\$240,821,053.31</b>	<b>\$706,211,992.60</b>	<b>\$947,033,045.91</b>	<b>\$671,172,015.54</b>	<b>\$275,861,030.37</b>
Balance July 1, 1959	\$240,821,053.31				
Receipts and Transfers	706,211,992.60				
Total	\$947,033,045.91				
Disbursements and Transfers	671,172,015.54				
Balance June 30, 1960	\$275,861,030.37				

\*Includes Special Reserve Fund Balance Abolished By 58th General Assembly.

## APPROPRIATIONS TO STATE DEPARTMENTS

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

DEPARTMENT	SECTION	DEPARTMENT	SECTION
Agriculture Department.....	1, 2	Mine Examining Board.....	19
Attorney General.....	3	Mine Inspectors.....	20
Auditor of State.....	4	Mississippi River Parkway Commission.....	49
Blind, Commission for.....	52	National Guard and State Guard.....	50
Car Dispatcher.....	55	Natural Resources Council.....	21
Civil Defense Administration.....	39	Parole, Board of.....	22
Code Editor.....	35	Pharmacy Examiners.....	23
Commerce Commission.....	5	Pioneer Lawmakers.....	24
Comptroller.....	6	Printing Board.....	25
Conservation Commission.....	40	Public Buildings and Grounds, Superintendent of.....	26
Control, Board of.....	7	Public Instruction, Department of.....	27, 53
Council of State Government.....	41	Public Safety, Department of.....	51
Development Commission.....	42	Real Estate Commission.....	28
District Court Judges.....	43	Regents, Board of.....	29
Employment Security Commission.....	8	Secretary of State.....	30
Executive Council.....	9	Social Welfare Board.....	56
Fair Board.....	44	Soil Conservation.....	31
Geological Survey.....	10	Soldiers' Bonus Board.....	54
Governor.....	12	Spanish-American War Veterans.....	32
Health Department.....	13	Supreme Court.....	33
Historical Society.....	46	Supreme Court, Clerk of.....	34
History and Archives.....	14	Supreme Court, Reporter of.....	35
Hoover Birthplace Foundation.....	45	Tax Commission.....	36
Industrial Commissioner.....	15	Treasurer of State.....	37
Insurance Department.....	16	Uniform Laws, Commission on.....	38
Iowa Reciprocity Board.....	47	Vocational Education.....	27
Labor, Bureau of.....	17	Vocational Rehabilitation.....	53
Libraries.....	18	War Orphans' Aid.....	54
Lieutenant Governor.....	11		
Liquor Control Commission.....	48		

# LAWS

OF THE

## Fifty-ninth General Assembly

OF THE

### STATE OF IOWA

PASSED AT THE REGULAR SESSION THEREOF, AT DES MOINES, THE  
CAPITAL OF THE STATE, BEGUN ON THE NINTH DAY OF JANUARY,  
AND ENDED ON THE SIXTH DAY OF MAY, A. D. 1961, IN THE  
ONE HUNDRED FIFTEENTH YEAR OF THE STATE

### APPROPRIATIONS

For additional appropriations, see chapters  
55, 150, 229, 230, 231, and 350.

#### CHAPTER 1

#### DEPARTMENTAL APPROPRIATIONS

H. F. 708

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1961, and ending June 30, 1963, 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.

*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  
2 appropriated from the general fund of the state for each year of  
3 the biennium beginning July 1, 1961, and ending June 30, 1963,  
4 the sum of one hundred three thousand two hundred dollars  
5 (\$103,200.00), or so much thereof as may be necessary to be used  
6 for various services and state aids in the following manner:  
7 (1) AGRICULTURAL STATISTICS  
8 For state aid .....\$ 16,000.00  
9 (2) BEE INSPECTION  
10 For state aid ..... 12,000.00

11	(3) BEEF PRODUCERS' ASSOCIATION	
12	For state aid .....	\$ 15,000.00
13	(4) CROP IMPROVEMENT	
14	For state aid .....	3,000.00
15	(5) DAIRY ASSOCIATION	
16	For state aid .....	15,000.00
17	(6) DAIRY CALF CLUB	
18	For state aid .....	2,000.00
19	(7) HORTICULTURAL SOCIETIES	
20	For state aid .....	10,000.00
21	(8) IOWA SHEEP ASSOCIATION	
22	For state aid .....	10,600.00
23	(9) MARKET NEWS (POULTRY)	
24	For state aid .....	4,600.00
25	(10) SWINE BREEDERS' ASSOCIATION	
26	For state aid .....	15,000.00
27	Grand total of all appropriations for all purposes for	
28	each year of the biennium for the department of agricul-	
29	ture or divisions thereof provided by this section .....	\$ 103,200.00
1	SEC. 2. For the department of agriculture there is hereby appro-	
2	priated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1961, and ending June 30, 1963, the sum	
4	of eight hundred thousand five hundred forty dollars (\$800,540.00),	
5	or so much thereof as may be necessary to be used in the following	
6	manner:	
7	Main office, barberry eradication, crop pest, egg inspection, poultry	
8	association, short courses and achievement shows, vegetable growers'	
9	association and weather bureau, dairy specialists and bacteriologists,	
10	entomology, hatchery inspection, restaurant and hotel inspection,	
11	disposal of dead animals, motor fuel chemists and fertilizer law:	
12	For salary of secretary of agriculture.....	\$ 11,000.00
13	For salaries, support, maintenance and	
14	miscellaneous purposes .....	\$ 480,950.00
15	Total .....	\$ 491,950.00
16	(1) ANIMAL HEALTH AND VETERINARY	
17	For salary of chief of animal health .....	\$ 9,000.00
18	For control of eradication of contagious and infectious	
19	livestock diseases, including Bang's Disease, salaries	
20	and traveling expenses; assistant state veterinarians	
21	(per diem and expenses), indemnities, veterinary ex-	
22	aminers and miscellaneous purposes .....	247,230.00
23	Total for animal health and veterinary .....	\$ 256,230.00
24	(2) AGRICULTURE MARKETING DIVISION	
25	For salaries, support, maintenance and miscellaneous	
26	purposes .....	\$ 52,360.00
27	Total for agriculture marketing division .....	\$ 52,360.00



28 Grand total of all appropriations for all purposes for  
 29 each year of the biennium for the department of agri-  
 30 culture or divisions thereof provided by this section .....\$ 800,540.00

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  
 3 biennium beginning July 1, 1961, and ending June 30, 1963, the sum  
 4 of two hundred five thousand three hundred fifty dollars (\$205,350.00),  
 5 or so much thereof as may be necessary to be used in the following  
 6 manner:

7	For salary of attorney general .....	\$ 12,000.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes .....	107,000.00
10	For compensation of assistant attorneys general,	
11	counsel and other attorneys, (other than commerce	
12	commission counsel), as he may deem necessary, to	
13	supervise and perform the legal work of the state, its	
14	departments, commissions and boards.....	\$ 86,350.00

15 Grand total of all appropriations for all purposes for  
 16 each year of the biennium for the office of attorney  
 17 general .....\$ 205,350.00

AUDITOR OF STATE

1 SEC. 4. For the office of auditor of state there is hereby appro-  
 2 priated from the general fund of the state for each year of the  
 3 biennium beginning July 1, 1961, and ending June 30, 1963, the sum  
 4 of three hundred sixty-one thousand dollars (\$361,000.00), or so  
 5 much thereof as may be necessary to be used in the following manner:

6	For salary of state auditor .....	\$ 11,000.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes .....	331,000.00

BUILDING AND LOAN DIVISION

9		
10	For salaries, support, maintenance and miscellaneous	
11	purposes .....	19,000.00

12 Grand total of all appropriations for all purposes for  
 13 each year of the biennium for the office of auditor of  
 14 state .....\$ 361,000.00

COMMERCE COMMISSION, IOWA STATE

1 SEC. 5. For the department of the commerce commission there  
 2 is hereby appropriated from the general fund of the state for each  
 3 year of the biennium beginning July 1, 1961, and ending June 30,  
 4 1963, the sum of two hundred fifty-six thousand four hundred ninety  
 5 dollars (\$256,490.00), or so much thereof as may be necessary to be  
 6 used in the following manner:

GENERAL ADMINISTRATION

7		
8	For salaries of commissioners (3 at \$9,000.00 each) ....	\$ 27,000.00
9	For salary of secretary .....	6,000.00
10	For salaries, support, maintenance and miscellaneous	
11	purposes .....	\$ 140,000.00

12	Total for general administration of the commerce	
13	commission .....	\$ 173,000.00
14	CLASS RATE CASES	
15	For salaries, support, maintenance and miscellaneous	
16	purposes .....	\$ 1,000.00
17	MOTOR TRANSPORTATION DIVISION	
18	For salaries, support, maintenance and miscellaneous	
19	purposes .....	22,000.00
20	WAREHOUSE DIVISION	
21	For salaries, support, maintenance and miscellaneous	
22	purposes .....	60,490.00
23	Grand total of all appropriations for all purposes for	
24	each year of the biennium for the department of the	
25	commerce commission.....	\$ 256,490.00

## COMPTROLLER, OFFICE OF STATE

1	SEC. 6. For the office of state comptroller there is hereby appro-	
2	priated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1961, and ending June 30, 1963, the sum	
4	of two hundred fifty-four thousand seven hundred sixty dollars	
5	(\$254,760.00), or so much thereof as may be necessary to be used	
6	in the following manner:	
7	For state comptroller salary .....	\$ 13,000.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes .....	241,760.00
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the office of state comp-	
12	troller .....	\$ 254,760.00

## CONTROL, BOARD OF

1	SEC. 7. For the board of control there is hereby appropriated	
2	from the general fund of the state for each year of the biennium	
3	beginning July 1, 1961, and ending June 30, 1963, the sum of five	
4	hundred fifty-three thousand seven hundred dollars, (\$553,700.00), or	
5	so much thereof as may be necessary to be used in the following	
6	manner:	
7	For salary of board members (2 persons at \$8,800.00	
8	each) .....	\$ 17,600.00
9	For salary of board member (whose term expires	
10	June 30, 1967).....	8,000.00
11	For salaries, support, maintenance and miscellaneous	
12	purposes .....	528,100.00
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 .....	\$ 553,700.00

## EMPLOYMENT SECURITY COMMISSION

1	SEC. 8. For the Iowa employment security commission for the	
2	administration 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, 1961, and  
 5 ending June 30, 1963, the sum of ninety-four thousand three hundred  
 6 dollars (\$94,300.00), or so much thereof as may be necessary to  
 7 be used in the 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 .....\$ 94,300.00

11 The salary for each member of the Iowa employment security  
 12 commission shall be eight thousand eight hundred dollars (\$8,800.00)  
 13 for each year of the biennium July 1, 1961, and ending June 30, 1963,  
 14 and of this amount seven thousand eight hundred dollars (\$7,800.00)  
 15 shall be compensation for administering Chapter 96 of the Iowa  
 16 statutes, and one thousand dollars (\$1,000.00) shall be compensation  
 17 for administering Chapter 97B of the Iowa statutes, and such sums  
 18 shall be in full compensation for all services, and provisions made  
 19 in any other Act or statutes for compensation of the members of  
 20 the Iowa employment security commission shall be ineffective and  
 21 void.

#### EXECUTIVE COUNCIL

1 SEC. 9. For the office of the executive council there is hereby  
 2 appropriated from the general fund of the state for each year of  
 3 the biennium beginning July 1, 1961, and ending June 30, 1963, the  
 4 sum of five hundred and eleven thousand dollars (\$511,000.00), or  
 5 so much thereof as may be necessary to be used in the following  
 6 manner:

7 For salary of the secretary of executive council .....\$ 8,500.00  
 8 For salaries, support, maintenance and miscellaneous  
 9 purposes ..... 502,500.00

10 Grand total of all appropriations for all purposes for  
 11 each year of the biennium for the office of the execu-  
 12 tive council .....\$ 511,000.00

#### GEOLOGICAL SURVEY

1 SEC. 10. For the office of geological survey there is hereby appro-  
 2 priated from the general fund of the state for each year of the bien-  
 3 nium beginning July 1, 1961, and ending June 30, 1963, the sum of  
 4 two hundred ninety-five thousand eight hundred dollars (\$295,800.00),  
 5 or so much thereof as may be necessary to be used in the following  
 6 manner:

7 For salaries, support, maintenance and miscellane-  
 8 ous purposes, including thirty-five thousand dollars  
 9 (\$35,000.00) for core drilling to be done by contract,  
 10 fifteen thousand dollars (\$15,000.00) for water availa-  
 11 bility studies and ten thousand dollars (\$10,000.00) for  
 12 coal studies .....\$ 203,800.00

13 Stream gauging and siltation, salaries, support and  
 14 miscellaneous purposes ..... 42,000.00

15 For a magnetometer survey in areas of the state  
 16 where it appears most likely that commercially valuable  
 17 metal ore deposits may be discovered ..... 50,000.00

18 Grand total of all appropriations for all purposes for  
19 each year of the biennium for geological survey .....\$ 295,800.00

## LIEUTENANT GOVERNOR

1 SEC. 11. For the office of lieutenant governor there is hereby  
2 appropriated from the general fund of the state for each year of  
3 the biennium beginning July 1, 1961, and ending June 30, 1963, a  
4 sum sufficient to pay such actual and necessary expenses as are  
5 incurred when said lieutenant governor is required by reason of his  
6 office to leave the county of his residence but not to exceed the sum  
7 of one thousand five hundred dollars (\$1,500.00) per annum; an  
8 itemized expense account shall be so certified by said officer entitled  
9 thereto to the state comptroller, which account shall be rendered  
10 quarterly.

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

## GOVERNOR

1 SEC. 12. For the office of the governor there is hereby appropri-  
2 ated from the general fund of the state for each year of the biennium  
3 beginning July 1, 1961, and ending June 30, 1963, the sum of seventy-  
4 nine thousand nine hundred thirty dollars (\$79,930.00), or so much  
5 thereof as may be necessary to be used in the following manner:

6 For salary of governor (\$16,000.00 until January 1,  
7 1962 and \$17,500.00 thereafter) .....\$ 17,500.00  
8 For the governor's expenses incurred by him in con-  
9 nection with the duties of governor (\$4,000.00) until  
10 January 1, 1962 and \$5,000.00 thereafter) .....\$ 5,000.00  
11 For salaries, support, maintenance and miscellaneous  
12 purposes ..... 57,430.00

13 Grand total of all appropriations for all purposes for  
14 each year of the biennium for the office of governor .....\$ 79,930.00

## HEALTH, STATE DEPARTMENT OF

1 SEC. 13. For the department of health there is hereby appro-  
2 priated from the general fund of the state for each year of the  
3 biennium beginning July 1, 1961, and ending June 30, 1963, the sum  
4 of seven hundred thousand dollars (\$700,000.00), or so much thereof  
5 as may be necessary to be used in the following manner:

6 GENERAL OFFICE (Central Administration)  
7 For salary of commissioner .....\$ 11,000.00  
8 For salaries, support, maintenance and miscellaneous  
9 purposes ..... 60,180.00

10 Total for general office .....\$ 71,180.00

11 (1) CANCER CONTROL  
12 For salaries, support, maintenance and miscellaneous  
13 purposes .....\$ 3,960.00

14 (2) DENTAL HYGIENE  
15 For salaries, support, maintenance and miscellaneous  
16 purposes ..... 4,950.00

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

17	(3) HOSPITAL SURVEY AND PLANNING	
18	For salaries, support, maintenance and miscellaneous	
19	purposes .....	\$ 81,060.00
20	(4) MATERNAL AND CHILD HEALTH	
21	For salaries, support, maintenance and miscellaneous	
22	purposes .....	15,230.00
23	(5) PREVENTABLE DISEASES, SERUM CENTER AND	
24	BLOOD BANK	
25	For salaries, support, maintenance and miscellaneous	
26	purposes .....	31,080.00
27	(6) PUBLIC HEALTH ENGINEERING AND	
28	INDUSTRIAL HYGIENE	
29	For salaries, support, maintenance and miscellaneous	
30	purposes .....	134,610.00
31	(7) PUBLIC HEALTH NURSING	
32	For salaries, support, maintenance and miscellaneous	
33	purposes .....	10,290.00
34	(8) TUBERCULOSIS CONTROL	
35	For salaries, support and maintenance in the general	
36	tuberculosis control program involving all methods of	
37	case finding .....	41,680.00
38	(9) VENEREAL DISEASE CONTROL	
39	For salaries, support, maintenance and miscellaneous	
40	purposes .....	35,700.00
41	(10) VITAL STATISTICS	
42	For salaries, support, maintenance and miscellaneous	
43	purposes .....	148,210.00
44	(11) BOARD OF EUGENICS	
45	For salaries, support, maintenance and miscellaneous	
46	purposes .....	5,410.00
47	Sub-total for public health administration activities ....	\$ 583,360.00
48	(12) BARBERS' EXAMINING BOARD	
49	For compensation, support, maintenance and miscel-	
50	laneous purposes .....	\$ 33,700.00
51	(13) CHIROPODY EXAMINING BOARD	
52	For compensation, support, maintenance and miscel-	
53	laneous purposes .....	500.00
54	(14) CHIROPRACTIC EXAMINING BOARD	
55	For compensation, support, maintenance and miscel-	
56	laneous purposes .....	5,860.00
57	(15) COSMETOLOGY EXAMINING BOARD	
58	For compensation, support, maintenance and miscel-	
59	laneous purposes .....	34,350.00
60	(16) DENTAL EXAMINING BOARD	
61	For compensation, support, maintenance and miscel-	
62	laneous purposes .....	2,500.00
63	(17) EMBALMERS' EXAMINING BOARD	
64	For compensation, support, maintenance and miscel-	
65	laneous purposes .....	3,700.00

66	(18) LICENSURE AND REGISTRATION	
67	(Central Administration)	
68	For salaries, support, maintenance and miscellaneous	
69	purposes .....	\$ 17,020.00
70	(19) MEDICAL EXAMINING BOARD	
71	For compensation, support, maintenance and miscel-	
72	laneous purposes .....	15,460.00
73	(20) OPTOMETRY EXAMINING BOARD	
74	For compensation, support, maintenance and miscel-	
75	laneous purposes .....	1,250.00
76	(21) OSTEOPATHY EXAMINING BOARD	
77	For compensation, support, maintenance and miscel-	
78	laneous purposes .....	2,300.00
		<hr/>
79	Sub-total for division of licensure and registration ...	\$ 116,640.00
		<hr/>
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 .....	\$ 700,000.00

HISTORY AND ARCHIVES, IOWA STATE  
DEPARTMENT OF

1	SEC. 14. For the department of history and archives there is	
2	hereby appropriated from the general fund of the state for each	
3	year of the biennium beginning July 1, 1961, and ending June 30, 1963,	
4	the sum of one hundred fourteen thousand fifty dollars (\$114,050.00),	
5	or so much thereof as may be necessary to be used in the following	
6	manner:	
7	For salary of curator .....	\$ 6,600.00
8	For salaries, support, maintenance, miscellaneous pur-	
9	poses, and extra book binding .....	87,450.00
10	For B. H. Beane Fossil crinoid collection .....	5,000.00
11	For micro-filming .....	15,000.00
		<hr/>
12	Grand total of all appropriations for all purposes for	
13	each year of the biennium for the department of history	
14	and archives .....	\$ 114,050.00

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	
3	biennium beginning July 1, 1961, and ending June 30, 1963, the sum	
4	of fifty-six thousand eight hundred dollars (\$56,800.00), or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For salary of commissioner.....	\$ 8,000.00
7	For salaries, support, maintenance, travel expense,	
8	state share of employment retirement fund and miscel-	
9	laneous purposes .....	48,800.00
		<hr/>
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the industrial commis-	
12	sioner .....	\$ 56,800.00

## INSURANCE DEPARTMENT OF IOWA

1 SEC. 16. For the office of the insurance commissioner there is  
 2 hereby appropriated from the general fund of the state for each  
 3 year of the biennium beginning July 1, 1961, and ending June 30,  
 4 1963, the sum of two hundred and one thousand dollars (\$201,000.00),  
 5 or so much thereof as may be necessary to be used in the following  
 6 manner:

7	For salary of commissioner .....	\$ 11,000.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes .....	190,000.00
		<hr/>
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the office of the insur-	
12	ance commission .....	\$ 201,000.00

## 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  
 3 beginning July 1, 1961, and ending June 30, 1963, the sum of one  
 4 hundred thousand three hundred fifty dollars (\$100,350.00), or so  
 5 much thereof as may be necessary to be used in the following  
 6 manner:

7	For salary of commissioner of bureau of labor .....	\$ 6,600.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes .....	93,750.00
		<hr/>
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the bureau of labor .....	\$ 100,350.00

## 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, 1961, and ending June 30, 1963, for state libraries,  
 4 the sum of one hundred sixty-six thousand eight hundred ten dollars  
 5 (\$166,810.00), or so much thereof as may be necessary to be used  
 6 in the following manner:

7	LAW DIVISION	
8	For salary of librarian .....	\$ 6,600.00
9	For salaries, support, maintenance and miscellaneous	
10	purposes .....	43,100.00
		<hr/>
11	Total for law division .....	\$ 49,700.00
		<hr/>
12	(1) MEDICAL DIVISION	
13	For salary of librarian .....	\$ 6,600.00
14	For salaries, support, maintenance and miscellaneous	
15	purposes .....	30,800.00
		<hr/>
16	Total for medical division .....	\$ 37,400.00

17	(2) TRAVELING DIVISION	
18	For salary of director .....	\$ 6,600.00
19	For salaries, support, maintenance and miscellaneous	
20	purposes .....	73,110.00
		<hr/>
21	Total for traveling library division .....	\$ 79,710.00
		<hr/>
22	Grand total of all appropriations for all purposes for	
23	each year of the biennium for the state libraries .....	\$ 166,810.00

## MINE EXAMINING BOARD

1	SEC. 19. For the mine examining board there is hereby appro-	
2	riated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1961, and ending June 30, 1963, the sum	
4	of two thousand one hundred dollars (\$2,100.00), or so much thereof	
5	as 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 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, 1961, and ending June 30, 1963, the sum	
4	of twelve thousand three hundred dollars (\$12,300.00), 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 .....	\$ 6,600.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes .....	5,700.00
		<hr/>
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the department of mine	
11	inspectors .....	\$ 12,300.00

## 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	
3	the biennium beginning July 1, 1961, and ending June 30, 1963, the sum	
4	of one hundred seventy thousand three hundred dollars (\$170,300.00),	
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 .....	\$ 170,300.00
		<hr/>
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the Iowa natural resources	
11	council .....	\$ 170,300.00



## PAROLE, BOARD OF

1 SEC. 22. For the office of the board of parole there is hereby  
 2 appropriated from the general fund of the state for each year of  
 3 the biennium beginning July 1, 1961, and ending June 30, 1963,  
 4 the sum of two hundred nine thousand five hundred sixty dollars  
 5 (\$209,560.00), or so much thereof as may be necessary to be used  
 6 in the following manner:

7 For board members salaries (3 members at \$5,000.00	
8 each) .....	\$ 15,000.00
9 For salary of secretary and superintendent of parole	
10 agents .....	8,000.00
11 For salaries, support, maintenance and miscellaneous	
12 purposes .....	186,560.00
	<hr/>
13 Grand total of all appropriations for all purposes for	
14 each year of the biennium for the board of parole .....	\$ 209,560.00

## PHARMACY EXAMINERS

1 SEC. 23. For the pharmacy examining board there is hereby  
 2 appropriated from the general fund of the state for each year of  
 3 the biennium beginning July 1, 1961, and ending June 30, 1963, the  
 4 sum of ninety-four thousand two hundred twenty dollars (\$94,220.00),  
 5 or so much thereof as may be necessary to be used in the following  
 6 manner:

7 GENERAL OFFICE	
8 For salary of secretary and narcotic supervisor .....	\$ 7,200.00
9 For salaries, support, maintenance and miscellaneous	
10 purposes for all duties of the board .....	87,020.00
	<hr/>
11 Grand total of all appropriations for all purposes for	
12 each year of the biennium for the pharmacy examining	
13 board .....	\$ 94,220.00

## 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  
 3 beginning July 1, 1961, and ending June 30, 1963, the sum of one  
 4 hundred seventy-five dollars (\$175.00), or so much thereof as may  
 5 be necessary to be used in the following manner:

6 For salary of secretary .....	\$ 50.00
7 For miscellaneous purposes .....	125.00
	<hr/>
8 Grand total of all appropriations for all purposes for	
9 each year of the biennium for the pioneer lawmakers ....	\$ 175.00

## PRINTING BOARD, THE

1 SEC. 25. For the state printing board there is hereby appropri-  
 2 ated from the general fund of the state for each year of the biennium  
 3 beginning July 1, 1961, and ending June 30, 1963, the sum of seventy-

4	eight thousand one hundred sixty dollars (\$78,160.00), or so much	
5	thereof as may be necessary to be used in the following manner:	
6	GENERAL OFFICE	
7	For salary of superintendent .....	\$ 6,600.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes .....	71,560.00
10	Total for general office .....	<u>\$ 78,160.00</u>
11	Provided that funds appropriated for the general office by this	
12	section, in the discretion of the printing board, may be used to pay	
13	the cost of printing of the "Iowa Official Register", proceedings of	
14	Iowa Academy of Science, "Iowa Welcomes You" booklet, and other	
15	miscellaneous items.	
16	Grand total of all appropriations for all purposes for	
17	each year of the biennium for the state printing board	
18	provided by this section .....	\$ 78,160.00

PUBLIC BUILDINGS AND GROUNDS,  
SUPERINTENDENT OF

1	SEC. 26. For the office of the superintendent of public buildings	
2	and grounds there is hereby appropriated from the general fund	
3	of the state for each year of the biennium beginning July 1, 1961,	
4	and ending June 30, 1963, the sum of six hundred five thousand two	
5	hundred eighty dollars (\$605,280.00), or so much thereof as may	
6	be necessary to be used in the following manner:	
7	For salaries, support, maintenance and miscellaneous	
8	purposes .....	\$ 512,855.00
9	For maintenance, repairs, replacements, alterations or	
10	equipment of public buildings and grounds of the state	
11	of Iowa, subject to approval of the executive council .....	92,425.00
12	Grand total of all appropriations for all purposes for	
13	each year of the biennium for the office of the superin-	
14	tendent of public buildings and grounds .....	\$ 605,280.00

PUBLIC INSTRUCTION, DEPARTMENT OF

1	SEC. 27. 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, 1961, and ending June 30, 1963, the sum	
4	of six hundred twenty-seven thousand four hundred eighty dollars	
5	(\$627,480.00), or so much thereof as may be necessary to be used	
6	in the following manner:	
7	GENERAL OFFICE	
8	For salary of superintendent of public instruction .....	\$ 13,000.00
9	For salaries .....	413,180.00
10	Total general office salaries .....	<u>\$ 426,180.00</u>
11	For support, maintenance and miscellaneous purposes .....	124,300.00

12	For a study of community colleges, technical area	
13	schools and vocational education in the high schools of	
14	the state and for submission of recommendations with	
15	proposed legislation to implement such recommenda-	
16	tions to the members of the general assembly on or	
17	before December 1, 1962 .....	\$ 12,000.00
18	Sub-total .....	\$ 562,480.00
19	(1) VOCATIONAL EDUCATION	
20	For salaries, support, maintenance and miscellaneous	
21	purposes .....	\$ 65,000.00
22	Grand total of all appropriations for all purposes for	
23	each year of the biennium for the department of public	
24	instruction and the various divisions thereof provided	
25	by this section .....	\$ 627,480.00

## REAL ESTATE COMMISSION, IOWA

1	SEC. 28. For the Iowa real estate commission there is hereby	
2	appropriated from the general fund of the state for each year of	
3	the biennium beginning July 1, 1961, and ending June 30, 1963,	
4	the sum of twenty-seven thousand eight hundred ninety dollars	
5	(\$27,890.00), or so much thereof as may be necessary to be used	
6	in the following manner:	
7	For salary of director .....	\$ 6,600.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes .....	21,290.00
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the Iowa real estate	
12	commission .....	\$ 27,890.00

## REGENTS, BOARD OF

1	SEC. 29. For the board of regents there is hereby appropriated	
2	from the general fund of the state for each year of the biennium	
3	beginning July 1, 1961, and ending June 30, 1963, the sum of eighty-	
4	four thousand nine hundred and forty dollars (\$84,940.00), or so	
5	much thereof as may be necessary to be used in the following manner:	
6	For salary of secretary .....	\$ 10,000.00
7	For salary of chairman of finance committee .....	8,800.00
8	For salary of finance committee member .....	8,600.00
9	For salary of director of research and statistics .....	6,300.00
10	For salaries, support, maintenance and miscellaneous	
11	purposes .....	51,240.00
12	Board members to receive a per diem of \$20.00 per day	
13	and shall not exceed \$7,200.00 per year for all members	
14	Grand total of all appropriations for all purposes for	
15	each year of the biennium for the central office of the	
16	board of regents .....	\$ 84,940.00

## SECRETARY OF STATE

1	SEC. 30. For the office of secretary of state there is hereby	
2	appropriated from the general fund of the state for each year of	
3	the biennium beginning July 1, 1961, and ending June 30, 1963, the	
4	sum of seventy-one thousand forty dollars (\$71,040.00), or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For salary of secretary of state .....	\$ 11,000.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes .....	60,040.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the office of secretary of	
11	state .....	\$ 71,040.00

## SOIL CONSERVATION

1	SEC. 31. 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, 1961, and ending June 30, 1963, the sum of fifty-nine thousand	
4	five hundred eighty dollars (\$59,580.00), or so much thereof as may	
5	be necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous	
7	purposes .....	\$ 59,580.00
8	Grand total of all appropriations for all purposes for	
9	each year of the biennium for soil conservation .....	\$ 59,580.00

## SPANISH-AMERICAN WAR VETERANS

1	SEC. 32. 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, 1961, and ending June 30, 1963, 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	
10	war veterans .....	\$ 3,500.00

## SUPREME COURT

1	SEC. 33. 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, 1961, and ending June 30, 1963, the sum of one hundred	
4	seventy-four thousand and fifty-five dollars (\$174,055.00), or so	
5	much thereof 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	per cent of such salaries to the judicial retirement	
9	system provided for in chapter 605A, Code 1958 and for	

10	salaries, support, maintenance and miscellaneous pur-	
11	poses .....	\$ 173,805.00
12	Rules of procedure .....	250.00
<hr/>		
13	Grand total of all appropriations for all purposes for	
14	each year of the biennium for the supreme court .....	\$ 174,055.00
15	Section thirty-two (32) of chapter one (1), Acts of the Fifty-	
16	eighth General Assembly, is hereby amended by striking lines seven-	
17	teen (17), eighteen (18), nineteen (19) and twenty (20), and insert-	
18	ing in lieu thereof the words, "sixteen thousand dollars per year."	

## SUPREME COURT, CLERK OF

1	SEC. 34. For the office of clerk of supreme court there is hereby	
2	appropriated from the general fund of the state for each year of	
3	the biennium beginning July 1, 1961, and ending June 30, 1963, the	
4	sum of nineteen thousand five hundred dollars (\$19,500.00), or so	
5	much thereof as may be necessary to be used in the following manner:	
6	For salary of chief clerk .....	\$ 6,000.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes .....	13,500.00
<hr/>		
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 .....	\$ 19,500.00

SUPREME COURT, REPORTER OF  
AND CODE EDITOR

1	SEC. 35. 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, 1961,	
4	and ending June 30, 1963, the sum of thirty-five thousand four hun-	
5	dred fifty dollars (\$35,450.00), or so much thereof as may be neces-	
6	sary to be used in the following manner:	
7	For salary of code editor .....	\$ 7,750.00
8	For salary of deputy code editor .....	7,500.00
9	For salaries, support, maintenance and miscellaneous	
10	purposes .....	20,200.00
<hr/>		
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.....	\$ 35,450.00

## TAX COMMISSION, STATE

1	SEC. 36. For the state tax commission there is hereby appropri-	
2	ated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1961, and ending June 30, 1963, the sum of one	
4	million four hundred forty-two thousand five hundred seventy dollars	
5	(\$1,442,570.00), or so much thereof as may be necessary to be	
6	used in the following manner:	

7	For salary of commissioners (2 commissioners	
8	at \$9,000.00 each).....	\$ 18,000.00
9	For salary of commissioner (whose term expires June	
10	30, 1967) .....	8,000.00
11	For printing and binding .....	100,000.00
12	For salaries, support, maintenance and miscellaneous	
13	purposes .....	1,316,570.00
<hr/>		
14	Grand total of all appropriations for all purposes for	
15	each year of the biennium for the state tax commission ..	\$1,442,570.00

## TREASURER OF STATE

1	SEC. 37. For the department of treasurer of state there is hereby	
2	appropriated from the general fund of the state for each year of	
3	the biennium beginning July 1, 1961, and ending June 30, 1963, the	
4	sum of one hundred eight thousand four hundred dollars (\$108,400.00),	
5	or so much thereof as may be necessary to be used in the following	
6	manner:	
7	For salary of treasurer .....	\$ 11,000.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes .....	97,400.00
<hr/>		
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the department of treas-	
12	urer of state .....	\$ 108,400.00

## UNIFORM LAWS, COMMISSION ON

1	SEC. 38. For the commission on uniform laws there is hereby	
2	appropriated from the general fund of the state for each year of	
3	the biennium beginning July 1, 1961, and ending June 30, 1963, the	
4	sum of two thousand fifty dollars (\$2,050.00), or so much thereof	
5	as may 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	Total administrative departments .....	\$8,581,930.00

MISCELLANEOUS SERVICES:

## CIVIL DEFENSE ADMINISTRATION

1	SEC. 39. For the civil defense administration there is hereby	
2	appropriated from the general fund of the state for each year of	
3	the biennium beginning July 1, 1961, and ending June 30, 1963, the	
4	sum of thirty-four thousand one hundred dollars (\$34,100.00), or	

5	so much thereof as may be necessary to be used in the	
6	following manner:	
7	For salaries, support, maintenance and miscellaneous	
8	purposes .....	\$ 34,100.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the civil defense admini-	
11	stration .....	\$ 34,100.00

## CONSERVATION COMMISSION, STATE

1	SEC. 40. For the office of the conservation commission there is	
2	hereby appropriated from the general fund of the state for each	
3	year of the biennium beginning July 1, 1961, and ending June 30,	
4	1963, the sum of six hundred forty-one thousand eight hundred fifty	
5	dollars (\$641,850.00), or so much thereof as may be necessary to	
6	be used in the following manner:	
7	For salary of director .....	\$ 10,500.00
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 .....	681,350.00
14	Grand total of all appropriations for all purposes for	
15	each year of the biennium for the conservation com-	
16	mission .....	\$ 641,850.00

## COUNCIL OF STATE GOVERNMENT

1	SEC. 41. For the council of state government there is hereby	
2	appropriated from the general fund of the state for each year of	
3	the biennium beginning July 1, 1961, and ending June 30, 1963, the	
4	sum of seven thousand five hundred dollars (\$7,500.00), or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For support of the council of state government.....	\$ 7,500.00
7	Grand total of all appropriations for all purposes for	
8	each year of the biennium for the council of state	
9	government .....	\$ 7,500.00

## DEVELOPMENT COMMISSION, THE IOWA

1	SEC. 42. For the Iowa development commission there is hereby	
2	appropriated from the general fund of the state for each year of	
3	the biennium beginning July 1, 1961, and ending June 30, 1963, the	
4	sum of three hundred thousand four hundred dollars (\$300,400.00),	
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, including the sum of thirty-seven thousand	

9	five hundred dollars (\$37,500.00) for municipal planning	
10	assistance .....	\$ 300,400.00
11	Grand total of all appropriations for all purposes for	
12	each year of the biennium for the Iowa development	
13	commission .....	\$ 300,400.00

## DISTRICT COURT JUDGES

1	SEC. 43. For the district court judges there is hereby appropriated	
2	from the general fund of the state for each year of the biennium	
3	beginning July 1, 1961, and ending June 30, 1963, the sum of	
4	nine hundred thirty-six thousand nine hundred and fifty dollars	
5	(\$936,950.00), or so much thereof as may be necessary to be used	
6	in the following 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 per cent of such salaries, to the judicial retire-	
10	ment system provided for in chapter 605A, Code 1958 ....	\$ 878,950.00
11	For traveling expenses of judges and court reporters	
12	in and out of districts .....	58,000.00
13	Grand total of all appropriations for all purposes for	
14	each year of the biennium for district court judges and	
15	reporters .....	\$ 936,950.00
16	Section forty-two (42) of chapter one (1), Acts of the Fifty-eighth	
17	General Assembly, is hereby amended by striking the word "twelve"	
18	from line eighteen (18) and all of lines nineteen (19), twenty (20),	
19	twenty-one (21) and twenty-two (22) and inserting in lieu thereof	
20	the words, "fourteen thousand dollars per year."	

## FAIR BOARD, IOWA STATE

1	SEC. 44. For the state fair board there is hereby appropriated	
2	from the general fund of the state for each year of the biennium	
3	beginning July 1, 1961, and ending June 30, 1963, the sum of fifty-	
4	five thousand dollars (\$55,000.00), or so much thereof as may be	
5	necessary to be used in the following manner:	
6	The salary of the secretary of the state fair board shall be eight	
7	thousand two hundred fifty dollars (\$8,250.00) per annum to be paid	
8	out of the fund 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. 45. For the Herbert Hoover Birthplace Founda-	
2	tion, Inc., there is hereby appropriated from the general	
3	fund of the state for each year of the biennium begin-	



4 ning July 1, 1961, and ending June 30, 1963, the sum  
5 of twelve thousand dollars (\$12,000.00), or so much  
6 thereof as may be necessary to be used in the following  
7 manner:

8 For salaries, support, maintenance and miscellaneous  
9 purposes .....\$ 12,000.00

10 Grand total of all appropriations for all purposes for  
11 each year of the biennium for the Herbert Hoover Birth-  
12 place Foundation, Inc. ....\$ 12,000.00

#### HISTORICAL SOCIETY, THE STATE

1 SEC. 46. For the historical society at Iowa City there is hereby  
2 appropriated from the general fund of the state for each year of  
3 the biennium beginning July 1, 1961, and ending June 30, 1963, the  
4 sum of one hundred four thousand five hundred dollars (\$104,500.00),  
5 or so much thereof as may be necessary to be used in the following  
6 manner:

7 For salary of historian .....\$ 6,000.00

8 For salaries, support, maintenance, moving into new  
9 building, janitorial expense and miscellaneous purposes.... 98,500.00

10 Grand total of all appropriations for all purposes for  
11 each year of the biennium for the historical society at  
12 Iowa City .....\$ 104,500.00

#### IOWA RECIPROCITY BOARD

1 SEC. 47. For the reciprocity board there is hereby appropriated  
2 from the general fund of the state for each year of the biennium  
3 beginning July 1, 1961, and ending June 30, 1963, the sum of forty  
4 thousand four hundred seventy dollars (\$40,470.00), or so  
5 much thereof as may be necessary to be used in the following  
6 manner:

7 For salary of executive secretary .....\$ 6,600.00

8 For salaries, support, maintenance, pro-rata plates  
9 and stickers and miscellaneous purposes ..... 33,870.00

10 Salaries for employees of said board, other than the  
11 executive secretary, shall be based on a table of organi-  
12 zation and salary schedule adopted by said board sub-  
13 ject 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 .....\$ 40,470.00

#### LIQUOR CONTROL COMMISSION

1 SEC. 48. For the liquor control commission there is hereby appro-  
2 priated from the general fund of the state for each year of the  
3 biennium beginning July 1, 1961, and ending June 30, 1963, the sum  
4 of three million seven hundred fifty thousand dollars (\$3,750,000.00),  
5 or so much thereof as may be necessary to be used in the following  
6 manner:

7	For salaries of board members (3 at \$8,800.00 each)....	\$ 26,400.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes .....	3,723,600.00
<hr/>		
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the liquor control com-	
12	mission .....	\$3,750,000.00
13	Section one hundred twenty-three point eleven (123.11), Code 1958,	
14	is amended by striking all of the last sentence and inserting in lieu	
15	thereof the following:	
16	“All expenses and salaries of commissioners and employees shall	
17	be paid from appropriations for such purposes and the commission	
18	shall be subject to the budget requirements of chapter eight (8)	
19	of the Code.”	

## MISSISSIPPI RIVER PARKWAY COMMISSION

1	SEC. 49. For the Mississippi parkway planning commission there	
2	is hereby appropriated from the general fund of the state for each	
3	year of the biennium beginning July 1, 1961, and ending June 30,	
4	1963, the sum of one thousand five hundred dollars (\$1,500.00), or	
5	so much thereof as may be necessary to be used in the following	
6	manner:	
7	For support, maintenance and miscellaneous purposes ..\$	1,500.00
<hr/>		
8	Grand total of all appropriations for all purposes for	
9	each year of the biennium for the Mississippi parkway	
10	planning commission .....	\$ 1,500.00

## NATIONAL GUARD AND STATE GUARD

1	SEC. 50. For the national guard and the state guard there is	
2	hereby appropriated from the general fund of the state for each year	
3	of the biennium beginning July 1, 1961, and ending June 30, 1963,	
4	the sum of nine hundred thirty-two thousand nine hundred dollars	
5	(\$932,900.00), or so much thereof as may be necessary to be used	
6	in the following manner:	
7	For salaries, support, maintenance, armories and	
8	miscellaneous purposes .....	\$ 932,900.00
<hr/>		
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the national guard and	
11	state guard .....	\$ 932,900.00
<hr/>		
12	Total miscellaneous services .....	\$6,817,170.00

## PUBLIC SAFETY:

## PUBLIC SAFETY, DEPARTMENT OF

1	SEC. 51. For the department of public safety there is hereby	
2	appropriated from the general fund of the state for each year of	
3	the biennium beginning July 1, 1961, and ending June 30, 1963, the	
4	sum of five million nine thousand five hundred dollars (\$5,009,500.00),	

5	or so much thereof as may be necessary to be used in the following	
6	manner:	
7	DIVISION OF ADMINISTRATION	
8	For salary of commissioner .....	\$ 11,000.00
9	For salaries, support, maintenance and miscellaneous	
10	purposes .....	58,000.00
		\$ 69,000.00
11		
12	(1) DIVISION OF CRIMINAL INVESTIGATION	
13	For salaries, support, maintenance, miscellaneous pur-	
14	poses, and for the state's contribution to the peace	
15	officers' retirement, accident and disability system, pro-	
16	vided in chapter 97A, Code of 1958, in the amount of	
17	sixteen per cent of the salaries of personnel included in	
18	the system .....	\$ 220,200.00
19	(2) DIVISION OF FIRE MARSHAL	
20	For salaries, including salary of fire marshal, support,	
21	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 of-	
25	ficers' retirement, accident and disability system, pro-	
26	vided in chapter 97A, Code 1958, in the amount of six-	
27	teen per cent (16%) of the salaries of personnel included	
28	in the system, and including liability insurance .....	\$3,115,540.00
29	(4) DIVISION OF MOTOR VEHICLE FINANCIAL	
30	AND SAFETY RESPONSIBILITY AND RECORDS	
31	For salaries, support, maintenance and miscellaneous	
32	purposes .....	\$ 255,000.00
33	(5) DIVISION OF MOTOR REGISTRATION	
34	For salaries, support, maintenance and miscellaneous	
35	purposes .....	\$ 400,790.00
36	(6) DIVISION OF OPERATORS AND	
37	CHAUFFEURS LICENSE	
38	For salaries, support, maintenance and miscellaneous	
39	purposes .....	\$ 382,500.00
40	(7) DIVISION OF RADIO COMMUNICATION	
41	For salaries, support, maintenance and miscellaneous	
42	purposes .....	\$ 399,380.00
43	(8) DIVISION OF SAFETY EDUCATION	
44	For salaries, support, maintenance and miscellaneous	
45	purposes .....	\$ 79,090.00
		\$ 5,009,500.00
46	Grand total of all appropriations for all purposes for	
47	each year of the biennium for the department of public	
48	safety and all divisions thereof .....	\$5,009,500.00

DIRECT EDUCATIONAL AID:  
BLIND, IOWA COMMISSION FOR THE

1 SEC. 52. For the office of the commission for the blind there is  
2 hereby appropriated from the general fund of the state for each

3 year of the biennium beginning July 1, 1961, and ending June 30,  
 4 1963, the sum of two hundred thousand dollars (\$200,000.00), or so  
 5 much thereof as may be necessary to be used in the following manner:  
 6 For salary of director .....\$ 8,250.00  
 7 For salaries, support, maintenance and miscellaneous  
 8 purposes (includes \$25,000.00 for building maintenance) 191,750.00

---

9 Grand total of all appropriations for all purposes for  
 10 each year of the biennium for the office of the commis-  
 11 sion for the blind .....\$ 200,000.00

PUBLIC INSTRUCTION, DEPARTMENT OF

1 SEC. 53. 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, 1961, and ending June 30, 1963, the sum  
 4 of four hundred eighty thousand dollars (\$480,000.00), 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 .....\$ 480,000.00

---

9 Grand total of all appropriations for all purposes for  
 10 each year of the biennium for the department of public  
 11 instruction provided by this section .....\$ 480,000.00

SOLDIERS' BONUS BOARD,  
 WORLD WAR ORPHANS' EDUCATION AID

1 SEC. 54. For the Iowa soldiers' bonus board there is hereby appro-  
 2 priated from the general fund of the state for each year of the  
 3 biennium beginning July 1, 1961, and ending June 30, 1963, the sum  
 4 of thirty-five thousand dollars (\$35,000.00), 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 of 1958 .....\$ 35,000.00

---

11 Grand total of all appropriations for all purposes for  
 12 each year of the biennium for the soldiers' bonus board....\$ 35,000.00

---

13 Total direct educational aid .....\$ 715,000.00

1 SEC. 55. The salary of the state car dispatcher shall be six thou-  
 2 sand six hundred dollars (\$6,600.00) for each year of the biennium  
 3 beginning July 1, 1961, and ending June 30, 1963, to be paid from  
 4 the car dispatcher funds.

1 SEC. 56. The salaries of two (2) members of the board of social  
 2 welfare shall be eight thousand dollars (\$8,000.00) for each member  
 3 for each year of the biennium beginning July 1, 1961, and ending

4 June 30, 1963, and the salary of one (1) member of the board of  
5 social welfare whose term expires June 30, 1967 shall be seven thou-  
6 sand dollars (\$7,000.00) for each year of the biennium beginning July  
7 1, 1961, and ending June 30, 1963, to be paid from the funds of the  
8 department of social welfare.

1 SEC. 57. No department or commission of state located in the  
2 city of Des Moines shall expend any funds for the publication or  
3 distribution of books or pamphlets or reports unless the publication  
4 thereof be expressly required by law or approved by the budget  
5 and financial control committee and the state printing board. A viola-  
6 tion of this section shall constitute misfeasance in office.

1 SEC. 58. All salaries provided for in this Act are in lieu of all  
2 existing statutory salaries, for the positions provided herein, and  
3 shall be payable in equal monthly or semi-monthly installments, and  
4 shall be in full compensation for all services except as otherwise  
5 expressly provided and except further that expense allowances shall  
6 be authorized, any ruling of the Federal Internal Revenue Service  
7 with respect to the tax status thereof notwithstanding.

1 SEC. 59. Section one hundred fifty-nine point nineteen (159.19),  
2 Code 1958, is hereby amended by striking all after the word "be"  
3 in line two (2) and inserting in lieu thereof the following: "as fixed  
4 by the general assembly."

1 SEC. 60. Section thirteen point nine (13.9), Code 1958, is hereby  
2 amended by striking the following words "six thousand dollars per  
3 annum" in lines two (2) and three (3) and inserting in lieu thereof  
4 the following: "as fixed by the general assembly".

1 SEC. 61. Section eleven point thirty (11.30), Code 1958, is hereby  
2 amended by striking all after the word "be" in line two (2) and  
3 inserting in lieu thereof the following: "as fixed by the general  
4 assembly."

1 SEC. 62. Section eight point four (8.4), Code 1958, is hereby  
2 amended by striking the following words "not to exceed forty-five  
3 hundred dollars a year." in lines twelve (12) and thirteen (13) and  
4 inserting in lieu thereof the following: "as fixed by the general  
5 assembly."

1 SEC. 63. Section seven point eight (7.8), Code 1958, is hereby  
2 amended by striking all after the word "be" in line two (2) and  
3 inserting in lieu thereof the following: "as fixed by the general  
4 assembly."

1 SEC. 64. Section five hundred five point five (505.5), Code 1958,  
2 is hereby amended by striking all after the word "be" in line ten  
3 (10) and inserting in lieu thereof the following: "as fixed by the  
4 general assembly."

1 SEC. 65. Section two hundred fifty-seven point twenty-four  
2 (257.24), Code 1958, is hereby amended by striking from lines two

3 (2), three (3) and four (4) the following: "by the state board,  
4 but not to exceed ten thousand dollars per year.", and inserting in  
5 lieu thereof the following: "by the general assembly."

1 SEC. 66. Section one hundred seventeen point eleven (117.11),  
2 Code 1958, is hereby amended by striking from lines two (2) and  
3 three (3) the following: "not to exceed thirty-six hundred dollars  
4 per annum", and inserting in lieu thereof the following: "as fixed by  
5 the general assembly".

1 SEC. 67. Section nine point five (9.5), Code 1958, is hereby  
2 amended by striking from line two (2) the following: "five thousand  
3 dollars per annum", and inserting in lieu thereof the following: "as  
4 fixed by the general assembly".

1 SEC. 68. Section four hundred twenty-one point eight (421.8),  
2 Code 1958, is hereby amended by striking all after the word "salary"  
3 in line two (2) and inserting in lieu thereof the following: "as fixed  
4 by the general assembly."

1 SEC. 69. Section twelve point eighteen (12.18), Code 1958, is  
2 hereby amended by striking all after the word "be" in line two (2)  
3 and inserting in lieu thereof the following: "as fixed by the general  
4 assembly."

1 SEC. 70. Section one hundred seven point twelve (107.12), Code  
2 1958, is hereby amended by striking all after the word "salary" in  
3 line three (3) and inserting in lieu thereof the following: "as fixed  
4 by the general assembly."

1 SEC. 71. Section one hundred seventy-three point ten (173.10),  
2 Code 1958, is hereby amended by striking all after the word "such"  
3 in line two (2) and inserting in lieu thereof the following: "salary  
4 as fixed by the general assembly."

1 SEC. 72. Section eighty point two (80.2), Code 1958, is hereby  
2 amended by striking from lines twenty-four (24) and twenty-five  
3 (25) the following: "of five thousand dollars.", and inserting in lieu  
4 thereof the following: "as fixed by the general assembly."

1 SEC. 73. Section twenty-one point two (21.2), Code 1958, is  
2 hereby amended by striking from lines eight (8) and nine (9) the  
3 following: "not exceed three thousand dollars per year," and insert-  
4 ing in lieu thereof the following: "be as fixed by the general  
5 assembly".

1 SEC. 74. Section one hundred twenty-three point ten (123.10),  
2 Code 1958, is hereby amended by striking from lines six (6) and  
3 seven (7) the following: "five thousand dollars a year", and inserting  
4 in lieu thereof the following: "as fixed by the general assembly".

1 SEC. 75. Section two hundred thirty-four point five (234.5), Code  
2 1958, is hereby amended by striking from lines four (4), five (5)  
3 and six (6) the following: "of five thousand five hundred dollars per  
4 annum, payable monthly.", and inserting in lieu thereof the follow-  
5 ing: "as fixed by the general assembly."

1 SEC. 76. Where any provisions of the law of this state are in  
2 conflict with this Act the provisions of this Act shall govern for  
3 the biennium.

Approved May 12, 1961.

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CHAPTER 2

BOARD OF CONTROL APPROPRIATIONS

S. F. 508

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1961, and ending June 30, 1963, to the board of control for salaries, support, maintenance, repairs, replacements, alterations or equipment of institutions, under said board of control, and to provide that chapter eight (8), except section eight point five (8.5) of the Code, 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  
2 of the state of Iowa for each year of the biennium beginning July 1,  
3 1961, and ending June 30, 1963, for the board of control of state  
4 institutions for all purposes including salaries, support, maintenance,  
5 repairs, replacements, alterations or equipment and miscellaneous  
6 purposes for all institutions, under the board of control, the sum of  
7 twenty-one million six hundred four thousand eight hundred twenty  
8 dollars (\$21,604,820.00), or so much thereof as may be necessary, to  
9 be used for the following purposes, 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, 1961, and ending June 30,  
4 1963, the sum of two million three hundred thousand dollars (\$2,300,-  
5 000.00), or so much thereof as may be necessary to be used in the  
6 following manner:

7	For salaries.....	\$1,700,000.00
8	For support and maintenance.....	510,000.00
9	For repairs, replacements or alterations.....	54,000.00
10	For equipment.....	36,000.00
11	Total for Mental Health Institute, Cherokee.....	\$2,300,000.00

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, 1961, and ending June 30,  
4 1963, the sum of two million two hundred thousand dollars (\$2,200,-  
5 000.00), or so much thereof as may be necessary to be used in the  
6 following manner:

7	For salaries.....	\$1,600,000.00
8	For support and maintenance.....	510,000.00
9	For repairs, replacements or alterations.....	54,000.00
10	For equipment.....	36,000.00
11	Total for Mental Health Institute, Clarinda.....	\$2,200,000.00

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, 1961, and ending June  
 4 30, 1963, the sum of two million four hundred fifty thousand dollars  
 5 (\$2,450,000.00), or so much thereof as may be necessary to be used  
 6 in the following manner:

7	For salaries.....	\$1,935,000.00
8	For support and maintenance.....	425,000.00
9	For repairs, replacements or alterations.....	54,000.00
10	For equipment.....	36,000.00
11	Total for Mental Health Institute, Independence.....	\$2,450,000.00

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, 1961, and ending June  
 4 30, 1963, the sum of two million two hundred thousand dollars  
 5 (\$2,200,000.00), or so much thereof as may be necessary to be used  
 6 in the following manner:

7	For salaries.....	\$1,600,000.00
8	For support and maintenance.....	510,000.00
9	For repairs, replacements or alterations.....	54,000.00
10	For equipment.....	36,000.00
11	Total for Mental Health Institute, Mount Pleasant.....	\$2,200,000.00

GLENWOOD STATE SCHOOL

Glenwood

1 SEC. 6. For the Glenwood State School at Glenwood, Iowa, there  
 2 is hereby appropriated from the general fund of the state for each  
 3 year of the biennium beginning July 1, 1961, and ending June 30,  
 4 1963, the sum of two million four hundred twenty-five thousand dollars  
 5 (\$2,425,000.00), or so much thereof as may be necessary to be used  
 6 in the following manner:

7	For salaries.....	\$1,735,000.00
8	For support and maintenance.....	600,000.00
9	For repairs, replacements or alterations.....	54,000.00
10	For equipment.....	36,000.00
11	Total for Glenwood State School, Glenwood.....	\$2,425,000.00



## 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, 1961, and ending June  
 4 30, 1963, the sum of two million four hundred twenty-five thousand  
 5 dollars (\$2,425,000.00), or so much thereof as may be necessary to be  
 6 used in the following manner:

7	For salaries.....	\$1,735,000.00
8	For support and maintenance.....	600,000.00
9	For repairs, replacements or alterations.....	54,000.00
10	For equipment.....	36,000.00
11	Total for State Hospital and School, Woodward.....	\$2,425,000.00

## 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, 1961, and ending  
 4 June 30, 1963, the sum of seven hundred ninety thousand dollars  
 5 (\$790,000.00), or so much thereof as may be necessary to be used  
 6 in the following manner:

7	For salaries.....	\$505,600.00
8	For support and maintenance.....	230,000.00
9	For repairs, replacements or alterations.....	30,200.00
10	For equipment.....	24,200.00
11	Total for The Iowa Annie Wittenmyer Home, 12 Davenport.....	\$790,000.00

## 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, 1961, and ending June 30, 1963,  
 4 the sum of six hundred thousand dollars (\$600,000.00), or so much  
 5 thereof as may be necessary to be used in the following manner:

6	For salaries.....	\$402,800.00
7	For support and maintenance.....	155,000.00
8	For repairs, replacements or alterations.....	30,200.00
9	For equipment.....	12,000.00
10	Total for State Juvenile Home, Toledo.....	\$600,000.00

## SOLDIERS HOME, IOWA

## Marshalltown

1 SEC. 10. For the Iowa Soldiers Home at Marshalltown, Iowa,  
 2 there is hereby appropriated from the general fund of the state for

3 each year of the biennium beginning July 1, 1961, and ending June  
 4 30, 1963, the sum of nine hundred six thousand five hundred dollars  
 5 (\$906,500.00), or so much thereof as may be necessary to be used  
 6 in the following manner:

7	For salaries.....	\$762,100.00
8	For support and maintenance.....	90,000.00
9	For repairs, replacements or alterations.....	30,200.00
10	For equipment.....	24,200.00
11	Total for Iowa Soldiers Home, Marshalltown.....	\$906,500.00

## 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, 1961, and ending June 30, 1963,  
 4 the sum of one million four hundred sixty-five thousand dollars  
 5 (\$1,465,000.00), or so much thereof as may be necessary to be used  
 6 in the following manner:

7	For salaries.....	\$ 860,000.00
8	For support and maintenance.....	508,600.00
9	For repairs, replacements or alterations.....	72,200.00
10	For equipment.....	24,200.00
11	Total for Men's Reformatory, Anamosa.....	\$1,465,000.00

## 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, 1961, and ending June 30,  
 4 1963, the sum of one million nine hundred forty thousand dollars  
 5 (\$1,940,000.00), or so much thereof as may be necessary to be used  
 6 in the following manner:

7	For salaries.....	\$1,123,600.00
8	For support and maintenance.....	720,000.00
9	For repairs, replacements or alterations.....	72,200.00
10	For equipment.....	24,200.00
11	Total for State Penitentiary, Fort Madison.....	\$1,940,000.00

## 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, 1961, and ending June  
 4 30, 1963, the sum of two hundred thirty-five thousand dollars (\$235,-  
 5 000.00), or so much thereof as may be necessary to be used in the  
 6 following manner:

7	For salaries.....	\$124,400.00
8	For support and maintenance.....	90,600.00
9	For repairs, replacements or alterations.....	12,500.00
10	For equipment.....	7,500.00
11	Total for Women's Reformatory, Rockwell City.....	\$235,000.00

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, 1961, and ending June 30,  
 4 1963, the sum of one million one hundred ninety thousand dollars  
 5 (\$1,190,000.00), or so much thereof as may be necessary to be used  
 6 in the following manner:

7	For salaries.....	\$ 870,600.00
8	For support and maintenance.....	265,000.00
9	For repairs, replacements or alterations.....	30,200.00
10	For equipment.....	24,200.00
11	Total for Training School for Boys, Eldora.....	\$1,190,000.00

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, 1961, and ending June  
 4 30, 1963, the sum of two hundred seventy-seven thousand six hundred  
 5 dollars (\$277,600.00), or so much thereof as may be necessary to be  
 6 used in the following manner:

7	For salaries.....	\$173,100.00
8	For support and maintenance.....	80,000.00
9	For repairs, replacements or alterations.....	12,500.00
10	For equipment.....	12,000.00
11	Total for Training School for Girls, Mitchellville.....	\$277,600.00

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, 1961,  
 6 and ending June 30, 1963, the sum of two hundred thousand seven  
 7 hundred twenty dollars (\$200,720.00), or so much thereof as may be  
 8 necessary to be used in the following manner:

9	For salaries, support, maintenance, repairs, replace-	
10	ments, alterations or equipment and miscellaneous	
11	purposes.....	\$200,720.00

12 The said sum of two hundred thousand seven hundred  
 13 twenty dollars (\$200,720.00) shall be used as follows:  
 14 For mental health services at the Training School for  
 15 Boys, the Training School for Girls, the Juvenile Home,  
 16 the Iowa Annie Wittenmyer Home, the Women's Re-  
 17 formatory, the Men's Reformatory, and the State Peni-  
 18 tentiary.

19 Total for additional mental health.....\$200,720.00

1 SEC. 17. 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. 18. Chapter eight (8) of the Code shall apply to this Act,  
 2 except that employees whose salaries are appropriated herein shall  
 3 not come under the division of personnel under section eight point  
 4 five (8.5) of the Code.

1 SEC. 19. A table of organization of all employees earning twelve  
 2 thousand dollars (\$12,000.00) or more annually for each institution  
 3 must be approved by the budget and financial control committee be-  
 4 fore such salaries may be paid from these funds. Any change in said  
 5 table of organization must likewise be approved by said committee  
 6 before being placed in effect.

Approved May 1, 1961.

### CHAPTER 3

#### BOARD OF CONTROL CAPITAL IMPROVEMENTS

##### H. F. 702

AN ACT to appropriate from the general fund of the state of Iowa for capital improve-  
 ments 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  
 2 of the state to the board of control the sum of six million four hun-  
 3 dred ninety-five thousand two hundred dollars (\$6,495,200.00) to be  
 4 used in the following manner, to wit:

5 To supplement any prior appropriations for capital improvement  
 6 items for construction of new buildings, repairs, improvements, re-  
 7 placements, or alterations, or for any other capital expenditures the  
 8 board of control may deem necessary for the proper and necessary  
 9 function of any institution under its jurisdiction.

1 SEC. 2. 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 expendi-  
4 ture shall be for the best interests of the state.

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

1 SEC. 4. 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. 5. Any unencumbered balance remaining as of June 30, 1965,  
2 of the appropriation of this Act made by the 59th General Assembly,  
3 shall revert to the general fund of the state as of June 30, 1965.

1 SEC. 6. This Act, being deemed of immediate importance shall be  
2 in full force and effect from and after its passage and publication  
3 as provided by law, in the Atlantic News-Telegraph, a newspaper pub-  
4 lished at Atlantic, Iowa, and in the Eldora Herald-Ledger, a news-  
5 paper published at Eldora, Iowa.

Approved May 4, 1961.

I hereby certify that the foregoing Act, House File 702, was published in the Atlantic News-Telegraph, Atlantic, Iowa, May 11, 1961, and in the Eldora Herald-Ledger, Eldora, Iowa, May 16, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 4

### DEFICIENCY APPROPRIATION FOR PENITENTIARY

H. F. 40

AN ACT to make a deficiency appropriation for salaries, support and maintenance of the state penitentiary.

*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 board of control for the biennium ending  
3 June 30, 1961, an additional amount as follows: For salaries, support  
4 and maintenance at the state penitentiary at Fort Madison seventy  
5 thousand (70,000) dollars.

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 Brooklyn  
3 Chronicle, a newspaper published at Brooklyn, Iowa and in the Forest  
4 City Summit, a newspaper published at Forest City, Iowa.

Approved February 6, 1961.

I hereby certify that the foregoing Act, House File 40, was published in The Brooklyn Chronicle, Brooklyn, Iowa, February 16, 1961, and in the Forest City Summit, Forest City, Iowa, February 16, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 5

## BOARD OF REGENTS APPROPRIATIONS

## S. F. 509

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1961, and ending June 30, 1963, to the state board of regents for the support, maintenance, equipment, repairs, replacements and alterations of institutions 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  
2 of the state in the biennium, beginning July 1, 1961, and ending June  
3 30, 1963, for the support, maintenance, equipment, repairs, replace-  
4 ments and alterations of all institutions under the control of the state  
5 board of regents, the following sums or so much thereof as may be  
6 necessary for the following purposes to wit:

## STATE UNIVERSITY OF IOWA

## Iowa City

1 SEC. 2. For the state university of Iowa there is hereby appropri-  
2 ated from the general fund of the state in the biennium beginning  
3 July 1, 1961, and ending June 30, 1963, the following sums or so much  
4 thereof as may be necessary to be used in the following manner:  
5 For salaries, support, maintenance, equipment, and  
6 miscellaneous purposes, for the biennium.....\$26,500,800.00  
7 For repairs, replacements and alterations for the  
8 biennium ..... 700,000.00  
9 For Lakeside laboratory, for repairs, replacements,  
10 alterations and equipment for the biennium..... 8,800.00  
11 Total for the biennium for state university of Iowa...\$27,209,600.00

## UNIVERSITY HOSPITAL

1 SEC. 3. For the purpose of carrying out the purpose of chapter  
2 two hundred fifty-five (255), Code 1958, there is hereby appro-  
3 priated from the general fund of the state in the biennium, beginning  
4 July 1, 1961, and ending June 30, 1963, the following sums or so much  
5 thereof as may be necessary to be used in the following manner:  
6 For salaries, support, maintenance, equipment, and  
7 for medical surgical treatment of indigent patients at  
8 the university hospital, for the biennium.....\$11,452,600.00  
9 For repairs, replacements and alterations for the  
10 biennium ..... 348,600.00  
11 Total for the biennium for the university hospital.....\$11,801,200.00

## PSYCHOPATHIC HOSPITAL

1 SEC. 4. For the psychopathic hospital for the purpose of chapter  
2 two hundred twenty-five (225), Code 1958, there is hereby appro-  
3 priated from the general fund of the state in the biennium, beginning  
4 July 1, 1961, and ending June 30, 1963, the following sums or so much

5	thereof as may be necessary to be used in the following manner:	
6	For salaries, support, maintenance, equipment, and	
7	for the care, treatment and maintenance of committed	
8	and voluntary public patients therein, for the biennium	\$1,973,800.00
9	For repairs, replacements and alterations for the	
10	biennium .....	26,600.00
11	Total for the biennium for psychopathic hospital.....	\$2,000,400.00

## BACTERIOLOGICAL LABORATORY

1	SEC. 5. For the bacteriological laboratory there is hereby appro-	
2	priated from the general fund of the state in the biennium, beginning	
3	July 1, 1961, and ending June 30, 1963, the following sums or so much	
4	thereof as may be necessary to be used in the manner and under the	
5	authority provided in chapter two hundred sixty-three (263), Code	
6	1958:	
7	For salaries, support, maintenance, equipment, and	
8	miscellaneous purposes, for the biennium.....	\$725,600.00
9	Total for the biennium for bacteriological laboratory.....	\$725,600.00

## HOSPITAL SCHOOL

1	SEC. 6. For the hospital school there is hereby appropriated from	
2	the general fund of the state in the biennium beginning July 1, 1961,	
3	and ending June 30, 1963, the following sums or so much thereof	
4	as may be necessary to be used in the manner and under the authority	
5	provided in chapter two hundred sixty-three (263), Code 1958:	
6	For salaries, support, maintenance, equipment, and	
7	miscellaneous purposes, for the biennium.....	\$1,258,200.00
8	For repairs, replacements and alterations for the	
9	biennium .....	10,400.00
10	Total for the biennium for hospital school.....	\$1,268,600.00

## IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

## Ames

1	SEC. 7. For the Iowa state university of science and technology,	
2	including the Iowa agricultural experiment station and the coopera-	
3	tive extension service in agriculture and home economics, there is	
4	hereby appropriated from the general fund of the state in the bien-	
5	niun beginning July 1, 1961, and ending June 30, 1963, the following	
6	sums or so much thereof as may be necessary to be used in the fol-	
7	lowing manner:	
8	(1) GENERAL COLLEGE	
9	For salaries, support, maintenance, equipment, and	
10	miscellaneous purposes, for the biennium.....	\$18,290,800.00
11	For repairs, replacements and alterations for the	
12	biennium .....	700,000.00
13	Total for the biennium for general college.....	\$18,990,800.00

14	(2) IOWA AGRICULTURAL EXPERIMENT STATION	
15	For salaries, support, maintenance, equipment, and	
16	miscellaneous purposes, for the biennium.....	\$ 4,698,920.00
<hr/>		
17	Total for the biennium for Iowa agricultural experi-	
18	ment station .....	\$ 4,698,920.00
19	(3) CO-OPERATIVE EXTENSION SERVICE IN	
20	AGRICULTURE AND HOME ECONOMICS	
21	For salaries, support, maintenance, equipment, and	
22	miscellaneous purposes, for the biennium.....	\$ 3,132,680.00
23	Total for the biennium for co-operative extension	
<hr/>		
24	service in agriculture and home economics.....	\$ 3,132,680.00
25	Grand total of all appropriations for all purposes of	
26	the Iowa state university of science and technology, in-	
27	cluding the Iowa agricultural experiment station and the	
28	co-operative extension service in agriculture and home	
<hr/>		
29	economics .....	\$26,822,400.00

## IOWA STATE TEACHERS COLLEGE\*

## Cedar Falls

1	SEC. 8. For the Iowa state teachers college there is hereby appro-	
2	priated from the general fund of the state in the biennium, beginning	
3	July 1, 1961, and ending June 30, 1963, the following sums or so much	
4	thereof as may be necessary to be used in the following manner:	
5	For salaries, support, maintenance, equipment, and	
6	miscellaneous purposes, for the biennium.....	\$ 7,498,400.00
7	For repairs, replacements and alterations for the first	
8	year of the biennium.....	330,800.00
<hr/>		
9	Total for the biennium for Iowa state teachers college \$	7,829,200.00

## IOWA BRAILLE AND SIGHT-SAVING SCHOOL

## Vinton

1	SEC. 9. For the Iowa braille and sight-saving school there is hereby	
2	appropriated from the general fund of the state in the biennium	
3	beginning July 1, 1961, and ending June 30, 1963, the following sums	
4	or so much thereof as may be necessary to be used in the following	
5	manner:	
6	For salaries, support, maintenance, equipment, and	
7	miscellaneous purposes, for the biennium.....	\$ 937,800.00
8	For repairs, replacements and alterations for the	
9	biennium .....	31,600.00
<hr/>		
10	Total for the biennium for the Iowa braille and sight-	
11	saving school.....	\$ 969,440.00

\*See chapter 153.



## IOWA SCHOOL FOR THE DEAF

## Council Bluffs

1	SEC. 10. For the Iowa school for the deaf there is hereby appro-	
2	priated from the general fund of the state in the biennium, beginning	
3	July 1, 1961, and ending June 30, 1963, the following sums or so much	
4	thereof as may be necessary to be used in the following manner:	
5	For salaries, support, maintenance, equipment, and	
6	miscellaneous purposes, for the biennium.....	\$ 1,700,600.00
7	For repairs, replacements and alterations for the	
8	biennium .....	35,400.00
9	Total for the biennium for the Iowa school for the	
10	deaf .....	\$ 1,736,000.00

## STATE SANATORIUM

## Oakdale

1	SEC. 11. For the state sanatorium at Oakdale, Iowa, there is here-	
2	by appropriated from the general fund of the state in the biennium	
3	beginning July 1, 1961, and ending June 30, 1963, the following sums	
4	or so much thereof as may be necessary to be used in the following	
5	manner:	
6	For salaries, support, maintenance, equipment, and	
7	miscellaneous purposes, for the biennium.....	\$ 2,293,600.00
8	For repairs, replacements and alterations for the	
9	biennium .....	90,000.00
10	Total for the biennium for the state sanatorium, Oak-	
11	dale, Iowa.....	\$ 2,383,600.00
12	Grand total of all appropriations to the state board of	
13	regents for all purposes.....	\$82,746,000.00

1 SEC. 12. The budget of total expenditures for each institution  
2 under 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 ex-  
9 penditure shall be made out of increase in receipts of such institution,  
10 such increase in receipts meaning receipts in excess of the estimation  
11 of receipts of the respective institutions as set forth in the appropria-  
12 tions proposals submitted to the general assembly, provided that thirty  
13 days prior to such proposed increased expenditure the board shall re-  
14 port in writing to the state comptroller the specific purpose of such  
15 additional expenditure and the source and amount of funds available  
16 therefor, and further said board shall set out in its biennial report  
17 to the governor and the next general assembly such increased ex-  
18 penditures, the purpose thereof, and the source and amount of funds  
19 used therefor.

20 No funds appropriated by this Act or receipts, which may be used  
21 for the same purpose as said appropriations, may be used for capital  
22 improvements.

23	State university of Iowa.....	\$ 33,659,600.00
24	University hospital.....	19,972,685.00
25	Psychopathic hospital.....	2,372,116.00
26	Bacteriological laboratory.....	816,508.00
27	Hospital school.....	1,268,600.00
28	Iowa state university of science and technology	
29	General college.....	25,013,800.00
30	Agricultural experiment station.....	6,039,580.00
31	Co-operative extension service in agriculture and	
32	home economics.....	5,971,548.00
33	Iowa state teachers college.....	*9,300,700.00
34	Iowa braille and sight-saving school.....	971,400.00
35	Iowa school for the deaf.....	1,747,800.00
36	State sanatorium.....	2,538,400.00
37	Total budget for all institutions under the state	
38	board of regents for the biennium beginning July 1,	
39	1961, and ending June 30, 1963.....	\$109,672,737.00

1 SEC. 13. 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. 14. Any unencumbered balances remaining in the appropri-  
2 ations made by the 58th General Assembly to the state board of regents  
3 for the support, maintenance, equipment, repairs, replacements and  
4 alterations of institutions under said state board of regents, on June  
5 30, 1961, shall revert to the general fund of the state, except that bal-  
6 ances not to exceed the following specified amounts may be retained in  
7 each fund and used for necessary adjustments of salaries, support,  
8 maintenance and equipment with the approval of the state board of  
9 regents and the budget and financial control committee:

10	State university of Iowa—general.....	\$200,000.00
11	University hospital.....	75,000.00
12	Psychopathic hospital.....	15,000.00
13	Bacteriological laboratory.....	7,500.00
14	Hospital school.....	5,000.00
15	Iowa state university—general.....	200,000.00
16	Iowa agricultural experiment station.....	25,000.00
17	Co-operative extension service in agriculture and home	
18	economics.....	25,000.00
19	Iowa state teachers college.....	50,000.00
20	Iowa braille and sight-saving school.....	5,000.00
21	Iowa school for the deaf.....	10,000.00
22	State sanatorium.....	15,000.00

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

1 SEC. 16. This Act, being deemed of immediate importance, shall  
2 take effect and be in full force from and after its passage and publica-

3 tion in The Toledo Chronicle, a newspaper published at Toledo, Iowa,  
 4 and in The Reinbeck Courier, a newspaper published at Reinbeck,  
 5 Iowa.

Approved May 15, 1961.

I hereby certify that the foregoing Act, Senate File 509, was published in The Toledo Chronicle, Toledo, Iowa, May 25, 1961, and in The Reinbeck Courier, Reinbeck, Iowa, May 25, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

\*According to enrolled Act.

CHAPTER 6

BOARD OF REGENTS CAPITAL IMPROVEMENTS

H. F. 709

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 and equipment.

*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 board of regents for capital improve-  
 3 ments, repairs, replacements, alterations and equipment, the sum of  
 4 twenty million seven hundred eighty-nine thousand two hundred dol-  
 5 lars (\$20,789,200.00), the same being allotted to the various insti-  
 6 tutions under the state board of regents in the following amounts:

7	STATE UNIVERSITY OF IOWA.....	\$7,864,000.00
8	1. Equipment and moving expense for	
9	Fifty-eighth General Assembly build-	
10	ings and additions.....	\$ 969,000.00
11	2. University Field Station—Coralville	
12	reservoir .....	20,000.00
13	3. Utilities improvements .....	1,216,000.00
14	4. Accelerator building .....	300,000.00
15	5. Remodel vacated space (special re-	
16	pairs, replacements and alterations).....	100,000.00
17	6. General classroom and educational	
18	building without equipment.....	3,735,000.00

19 (In the event the board of regents, with  
 20 the approval of the Budget and Financial  
 21 Control Committee, finds that a general  
 22 classroom and educational building is not  
 23 as practicable and economical in providing  
 24 educational facilities as the buildings here-  
 25 inafter specified, then such buildings are  
 26 authorized and the amounts set out there-  
 27 for are hereby appropriated; provided,  
 28 however, that two or more of such build-  
 29 ings may be combined into a general class-  
 30 room and educational building and the re-  
 31 mainder of such buildings may be built

32	separately, with the approval of the Budget and Financial Control Committee.)	
34	(a) Physics and mathematics building	
35	without equipment .....	\$1,410,000.00
36	(b) Engineering building addition	
37	without equipment .....	785,000.00
38	(c) Business administration college	
39	building without equipment.....	1,540,000.00
40	7. Zoology building without equipment....	544,000.00
41	8. College of business administration site	
42	clearance .....	100,000.00
43	9. Chemistry building addition, without	
44	equipment .....	430,000.00
45	10. Special equipment for pharmacy re-	
46	search (special repairs, replacements	
47	and alterations) .....	135,000.00
48	11. Special equipment for Chemistry re-	
49	search (special repairs, replacements	
50	and alterations) .....	315,000.00
51	STATE UNIVERSITY OF IOWA—STATE SERVICES.....	2,316,000.00
52	1. University hospital minimal care unit	1,776,000.00
53	2. Mentally retarded children's center	
54	without equipment .....	380,000.00
55	3. University hospital remodel patient's	
56	bath and toilet facilities (special re-	
57	pairs replacements and alterations)....	95,000.00
58	4. State bacteriological laboratory equip-	
59	ment (special repairs, replacements	
60	and alterations) .....	65,000.00
61	IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY.....	7,418,000.00
62	1. Animal industries building without	
63	equipment .....	1,738,000.00
64	2. Chemistry building addition with part	
65	of equipment .....	2,000,000.00
66	3. Engineering building without	
67	equipment .....	1,255,000.00
68	4. Men's physical education additions	
69	without equipment .....	1,800,000.00
70	5. Utilities—replacements and extension	
71	(special repairs, replacements and al-	
72	terations) .....	325,000.00
73	(a) Electric distribution system \$ 75,000.00	
74	(b) Steam distribution system.. 250,000.00	
75	6. Child development laboratory, remodel-	
76	ing and addition (special repairs, re-	
77	placements and alterations).....	125,000.00
78	7. Agricultural engineering addition for	
79	industrial arts (special repairs, re-	
80	placements and alterations).....	170,000.00
81	IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY—	
82	PUBLIC SERVICES .....	250,000.00
83	1. Buildings and improvements on new	
84	agronomy and agricultural engineer-	
85	ing research farm.....	250,000.00

86	IOWA STATE TEACHERS COLLEGE*		2,420,000.00
87	1. Library, Unit 1, including equipment	1,500,000.00	
88	2. Administration building including		
89	equipment	720,000.00	
90	3. Science building, modernize heating		
91	(special repairs, replacements and al-		
92	terations)	24,725.00	
93	4. Wright Hall, modernize heating (spe-		
94	cial repairs, replacements and altera-		
95	tions)	60,950.00	
96	5. Improve present heat distribution		
97	system (special repairs, replacements		
98	and alterations)	41,860.00	
99	6. Auditorium and Library, replace heat		
100	coils (special repairs, replacements		
101	and alterations)	31,000.00	
102	7. Arts and Industries building, alumi-		
103	num sun shades for exterior of build-		
104	ing (special repairs, replacements		
105	and alterations)	10,500.00	
106	8. Men's gymnasium, sound control for		
107	use as auditorium (special repairs,		
108	replacements and alterations)	15,000.00	
109	9. West Campus, grounds development		
110	(special repairs, replacements and al-		
111	terations)	15,965.00	
112	IOWA SCHOOL FOR THE DEAF		280,000.00
113	1. Girls dormitory without equipment	280,000.00	
114	IOWA BRAILLE AND SIGHT-SAVING SCHOOL		121,200.00
115	1. Physical education building equipment	5,000.00	
116	2. Children's cottage addition	40,000.00	
117	3. Superintendent's residence, garage	1,000.00	
118	4. Fire prevention (special repairs, re-		
119	placements and alterations)	43,200.00	
120	5. Main building repairs (special re-		
121	pairs, replacements and alterations)	10,000.00	
122	6. Conversion of barn to maintenance		
123	shops (special repairs, replacements		
124	and alterations)	10,000.00	
125	7. Main building, tuck pointing (special		
126	repairs, replacements and alterations)	12,000.00	
127	STATE SANATORIUM		125,000.00
128	1. Building 49 — extension of service		
129	building	115,000.00	
130	2. Post Office and bus station	10,000.00	

1 SEC. 2. Such sums for each institution shall be expended in ac-  
 2 cording with the above list of priorities in the approximate estimated  
 3 amounts, except that the portion of the funds appropriated under  
 4 Section 1, Item 3 for the State University of Iowa for the construc-  
 5 tion of a water treatment plant, and such additional capital funds as  
 6 may be needed and subsequently appropriated for this purpose, may

\*See chapter 153.

7 be used in cooperation with the City of Iowa City to acquire, own, con-  
8 struct, establish, purchase, maintain and/or alter a water treatment  
9 plant for service to the city, community and the university under  
10 such terms and conditions as may be mutually agreed to by the board  
11 of regents and the City of Iowa City and approved by the budget and  
12 financial control committee. Such water treatment plant shall serve  
13 the university as a customer and the university shall have power to  
14 participate in the operation and maintenance of such water treatment  
15 plant and to allocate from operating funds for the operation and  
16 maintenance and service to the university under such conditions and  
17 terms as may be mutually agreed to by the board of regents and  
18 the City of Iowa City. Such amounts and order of priority may be  
19 changed by the state board of regents with the approval of the budget  
20 and financial control committee.

1 SEC. 3. Preliminary plans, or descriptions, and a project estimate  
2 for improvements for which funds are hereinabove appropriated shall  
3 be submitted by the state board of regents to the budget and financial  
4 control committee for approval before bids on the improvements are  
5 requested. Contracts for construction of improvements for which  
6 funds are hereinabove appropriated and project budgets shall be  
7 submitted by the state board of regents to the budget and financial  
8 control committee for approval after bids are received. Items com-  
9 monly known as change orders need not be submitted to the budget  
10 and financial control committee for approval unless such change  
11 orders actually increase the total cost of that particular contract by  
12 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 ap-  
4 propriated.

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

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

1 SEC. 7. In the event that H.R. 6483, providing for federal grants  
2 and loans for construction of academic buildings and for scholarships,  
3 as filed in the House of Representatives of the Congress of the United  
4 States, or other federal legislation for the same general purposes,  
5 should become law and require that an agency of the State be created  
6 or designated for the administration of the law as it may apply and  
7 be to the benefit of all public and private institutions of higher edu-  
8 cation in the State of Iowa, the Governor of the State of Iowa is  
9 hereby empowered to appoint or designate an agency broadly respre-  
10 sentative of all higher education and the public of Iowa as a State  
11 Commission on Academic Facilities and Scholarships.

\*According to enrolled Act.

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 Montezuma Republican, a newspaper published in Montezuma,  
 4 Iowa, and The Seymour Herald, a newspaper published in Seymour,  
 5 Iowa.

Approved May 12, 1961.

I hereby certify that the foregoing Act, House File 709, was published in The Montezuma Republican, Montezuma, Iowa, May 25, 1961, and in The Seymour Herald, Seymour, Iowa, May 25, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 7

BOARD OF REGENTS APPROPRIATION

H. F. 380

AN ACT to appropriate from the general fund of the state to the state board of regents for equipment and moving expense for the law center at the state university 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 to the state board of regents the sum of one  
 3 hundred ten thousand dollars (\$110,000.00) to be used in the follow-  
 4 ing manner:

5 For equipment and moving expense for the law center at the state  
 6 university of Iowa.....\$110,000.00

1 SEC. 2. Preliminary plans, or descriptions, and a project estimate  
 2 for improvements for which funds are hereinabove appropriated  
 3 shall be submitted by the state board of regents to the budget and  
 4 financial control committee for approval before bids on the improve-  
 5 ments are requested. Contracts for construction of improvements  
 6 for which funds are hereinabove appropriated and project budgets  
 7 shall be submitted by the state board of regents to the budget and  
 8 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. 3. 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. 4. 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. 5. 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 Grinnell Herald-Register, a newspaper published in Grinnell,  
 4 Iowa, and the Chariton Herald-Patriot, a newspaper published in  
 5 Chariton, Iowa.

Approved March 27, 1961.

I hereby certify that the foregoing Act, House File 380, was published in the Grinnell Herald-Register, Grinnell, Iowa, April 3, 1961, and in the Chariton Herald-Patriot, Chariton, Iowa, April 6, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 8

### BOARD OF REGENTS APPROPRIATION FOR STORM DAMAGE AT VINTON

H. F. 710

AN ACT to appropriate from the general fund of the state of Iowa to the state board of regents for the purpose of repairing the damage to the buildings, grounds and equipment of the Iowa Braille and Sight-saving school at Vinton caused by a storm on April 23, 1961.

*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 board of regents the sum of forty-eight  
 3 thousand two hundred forty dollars (\$48,240.00) for the purpose of  
 4 repairing the damage to buildings, grounds and equipment of the  
 5 Iowa braille and sight-saving school at Vinton.

1 SEC. 2. Upon completion of said work any unexpended balance  
 2 hereof 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 publication in the Cedar  
 3 Valley Daily Times, a newspaper published at Vinton, Iowa, and the  
 4 Grinnell Herald-Register, a newspaper published at Grinnell, Iowa.

Approved May 6, 1961.

I hereby certify that the foregoing Act, House File 710, was published in the Cedar Valley Daily Times, Vinton, Iowa, May 11, 1961, and in the Grinnell Herald-Register, Grinnell, Iowa, May 11, 1961.

MELVIN D. SYNHORST, *Secretary of State.*



CHAPTER 9

APPROPRIATION TO SOCIAL WELFARE DEPARTMENT

S. F. 505

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1961, and ending June 30, 1963, 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, aid to the disabled fund, and support for Indians residing on a reservation.

*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, 1961, and ending June 30, 1963, the sum  
 4 of seventeen million nine hundred thirty-three thousand dollars  
 5 (\$17,933,000.00) to be used in the following manner:  
 6 For aid to blind fund.....\$ 600,000.00  
 7 For aid to dependent children fund..... 4,000,000.00  
 8 For child welfare fund..... 350,000.00  
 9 For emergency relief fund..... 50,000.00  
 10 Old-age assistance fund..... 12,750,000.00  
 11 Aid to the disabled fund..... 168,000.00  
 12 Support for Indians residing on a reservation..... 15,000.00  
 13 Grand total for all appropriations for all purposes  
 14 for each year of the biennium for the social welfare  
 15 department .....\$17,933,000.00

1 SEC. 2. Any balance remaining in the funds, to which appropria-  
 2 tions are made by this Act, at the end of the ensuing biennium shall  
 3 revert to the general fund of the state except that balances not to  
 4 exceed the following specified amounts may be retained in each fund:  
 5 Aid to blind fund.....\$ 60,000.00  
 6 Aid to dependent children fund..... 500,000.00  
 7 Emergency relief fund..... 50,000.00  
 8 Aid to the disabled fund..... 30,000.00

Approved May 1, 1961.

CHAPTER 10

SOCIAL WELFARE APPROPRIATIONS RETAINED

H. F. 31

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 nine (9), Acts of the Fifty-  
 2 eighth 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

7	Old Age Assistance.....	\$500,000
8	Aid to the Blind.....	\$ 80,000
9	Emergency Relief .....	\$ 50,000
10	Aid to Disabled.....	\$ 30,000"

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 in Tipton, Iowa, and The  
 4 Lyon County Reporter, a newspaper published at Rock Rapids, Iowa.

Approved April 24, 1961.

I hereby certify that the foregoing Act, House File 31, was published in The Tipton Advertiser, Tipton, Iowa, May 4, 1961, and in The Lyon County Reporter, Rock Rapids, Iowa, May 1, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 11

### GENERAL SCHOOL AID

S. F. 538

AN ACT to appropriate thirty-nine million fifty-nine thousand five hundred sixty dollars (\$39,059,560.00) 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), Code 1958.

*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 department of public instruction for each  
 3 year of the biennium beginning July 1, 1961, and ending June 30,  
 4 1963, the sum of nineteen million five hundred twenty-nine thousand  
 5 seven hundred eighty dollars (\$19,529,780.00), or so much thereof as  
 6 may be necessary, for general state aid to the school districts as pro-  
 7 vided by chapter two hundred eighty-six A (286A) of the Code, pro-  
 8 vided, however, that no school district shall receive financial aid under  
 9 the provisions of said chapter of the Code in the event a school tax  
 10 levy for the general fund of at least fifteen (15) mills was not made  
 11 in such district for the preceding year.

1 SEC. 2. Section two hundred eighty-six A point three (286A.3),  
 2 Code 1958, is hereby amended by striking lines one (1) through eight  
 3 (8) and inserting in lieu thereof the following:

4 "General school aid shall be distributed under this chapter on the  
 5 basis provided in section two hundred eighty-six A point four  
 6 (286A.4) of the Code."

1 SEC. 3. Section two hundred eighty-six A point four (286A.4),  
 2 Code 1958, is amended by striking subsection three (3) and inserting  
 3 in lieu thereof the following:

4 "Multiply one dollar by the average daily enrollment of the students  
 5 who are residents of the junior college district carrying twelve (12)  
 6 or more semester hours of work. Multiply one dollar and a half by  
 7 the average daily enrollment of the student who is a nonresident of  
 8 the district carrying twelve (12) or more semester hours of work,  
 9 except that this shall not apply to a nonresident of the state of Iowa.

10 Multiply the sum of these products by the actual number of days  
 11 school was officially in session, not to exceed one hundred eighty days.  
 12 For the purpose of this section 'work' means subjects or courses for  
 13 which credit is granted and which are approved by the state depart-  
 14 ment of public instruction for state aid."

1 SEC. 4. In the event that the funds appropriated herein exceed  
 2 the claims filed by the several school districts of the state, the State  
 3 Department of Public Instruction shall increase the amount certified  
 4 to the State Comptroller for each school district by their proportionate  
 5 share of the excess funds. Said share of excess funds to be computed  
 6 by taking the ratio that their claim bears to the total claims filed.

Approved May 12, 1961.

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## CHAPTER 12

### SCHOOL TRANSPORTATION AID

S. F. 535

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 state aid for transportation as provided by chapter two hundred eighty-five (285), Code 1958.

*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, 1961, and ending June 30,  
 4 1963, the sum of four million dollars (\$4,000,000.00), or so much  
 5 thereof as may be necessary, for state aid for transportation as  
 6 provided by chapter two hundred eighty-five (285), Code 1958.

Approved May 5, 1961.

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## CHAPTER 13

### PUBLIC INSTRUCTION SPECIFIED SCHOOL AID

S. F. 537

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, 1961, and ending June 30,  
 4 1963, the sum of two million twenty-one thousand five hundred dollars  
 5 (\$2,021,500.00), or so much thereof as may be necessary, to be used  
 6 in the following manner:

7 Aid to handicapped children (special education as  
 8 provided in chapter two hundred eighty-one (281),  
 9 Code 1958).....\$1,500,000.00

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.....	200,000.00
14	(None of such aid shall be distributed to any school	
15	which the department estimates could maintain rea-	
16	sonable educational standards without levying a tax	
17	in excess of one hundred (100) mills).	
18	For vocational education aid.....	200,000.00
19	(In addition to the two hundred thousand dollars	
20	(\$200,000.00) appropriated for this purpose under	
21	section two hundred fifty-eight point eight (258.8),	
22	Code 1958)	
23	Any unencumbered balance shall revert in the man-	
24	ner provided by chapter eight (8), Code 1958.	
		<hr/>
25	Total.....	\$2,021,500.00
	Approved May 12, 1961.	

CHAPTER 14

SUPPLEMENTAL SCHOOL AID

S. F. 536

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), Code 1958.

*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, 1961, and ending June 30,  
4 1963, 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  
6 districts of the state as qualify under provisions of chapter two  
7 hundred eighty-six (286), Code 1958, provided, however, that no  
8 school district shall receive financial aid under the provisions of said  
9 chapter of the Code for reimbursement for any year in which a  
10 school tax levy for the general fund of at least fifteen (15) mills  
11 was not made in such district.

Approved May 5, 1961.

## CHAPTER 15

## NATIONAL DEFENSE EDUCATION

S. F. 534

AN ACT to accept the national defense education Act of 1958 and to make an appropriation 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  
3 year of the biennium beginning July 1, 1961, and ending June 30,  
4 1963, the sum of sixty-five thousand two hundred fifty dollars  
5 (\$65,250.00), or so much thereof as may be necessary, to be used  
6 in the following manner:

7 For the administration and extension of supervisory and related  
8 services by the department of Title III, financial assistance for  
9 strengthening science, mathematics and modern foreign language  
10 instruction .....\$ 65,250.00

1 SEC. 3. There is hereby appropriated from the general fund of  
2 the state of Iowa to the department of public instruction for each  
3 year of the biennium beginning July 1, 1961, and ending June 30,  
4 1963, the sum of seventeen thousand dollars (\$17,000.00), or so much  
5 thereof as may be necessary, to be used in the following manner:

6 For the administration and supervision by the department of  
7 Title V .....\$ 17,000.00

1 SEC. 4. There is hereby appropriated from the general fund of  
2 the state of Iowa to the department of public instruction for each  
3 year of the biennium beginning July 1, 1961, and ending June 30,  
4 1963, the sum of two hundred fifty thousand dollars (\$250,000.00),  
5 or so much thereof as may be necessary, to be used in the following  
6 manner:

7 For the administration by the department and for use by the  
8 several school districts of the state for Title VIII, area vocational  
9 program .....\$ 250,000.00

1 SEC. 5. There is hereby appropriated from the general fund of  
2 the state of Iowa to the department of public instruction for each  
3 year of the biennium beginning July 1, 1961, and ending June 30,  
4 1963, the sum of sixty-five thousand dollars (\$65,000.00), or so much  
5 thereof as may be necessary, to be used in the following manner:

6 For Title X, improvement expansion of statistical services of the  
7 state department .....\$ 65,000.00

8 Total .....\$ 397,250.00

Approved May 5, 1961.

## CHAPTER 16

PUBLIC INSTRUCTION REVOLVING FUND  
AND RESEARCH OF MENTAL RETARDATION

S. F. 533

AN ACT to appropriate from the general fund of the state of Iowa to the department of public instruction ten thousand dollars (\$10,000.00) 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 and to make a study of mental retardation in 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 for the biennium beginning July 1, 1961, and ending June  
3 30, 1963, to the department of public instruction the sum of ten  
4 thousand dollars (\$10,000.00) or so much thereof as may be necessary  
5 for the use of the veterans education program to be used as a revol-  
6 ving fund to pay salaries and travel of personnel which will be re-  
7 imursed by the veterans administration.

8 Total.....\$10,000.00

1 SEC. 2. There is hereby appropriated from the general fund of  
2 the state for the biennium beginning July 1, 1961, and ending June  
3 30, 1963, to the department of public instruction the sum of five  
4 thousand dollars (\$5,000.00) or so much thereof as may be necessary  
5 to be used as a revolving fund to cover warehousing, handling, and  
6 transportation of direct distribution of federal surplus commodities  
7 which will be reimbursed by charging pro rata costs of these items  
8 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, 1961, and ending June  
3 30, 1963, to the department of public instruction the sum of fifteen  
4 thousand dollars (\$15,000.00) or so much thereof as may be necessary  
5 to be used as a revolving fund to pay salaries, travel and miscellaneous  
6 expenses of research projects regarding mentally retarded children  
7 and students who fail to complete their high school education, carried  
8 on co-operatively with the United States office of education.

9 Total.....\$15,000.00

1 SEC. 4. The legislative research committee and bureau are hereby  
2 directed to make a study of mental retardation in Iowa. From such  
3 study, suggestions should be made to the next general assembly (1)  
4 for methods by which existing state and local agencies can improve  
5 and coordinate their services for the mentally retarded and (2) for  
6 statewide programs for handling problems of the mentally retarded.

1 SEC. 5. The research committee and bureau are hereby directed  
2 to carry out this study under the procedures provided by sections two  
3 (2) and three (3) of chapter sixty-three (63), Acts of the Fifty-  
4 eighth General Assembly.

1 SEC. 6. The research committee and bureau may call to its assist-  
2 ance and avail itself of the services of such employees of any state

3 department, board, bureau, commission or agency as it may require  
 4 for technical, professional and expert assistance which the committee  
 5 may deem necessary.

1 SEC. 7. The report from this study shall be made available to all  
 2 members of the general assembly by December 15, 1962, and shall also  
 3 be made available to interested individuals, agencies and organizations  
 4 upon request.

Approved May 12, 1961.

## CHAPTER 17

### HIGHWAY COMMISSION EXPENDITURES

S. F. 541

AN ACT authorizing expenditures by state highway commission from the primary road fund for the biennium beginning July 1, 1961, and ending June 30, 1963, and relating to salaries of highway commission members.

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

1 SECTION 1. The state highway commission is hereby authorized  
 2 to expend from the primary road fund for each year of the biennium  
 3 beginning July 1, 1961, and ending June 30, 1963, not to exceed  
 4 twenty-one million one hundred thousand dollars (\$21,100,000.00), or  
 5 so much thereof as may be necessary to be used in the following  
 6 manner:

7	For support of the state highway commission, engineering, testing materials and administration of primary and secondary road work, including salaries for five (5) commissioners at six thousand dollars (\$6,000.00) each .....	\$ 6,400,000.00
12	For maintenance of primary road system .....	14,700,000.00

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, 1961, and ending June 30, 1963, not to exceed one hundred  
 5 thousand dollars (\$100,000.00) or so much thereof as may be necessary for the purpose of paying costs and expenses of litigation arising  
 6 from or pertaining to primary roads or farm-to-market roads. Any  
 7 balance unused during the first fiscal year of the biennium shall be  
 8 carried over and augment the amount authorized for the second year  
 9 of the biennium, and at the end of the biennium any balance shall  
 10 revert to the primary road fund.

1 SEC. 3. Section three hundred seven point four (307.4), Code  
 2 1958, is hereby amended by striking from line three (3) the words  
 3 "of forty-five hundred dollars per annum" and inserting in lieu thereof  
 4 the words "as fixed by the general assembly".

Approved May 15, 1961.

## CHAPTER 18

## WORKMEN'S COMPENSATION FOR HIGHWAY EMPLOYEES

S. F. 524

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, 1961, and ending June 30, 1963, the sum of eighty  
4 thousand dollars (\$80,000.00) 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 May 2, 1961.

## CHAPTER 19

## APPROPRIATION FOR UNDERPASS AT AMES

H. F. 304

AN ACT to appropriate from the road use tax fund of the state to the state highway commission for the construction of the Stange institutional road underpass of the Chicago and North Western Railway on the campus of the Iowa state university of science and technology at Ames, Iowa.

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

1 SECTION 1. There is hereby appropriated from the road use tax  
2 fund of the state to the state highway commission for the construc-  
3 tion of the Stange institutional road underpass of the Chicago and  
4 North Western Railway on the campus of the Iowa State University  
5 of Science and Technology at Ames, Iowa, the sum of five hundred  
6 thousand dollars (\$500,000.00).

1 SEC. 2. Plans and specifications for the construction of this project  
2 shall be submitted by the state highway commission to the state board  
3 of regents, and to the budget and financial control committee for ap-  
4 proval prior to the receipt of bids. Contracts for the construction of  
5 this project shall be submitted by the state highway commission to  
6 the state board of regents and to the budget and financial control  
7 committee for approval after bids are received.

1 SEC. 3. The state highway commission is hereby authorized to  
2 accept federal grants to the state to be used in connection with the  
3 funds hereinabove appropriated.

1 SEC. 4. Upon the completion of this project, as set forth in this  
2 Act, any unobligated balance remaining shall revert to the road use  
3 tax fund.



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

Approved May 12, 1961.

I hereby certify that the foregoing Act, House File 304 was published in the Ames Daily Tribune, Ames, Iowa, June 8, 1961, and in the Algona Kossuth County Advance, Algona, Iowa, June 13, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 20

### APPROPRIATION FOR SOIL CONSERVATION

S. F. 520

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  
 2 of the state of Iowa to the state soil conservation committee the sum  
 3 of five hundred thousand dollars (\$500,000.00) for each year of the  
 4 biennium beginning July 1, 1961, and ending June 30, 1963, 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 nec-  
 13 essary expenses including office rental, equipment and materials to  
 14 be assigned to the soil conservation districts by the state soil con-  
 15 servation committee on a need basis; four hundred fifty thousand  
 16 dollars (\$450,000.00).

1 SEC. 2. There is hereby appropriated from the general fund of  
 2 the state of Iowa to the state soil conservation committee the sum of  
 3 fifty thousand dollars (\$50,000.00) for each year of the biennium  
 4 beginning July 1, 1961, and ending June 30, 1963, or so much thereof  
 5 as may be necessary, to be used and expended in participation and  
 6 conjunction with the federal government or any of its agencies in  
 7 joint operations of watershed planning and development within the  
 8 state of Iowa.

Approved May 2, 1961.

## CHAPTER 21

## NATIONAL GUARD CAPITAL IMPROVEMENTS

S. F. 523

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  
2 of the state to the national guard and state guard the sum of two  
3 hundred twenty-six thousand two hundred fifty dollars (\$226,250.00)  
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, reha-  
8 bilitation and converting facilities of the administration  
9 and training units of the national guard and state guard. \$88,750.00

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 and roads at Camp  
15 Dodge, Iowa..... 67,500.00

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

Approved May 2, 1961.

## CHAPTER 22

## MOTOR VEHICLE FUEL TAX REFUNDS

S. F. 525

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, 1961, and ending June 30, 1963, the sum of fifteen  
4 thousand dollars (\$15,000.00) or so much thereof as may be necessary  
5 for use in employing help and defraying other expenses in writing  
6 motor vehicle fuel tax refund warrants and keeping necessary records.

Approved May 2, 1961.

## CHAPTER 23

## CAPITOL BUILDING REPAIRS

S. F. 542

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  
2 of the state to the superintendent of public buildings and grounds  
3 the sum of one hundred fifteen thousand six hundred dollars  
4 (\$115,600.00) to be used in the following manner:

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

## CAPITOL BUILDING

2	Electrical wiring—interior wiring.....	\$50,000.00
3	Weather-proof and paint windows.....	15,600.00
4	Replace deteriorated water pipes.....	50,000.00

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

Approved May 12, 1961.

## CHAPTER 24

## CONSERVATION COMMISSION APPROPRIATIONS

H. F. 717

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 two million one hundred sixty thousand six hundred dollars (\$2,-  
4 160,600.00) for construction, replacement, repairs, development and

5 alterations to state parks and reserves, state forests and state waters,  
6 and for dredging, artificial lake development, erosion control, for  
7 stream and lake access, land acquisition, and for siltation and bound-  
8 ary surveys.

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

2	STATE FORESTS	
3	Yellow River	
4	tree planting, fencing and development	\$ 49,000.00
5	fire breaks and access	10,000.00
6	prison camp	30,000.00
7	camp areas	15,000.00
8	land purchase	15,000.00
9	erosion control (gully and streambank)	10,000.00
10	Shimek	
11	tree planting, fencing and development	20,000.00
12	land purchase (Federal)	20,000.00
13	Stephens	
14	tree planting, fencing and development	10,000.00
15	White Pine Hollow	
16	tree planting, fencing, land purchase and development	13,500.00
17	Total	\$192,500.00
18	STATE PARKS AND PRESERVES	
19	Backbone State Park	
20	camp area	6,000.00
21	residence	22,000.00
22	land acquisition	1,500.00
23	beach improvement	500.00
24	cabin repairs	10,000.00
25	Beeds Lake State Park	
26	camp area	17,500.00
27	two toilet buildings	2,500.00
28	land acquisition	1,500.00
29	Bellevue State Park	
30	toilet building	2,500.00
31	Black Hawk Lake State Park	
32	camp area	12,500.00
33	Brown's Lake State Park	
34	shelter house	3,000.00
35	Clear Lake State Park	
36	office addition to residence	3,000.00
37	Cold Springs State Park	
38	well	3,000.00
39	Dolliver Memorial State Park	
40	camp area	13,500.00
41	Gitchie Manitou State Park	
42	Jasper Pool silt removal	20,000.00
43	Geode State Park	
44	water lines	3,000.00
45	camp area	13,000.00
46	Gull Point State Park	
47	camp area (shower, waterlines and power)	18,500.00

48	Lacey-Keosauqua State Park	
49	water system and lines	5,000.00
50	trails	1,000.00
51	Lake Ahquabi State Park	
52	camp area	1,000.00
53	Lake Darling State Park	
54	camp area	1,000.00
55	beach improvements	5,000.00
56	Lake Keomah State Park	
57	camp area	1,000.00
58	Lake Macbride State Park	
59	camp area	15,000.00
60	picnic area (one area)	2,500.00
61	one well	3,000.00
62	Pilot Knob State Park	
63	camp area	10,000.00
64	Pine Lake State Park	
65	foot trails	1,000.00
66	Lake of Three Fires State Park	
67	beach improvement	2,000.00
68	Lake Wapello State Park	
69	camp area improvements	3,000.00
70	cabin repairs	10,000.00
71	Ledges State Park	
72	camp area extensions	2,500.00
73	Lewis and Clark State Park	
74	beach improvements	2,000.00
75	Maquoketa Caves State Park	
76	camp area improvements	2,500.00
77	land acquisition	6,000.00
78	Pikes Peak State Park	
79	land acquisition	10,000.00
80	residence and camping area	22,000.00
81	power line and water line extension	3,000.00
82	Prairie Rose State Park	
83	tree planting	2,500.00
84	parking areas	10,000.00
85	Rock Creek Lake State Park	
86	beach improvements	10,000.00
87	Springbrook State Park	
88	resurface beach (1000 ton sand)	2,000.00
89	trails	3,000.00
90	Stone Park	
91	trails	2,000.00
92	Swan Lake State Park	
93	land acquisition	20,000.00
94	Union Grove State Park	
95	beach improvements	2,000.00
96	camping area development	3,000.00
97	Viking Lake State Park	
98	camping area (shower, water lines, power, parking)	18,000.00
99	parking	5,000.00

100	Waubonsie State Park	
101	camp area expansion (parking, trees, water lines)	5,000.00
102	land acquisition	10,000.00
103	Wild Cat Den State Park	
104	camp area development	8,000.00
		<hr/>
105	Total Parks and Preserves	\$ 362,500.00
106	STATEWIDE PROJECTS	
107	A. Lake and park surveys	35,000.00
108	B. Planning survey	25,000.00
109	C. Lake Boundary and siltation surveys	14,000.00
110	D. Algae and weed control	20,000.00
111	E. Engineering fund (capital improvement	
112	engineering)	50,000.00
113	F. For the acquisition of land for an artificial lake in	
114	Cass County	100,000.00
115	G. Missouri river—development and land acquisition	75,000.00
116	H. Mississippi river—development and land acquisition	25,000.00
117	I. Natural lake improvements	200,000.00
118	J. Flood control reservoir—development and land	
119	acquisition (access)	30,000.00
120	K. Erosion control and watershed protection	80,000.00
121	L. Contingency	50,000.00
122	M. Spillway repairs	56,500.00
123	N. Prairie land acquisition	5,000.00
124	O. Repairs, paint, etc.	640,100.00
		<hr/>
125	Total Statewide projects	\$1,405,600.00
		<hr/>
126	Grand total	\$2,160,600.00

1 SEC. 3. There is hereby appropriated to the state conservation  
 2 commission the sum of two hundred thousand dollars (\$200,000.00)  
 3 for dredging at North Twin Lake; provided, however, that the dredg-  
 4 ing and other construction work shall be let on bids to private indi-  
 5 viduals, firms associations, or corporations.

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

1 SEC. 5. The treasurer of the state of Iowa is hereby empowered  
 2 to invest any of the funds so appropriated and set aside by the pro-  
 3 visions of section one (1) of the Act in securities of the United States  
 4 government.

1 SEC. 6. 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 five (5) of this Act to cover the cost of said  
 7 improvement.

1 SEC. 7. The provisions of all Acts or statutes in conflict or in-  
2 consistent with the provisions of this Act are hereby repealed.

1 SEC. 8. If any section, subsection, paragraph, sentence, clause or  
2 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.

Approved May 12, 1961.

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## CHAPTER 25

### APPROPRIATION TO EMPLOYMENT SECURITY COMMISSION FOR BUILDING

S. F. 445

AN ACT to appropriate funds to the employment security commission as a proportionate share in the cost of erecting an administrative building for the use of the commission.

*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 employment security commission the sum of  
3 seventy-five thousand dollars (\$75,000.00) or so much thereof as  
4 may be necessary, to be used for a proportionate share in the cost  
5 of erecting a building for the use of the employment security com-  
6 mission in its administration of chapters ninety-six (96), ninety-  
7 seven B (97B), and ninety-seven C (97C), Code 1958.

1 SEC. 2. Any unobligated balance of funds herein appropriated  
2 as of June 30, 1963, 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 Fayette County Union, a newspaper published at West Union,  
4 Iowa, and in the Cedar Valley Daily Times, a newspaper published at  
5 Vinton, Iowa.

Approved April 11, 1961.

I hereby certify that the foregoing Act, Senate File 445, was published in The Fayette County Union, West Union, Iowa, April 20, 1961, and in the Cedar Valley Daily Times, Vinton, Iowa, April 19, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 26

## APPROPRIATION FROM I. P. E. R. S. FUNDS FOR BUILDING

S. F. 446

AN ACT to appropriate funds from the Iowa public employees' retirement fund to the employment security commission as a proportionate share in the cost of erecting an administrative building for the use of the commission.

*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 Fund to the employment security commission  
3 the sum of two hundred twenty-five thousand dollars (\$225,000.00)  
4 or so much thereof as may be necessary, to be used for a proportionate  
5 share in the cost of erecting a building for the use of the employment  
6 security commission in its administration of chapters ninety-six (96),  
7 ninety-seven B (97B), and ninety-seven C (97C), Code 1958.

1 SEC. 2. Any unobligated balance of funds herein appropriated  
2 as of June 30, 1963, shall revert to the Iowa Public Employees' Re-  
3 tirement Fund.

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 Evening Sentinel, a newspaper published at Shenandoah, Iowa,  
4 and in The Belle Plaine Union, a newspaper published at Belle Plaine,  
5 Iowa.

Approved April 11, 1961.

I hereby certify that the foregoing Act, Senate File 446, was published in The Evening Sentinel, Shenandoah, Iowa, April 19, 1961, and in The Belle Plaine Union, Belle Plaine, Iowa, April 19, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 27

## APPROPRIATION FROM UNEMPLOYMENT FUND FOR BUILDING

S. F. 447

AN ACT to appropriate money 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. There is hereby appropriated out of the funds made  
2 available to this state under section nine hundred three (903) of the  
3 Social Security Act, as amended, the sum of one million four hundred  
4 six thousand four hundred forty-two dollars and forty-three cents  
5 (\$1,406,442.43), or so much thereof as may be necessary, to be used,  
6 under the direction of the Iowa employment security commission,  
7 subject to the approval of the executive council of the state, for the  
8 purpose of acquiring land and the purchase or the erection of a build-  
9 ing or buildings thereon, and for such improvements, facilities, pav-  
10 ing, landscaping, furnishings and fixed equipment as may be required



11 for the use of the Iowa employment security commission in the per-  
12 formance of its functions under chapter ninety-six (96), Code 1958.

1 SEC. 2. The money hereby appropriated shall be requisitioned,  
2 only in amounts necessary to meet current obligations, by the Iowa  
3 employment security commission from the unemployment trust fund  
4 maintained by the secretary of the United States department of the  
5 treasury and deposited in the employment security administration  
6 fund in accordance with the provisions of section ninety-six point  
7 nine (96.9), Code 1958, as amended, but shall remain a part of the  
8 unemployment fund until expended.

1 SEC. 3. No part of the money hereby appropriated may be obli-  
2 gated after the expiration of the two (2) year period beginning with  
3 the date of enactment of this Act.

1 SEC. 4. The amount obligated pursuant to this Act during any  
2 12-month period beginning on July 1 and ending on the next June  
3 30 shall not exceed the amount by which (a) the aggregate of the  
4 amounts credited to the account of this state pursuant to section nine  
5 hundred three (903) of the Social Security Act during such 12-month  
6 period and the four (4) preceding 12-month periods exceeds (b) the  
7 aggregate of the amounts obligated for administration and paid out  
8 for benefits and charged against the amounts credited to the account  
9 of this state during such five (5) 12-month periods.

1 SEC. 5. 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 Traer Star-Clipper, a newspaper published at Traer,  
4 Iowa, and in The Diagonal Reporter, a newspaper published at  
5 Diagonal, Iowa.

Approved April 11, 1961.

I hereby certify that the foregoing Act, Senate File 447, was published in The Traer Star-Clipper, Traer, Iowa, April 21, 1961, and in The Diagonal Reporter, Diagonal, Iowa, April 20, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 28

### RETIREMENT SYSTEM ADVISORY BOARD APPROPRIATION

H. F. 684

AN ACT to make appropriations to ex-officio members of the advisory investment board of the Iowa public employees' retirement system, namely: Howard Buck 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  
3 set opposite their respective names in full settlement of all claims  
4 which they may have against the state of Iowa on account of services  
5 rendered as members of the advisory investment board of the Iowa

6 public employees' retirement system, to wit:  
 7       Howard Buck                               \$150.00  
 8       A. L. Mensing                             210.00

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  
 4 designated 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 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 Shell Rock News, a newspaper published in Shell Rock, Iowa, and  
 4 in The Tipton Conservative, a newspaper published in Tipton, Iowa.

Approved May 6, 1961.

I hereby certify that the foregoing Act, House File 684, was published in The Shell Rock News, Shell Rock, Iowa, May 19, 1961, and in The Tipton Conservative, Tipton, Iowa, May 18, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 29

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

#### S. F. 522

AN ACT to appropriate from the Iowa public employees retirement system fund four hundred ninety thousand two hundred dollars (\$490,200.00) 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 1961, and ending June 30, 1963, the sum of two hundred forty-five  
 5 thousand one hundred dollars (\$245,100.00) or so much thereof as  
 6 may be necessary to pay the costs of the administration of chapter  
 7 ninety-seven B (97B), Code 1958.

Approved May 2, 1961.

## CHAPTER 30

## CLAIMS APPROPRIATIONS

S. F. 511

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

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

1	SECTION 1. There is hereby appropriated out of the general fund			
2	of the state of Iowa to the following named persons and/or firms			
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	CLAIMANT	CLAIM NO.	NATURE OF CLAIM	AMOUNT
6	United Van Lines, Inc.			
7	St. Louis, Missouri	37	Tractor permit	\$ 740.00
8	Reiher Bros.			
9	Allison, Iowa	39	Tractor permit	25.00
10	Allied Van Lines, Inc.			
11	Broadview, Illinois	44	Tractor permit	1,365.00
12	Carl M. Levsen & Sons			
13	Clarence, Iowa	45	Tractor permit	30.00
14	Dean Van Lines, Inc.			
15	Long Beach, California	46	Tractor permit	225.00
16	Global Van Lines, Inc.			
17	South San Gabriel, Calif.	56	Tractor permit	520.00
18	Maurice Truck Service			
19	Maurice, Iowa	59	Tractor permit	15.00
20	A. W. Crabtree			
21	Decorah, Iowa	70	Tractor permit	10.00
22	Chicago & N. W. Railway Co.			
23	Chicago, Illinois	72	Tractor permit	50.00
24	Donald Gibson			
25	Bloomfield, Iowa	88	Tractor permit	30.00
26	Army & Farmers Truck Line			
27	Durant, Iowa	73	Tractor permit	10.00
28	Archie Dunbar			
29	DeSoto, Iowa	77	Tractor permit	15.00
30	Law Truck Line			
31	Clinton, Iowa	80	Tractor permit	35.00
32	Kevin Jones			
33	Ottumwa, Iowa	83	Tractor permit	10.00
34	Howard L. Hill			
35	Low Moor, Iowa	85	Tractor permit	20.00
36	Walter Wiekamp			
37	Sheldon, Iowa	86	Tractor permit	10.00
38	Robert Pratt			
39	Coggon, Iowa	87	Tractor permit	30.00
40	Henry Ruyter			
41	Boyden, Iowa	94	Tractor permit	5.00
42	Steve DeJager			
43	Sheldon, Iowa	95	Tractor permit	5.00
44	Raymond James			
45	Olin, Iowa	96	Tractor permit	15.00

	CLAIMANT	CLAIM NO.	NATURE OF CLAIM	AMOUNT
46	R. L. Green			
47	Boyden, Iowa	97	Tractor permit	\$ 5.00
48	Ed Schemper			
49	Sibley, Iowa	99	Tractor permit	5.00
50	Cecil Jaques			
51	Sanborn, Iowa	100	Tractor permit	5.00
52	Iowa Van & Storage Company			
53	Ottumwa, Iowa	102	Tractor permit	15.00
54	John Vos			
55	Sanborn, Iowa	103	Tractor permit	5.00
56	Orlin Henspeter			
57	Archer, Iowa	104	Tractor permit	5.00
58	Early Seed & Grain Co.			
59	Early, Iowa	106	Tractor permit	35.00
60	Vern Bertelson			
61	Underwood, Iowa	111	Tractor permit	5.00
62	M. R. Edwards			
63	Estherville, Iowa	121	Tractor permit	15.00
64	Carroll Warnock			
65	Lineville, Iowa	141	Tractor permit	15.00
66	L. P. Foster			
67	West Branch, Iowa	162	Tractor permit	10.00
68	Geo. C. Brown			
69	Schaller, Iowa	170	Tractor permit	5.00
70	Ben R. Gerdes			
71	Manson, Iowa	177	Tractor permit	10.00
72	August Heinsma			
73	Rock Rapids, Iowa	210	Tractor permit	15.00
74	Cleland Lund			
75	Calamus, Iowa	213	Tractor permit	5.00
76	Ivon E. Crewse			
77	Des Moines, Iowa	214	Tractor permit	35.00
78	Lloyd E. Lundblad			
79	Odebolt, Iowa	225	Tractor permit	5.00
80	Farm Service Co-Operative			
81	Charles City, Iowa	263	Tractor permit	5.00
82	Ruan Transport Corporation			
83	Des Moines, Iowa	264	Tractor permit	335.00
84	Safeway Truck Lines, Inc.			
85	Chicago 32, Illinois	265	Tractor permit	235.00
86	Ruan Corporation			
87	Des Moines, Iowa	267	Tractor permit	5.00
88	W. L. Schwartz			
89	Buckeye, Iowa	268	Tractor permit	5.00
90	Carl & Eugene Wallin			
91	Paullina, Iowa	269	Tractor permit	5.00
92	Dean Galbraith			
93	Newell, Iowa	270	Tractor permit	5.00
94	Oskaloosa Bus & Transfer Co.			
95	Oskaloosa, Iowa	271	Tractor permit	5.00
96	Myron R. & Maurice D. Nolte			
97	Farnhamville, Iowa	272	Tractor permit	85.00

	CLAIMANT	CLAIM NO.	NATURE OF CLAIM	AMOUNT
98	Walter Woods			
99	Sioux City, Iowa	274	Tractor permit	\$ 10.00
100	Vanderheiden, John			
101	Carroll, Iowa	275	Tractor permit	10.00
102	L. P. Brumm			
103	McIntire, Iowa	276	Tractor permit	5.00
104	Irwin E. Movick			
105	Ottosen, Iowa	277	Tractor permit	5.00
106	Raymond H. Sievert			
107	Hubbard, Iowa	278	Tractor permit	5.00
108	William Sundrup			
109	Arcadia, Iowa	279	Tractor permit	5.00
110	Kroblin Refrigerated Express			
111	Sumner, Iowa	280	Tractor permit	120.00
112	Loren Shepherd			
113	Fairfield, Iowa	281	Tractor permit	10.00
114	Ray Cummings & Wayne M.			
115	McClaire			
116	Malcolm, Iowa	282	Tractor permit	10.00
117	Clarke County Grain Company			
118	Osceola, Iowa	283	Tractor permit	20.00
119	Lamoni Sales Company	284	Tractor permit	10.00
120	Harvey Daufeldt			
121	Muscatine, Iowa	285	Tractor permit	15.00
122	Robert Moothart & J. M. Dodds			
123	Hillsboro, Iowa	286	Tractor permit	5.00
124	Raymond Alderson			
125	Algona, Iowa	287	Tractor permit	10.00
126	Donald Hewitt			
127	Monroe, Iowa	288	Tractor permit	25.00
128	Elvin Simmons			
129	Farmington, Iowa	289	Tractor permit	5.00
130	Clarence W. Kruse			
131	Holland, Iowa	290	Tractor permit	10.00
132	George Meiners			
133	Dedham, Iowa	291	Tractor permit	5.00
134	Leslie Getting			
135	Hartley, Iowa	292	Tractor permit	15.00
136	Everett West			
137	Farragut, Iowa	293	Tractor permit	10.00
138	W. F. Litterer			
139	Charles City, Iowa	295	Tractor permit	10.00
140	Hubert Zobrist			
141	Hancock, Iowa	296	Tractor permit	10.00
142	C. E. Hornback			
143	Tama, Iowa	297	Tractor permit	5.00
144	Melvin J. Nelson			
145	Manson, Iowa	298	Tractor permit	5.00
146	John B. Bell			
147	Columbus Junction, Iowa	299	Tractor permit	30.00
148	Russell K. Jones			
149	Ainsworth, Iowa	300	Tractor permit	5.00

CLAIMANT	CLAIM NO.	NATURE OF CLAIM	AMOUNT
150 Glenn Gaskill			
151 Rolfe, Iowa	301	Tractor permit	\$ 5.00
152 Melbourne Nelson			
153 Kamrar, Iowa	302	Tractor permit	5.00
154 Loren Shepherd			
155 Fairfield, Iowa	303	Tractor permit	5.00
156 Don & Leonard Jones			
157 Gowrie, Iowa	304	Tractor permit	10.00
158 Gay C. Howrey			
159 LaPorte City, Iowa	305	Tractor permit	60.00
160 Mr. George W. Smith			
161 Sac City, Iowa	306	Tractor permit	30.00
162 Keith J. Vegors			
163 Webster City, Iowa	307	Tractor permit	5.00
164 Fred J. Adrian			
165 Everly, Iowa	308	Tractor permit	10.00
166 K. W. Ripley			
167 Coin, Iowa	309	Tractor permit	10.00
168 Olony Ruse			
169 Tabor, Iowa	310	Tractor permit	25.00
170 A. D. Curry			
171 Conrad, Iowa	311	Tractor permit	35.00
172 Miles L. Webster			
173 Minburn, Iowa	312	Tractor permit	10.00
174 E. F. Bock			
175 Garner, Iowa	313	Tractor permit	25.00
176 Clark Stookesberry			
177 Milton, Iowa	314	Tractor permit	15.00
178 B. & H. Transport Co., Inc.			
179 Greene, Iowa	315	Tractor permit	20.00
180 David Wulfekuble			
181 Fayette, Iowa	316	Tractor permit	10.00
182 Harry Kaler			
183 Mason City, Iowa	317	Tractor permit	25.00
184 Wiecks Feed & Livestock, Inc.			
185 Dysart, Iowa	318	Tractor permit	15.00
186 Truman J. Wahrer			
187 Argyle, Iowa	321	Tractor permit	5.00
188 J. T. Hockett & Son			
189 Tennant, Iowa	322	Tractor permit	10.00
190 Allison & Troge			
191 Osage, Iowa	323	Tractor permit	10.00
192 J. R. Sinnett			
193 Gilmore City, Iowa	325	Tractor permit	5.00
194 Albert Neppl			
195 Halbur, Iowa	326	Tractor permit	10.00
196 Giles G. Frye			
197 Nora Springs, Iowa	327	Tractor permit	5.00
198 J. F. Murphy			
199 Livermore, Iowa	328	Tractor permit	5.00
200 Fredrickson Grain Co.			
201 Meriden, Iowa	329	Tractor permit	65.00

CLAIMANT	CLAIM NO.	NATURE OF CLAIM	AMOUNT
202 William Edward Reed			
203 Van Wert, Iowa	330	Tractor permit	\$ 5.00
204 Albert Hardecopf			
205 Dolliver, Iowa	331	Tractor permit	5.00
206 Wilbur Wienert			
207 Holstein, Iowa	332	Tractor permit	10.00
208 Atlas Transfer Company			
209 Burlington, Iowa	333	Tractor permit	15.00
210 Beeson, Bryan C.			
211 Red Oak, Iowa	334	Tractor permit	5.00
212 S. C. Williams			
213 Albia, Iowa	335	Tractor permit	5.00
214 Joe W. Evans			
215 Williamsburg, Iowa	337	Tractor permit	10.00
216 Sam Shryer			
217 Sidney, Iowa	338	Tractor permit	5.00
218 Warren Bishop			
219 Norwalk, Iowa	339	Tractor permit	10.00
220 Delos Fiscus			
221 State Center, Iowa	340	Tractor permit	10.00
222 Le Roy Shipman			
223 Oskaloosa, Iowa	341	Tractor permit	10.00
224 Bob Jenkins			
225 Charles City, Iowa	342	Tractor permit	20.00
226 M. C. Tyler			
227 Kelley, Iowa	343	Tractor permit	15.00
228 J. F. Gifford & Sons			
229 Cumming, Iowa	344	Tractor permit	10.00
230 H. D. Waddell			
231 Sioux City, Iowa	345	Tractor permit	30.00
232 Duane Thompson			
233 Ute, Iowa	346	Tractor permit	5.00
234 Cloyd Cates			
235 Sac City, Iowa	347	Tractor permit	5.00
236 August F. Hansen			
237 Remsen, Iowa	348	Tractor permit	5.00
238 Donald W. Schram			
239 Anthon, Iowa	349	Tractor permit	5.00
240 Armour Cooper			
241 Correctionville, Iowa	350	Tractor permit	5.00
242 Arlan & Dennis Van Wyk			
243 Sheldon, Iowa	351	Tractor permit	5.00
244 Vernon A. Leeper			
245 Charter Oak, Iowa	352	Tractor permit	10.00
246 Richard Van Diepen			
247 Boyden, Iowa	353	Tractor permit	5.00
248 John J. Herman			
249 LaPorte City, Iowa	354	Tractor permit	30.00
250 Rufus Mau			
251 Early, Iowa	355	Tractor permit	5.00
252 E. L. Skov			
253 Rembrandt, Iowa	356	Tractor permit	35.00

CLAIMANT	CLAIM NO.	NATURE OF CLAIM	AMOUNT
254 Darwin Kroska			
255 Pomeroy, Iowa	357	Tractor permit	\$ 10.00
256 George Diekevers			
257 Boyden, Iowa	358	Tractor permit	10.00
258 Winston Hansen			
259 Battle Creek, Iowa	359	Tractor permit	20.00
260 Farmers Cooperative Co.			
261 Cleghorn, Iowa	360	Tractor permit	15.00
262 Winston Hansen			
263 Battle Creek, Iowa	361	Tractor permit	20.00
264 Marvin Fiddelke			
265 Calumet, Iowa	362	Tractor permit	5.00
266 Lindstrom Truck Line			
267 Kiron, Iowa	363	Tractor permit	10.00
268 Hodapp Motor Service			
269 Granville, Iowa	364	Tractor permit	5.00
270 Iva Outsforth			
271 New Hampton, Iowa	365	Tractor permit	15.00
272 Gerald Hines			
273 Nemaha, Iowa	367	Tractor permit	5.00
274 C. A Brownmiller			
275 Marcus, Iowa	368	Tractor permit	15.00
276 Vernie C. Wilken			
277 Denison, Iowa	369	Tractor permit	5.00
278 Hjelmer Huberg			
279 Royal, Iowa	370	Tractor permit	5.00
280 Hellman Trucking Co.			
281 Pilot Grove, Iowa	371	Tractor permit	25.00
282 Vernon A. Laurson			
283 Alden, Iowa	372	Tractor permit	20.00
284 William Kevin Jones			
285 Ottumwa, Iowa	373	Tractor permit	10.00

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  
5 fund 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  
4 presented to the joint claims committee of the Fifty-ninth General  
5 Assembly.

Approved May 2, 1961.



CHAPTER 31  
CLAIMS APPROPRIATIONS  
S. F. 512

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	Mrs. Gertrude Stauffer	1	\$ 37.05
5	Waverly, Iowa		
6	Robert Alfred Funck	81	5.25
7	Muscatine, Iowa		
8	William A. Knoke	109	4.00
9	Iowa City, Iowa		
10	Frank L. Griffith, Sr.	135	12.00
11	Council Bluffs, Iowa		
12	Richard Ralph Beckett or		
13	Ivagene Mae Beckett	149	5.25
14	Clarion, Iowa		
15	Joseph Klodnycky, M. D.	180	4.25
16	Mt. Pleasant, Iowa		
17	Beryl B. Kinsey	220	120.00
18	Stuart, Iowa		
19	Roman Welter	244	57.50
20	Hopkinton, Iowa		
21	William Kenneth &		
22	Marvin Eugene Molyneux	248	180.00
23	Rose Hill, Iowa		
24	Roman Welter	250	57.50
25	Hopkinton, Iowa		
26	in full settlement of all claims they may have against the state of		
27	Iowa on account of overcharges and errors in registering automobiles.		

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

Approved May 1, 1961.

## CHAPTER 32

## CLAIMS APPROPRIATIONS

S. F. 513

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 assist-			
2	ance fund of the state of Iowa to the following named persons and/or			
3	firms the amounts set opposite their respective names in full settle-			
4	ment 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	Louis Schutte & Sons, Inc.			
9	Postville, Iowa	13	Magdalena Limkemann	\$175.00
10	Dudgeon Funeral Home			
11	Wapello, Iowa	28	Blanch M. Elliott	175.00
12	Hamiltons Funeral Home			
13	Des Moines, Iowa	30	Harriett Nagle	210.00
14	Dudgeon McCulley Funeral			
15	Home Wapello, Iowa	35	Nancy Patterson	200.00
16	Larkin Funeral Home			
17	New Hampton, Iowa	53	John H. Winter	175.00
18	Anderson's Home for			
19	Funerals			
20	Iowa Falls, Iowa	71	Old Age Assistance	114.00
21	Watts & Soll Funeral Home			
22	Murray, Iowa	74	Nick C. Hoffman	175.00
23	Smith Funeral Home			
24	Grinnell, Iowa	76	Jasper Richeson	175.00
25	Schroeder Funeral Home			
26	Boone, Iowa	82	Effie Mae Rinker	175.00
27	Nicholson Funeral Home			
28	Davenport, Iowa	123	John Thomas	220.00
29	Dudgeon McCulley Funeral		Anita Elouise Barnett	
30	Home			
31	Wapello, Iowa	130	Old Age Assistance	125.00
32	Krabbenhof Funeral Home			
33	Preston, Iowa	131	Old Age Assistance	175.00
34	Cerro Gordo County Treas.			
35	Mason City, Iowa	137	Old Age Assistance	14.30
36	John B. Turner & Son			
37	Cedar Rapids, Iowa	171	Charles John Howeler	150.00
38	Beem Belford Funeral Home			
39	Council Bluffs, Iowa	184	Old Age Assistance	150.00
40	Huebner Funeral Home			
41	Denison, Iowa	216	Old Age Assistance	359.50
42	Johannsen-Rossow Funeral			
43	Home			
44	La Porte City, Iowa	240	Sara Rebecca Harvey	225.00

	Claimant	Claim No.	Nature of Claim— Burial Expense	Amount
45	Brimhall-West Funeral Home			
46	State Center, Iowa	243	Ellen Borton	\$175.00
47	Harry W. Maxwell			
48	Denison, Iowa	257	Old Age Assistance	133.00

1 SEC. 2. The state comptroller is hereby authorized and directed  
2 to issue his warrants to the above-named persons in the amounts set  
3 opposite their 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  
3 Iowa on account of damages as above indicated, claims for which  
4 were presented to the joint claims committee of the Fifty-ninth  
5 General Assembly.

Approved May 2, 1961.

## CHAPTER 33

### CLAIMS APPROPRIATIONS

S. F. 514

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  
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:

	CLAIMANT	CLAIM NO.	NATURE OF CLAIM	AMOUNT
5	Vinton Community School			
6	District			
7	Vinton, Iowa	69	School tuition	\$1,678.85
8	Maquoketa Valley Community		Replacement of	
9	School District		school aid	
10	Delhi, Iowa	139	warrant	1,164.25
11	Pella Community Schools		Replacement of	
12	Pella, Iowa	153	school aid warrant	33.53
13	Marion County			
14	Knoxville, Iowa	190	School Aid	1,366.73
15	Pella Community Schools		Replacement of	
16	Pella, Iowa	154	school aid warrant	387.17
17	Chickasaw County Auditor			
18	New Hampton, Iowa	208	Care of patients	475.28
19	Vinton Community School			
20	District			
21	Vinton, Iowa	221	Student tuition	1,873.44

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  
 4 presented to the joint claims committee of the Fifty-ninth General  
 5 Assembly.

Approved May 1, 1961.

## CHAPTER 34

### CLAIMS APPROPRIATIONS

S. F. 515

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
1 City of Harlan			
2 Harlan, Iowa	2	Sales tax refund	\$ 90.99
3 Boone County Hospital			
4 Boone, Iowa	4	Use tax refund	80.17
5 Rock Valley Independent			
6 School District			
7 Rock Valley, Iowa	14	Sales tax refund	127.31
8 City of Orange City			
9 Orange City, Iowa	15	Sales and use tax	1,048.49
10 City of Creston			
11 Creston, Iowa	16	Sales tax	65.16
12 Franklin County			
13 Hampton, Iowa	18	Sales and use tax	294.12
14 Town of Keosauqua			
15 Keosauqua, Iowa	22	Sales and use tax	29.02
16 Madison County Treasurer			
17 Winterset, Iowa	23	Sales tax	275.00
18 State Board of Regents			
19 Des Moines, Iowa	24	Sales and use tax	83.09
20 City of Muscatine			
21 Muscatine, Iowa	26	Sales and use tax	1,537.81
22 Town of Cascade			
23 Cascade, Iowa	29	Sales and use tax	70.51
24 State Board of Regents			
25 Des Moines, Iowa	31	Sales and use tax	149.27
26 City of Cascade			
27 Cascade, Iowa	33	Sales and use tax	18.54
28 Nora Springs Community			
29 School			
30 Nora Springs, Iowa	36	Sales and use tax	742.35
31 Board of Park Commissioners			
32 Davenport, Iowa	57	Sales and use tax	43.66

CLAIMANT	CLAIM NO.	NATURE OF CLAIM	AMOUNT
33 Saydel Consolidated School			
34 District			
35 Des Moines, Iowa	60	Sales and use tax \$	16.02
36 City of Eldora			
37 Eldora, Iowa	62	Sales and use tax	75.42
38 City of Marion			
39 Marion, Iowa	64	Sales and use tax	2,103.72
40 City of Fort Dodge			
41 Fort Dodge, Iowa	65	Sales and use tax	691.90
42 Board of Park Commissioners			
43 Davenport, Iowa	67	Sales and use tax	271.92
44 Town of Buffalo			
45 Buffalo, Iowa	68	Sales and use tax	1,570.86
46 Indianola Community School			
47 District			
48 Indianola, Iowa	92	Sales and use tax	68.00
49 Town of Sumner			
50 Sumner, Iowa	93	Sales and use tax	1,081.75
51 Town of New Hartford			
52 New Hartford, Iowa	105	Sales and use tax	122.83
53 City of Grinnell			
54 Grinnell, Iowa	108	Sales and use tax	1,321.01
55 City of Sioux City			
56 Sioux City, Iowa	112	Sales and use tax	41.57
57 City of Fairfield Waterworks			
58 Fairfield, Iowa	116	Sales and use tax	674.51
59 Independent School District			
60 of Centerville			
61 Centerville, Iowa	120	Sales and use tax	3,462.55
62 Grafton Consolidated School			
63 Grafton, Iowa	122	Sales and use tax	195.47
64 Town of Milton			
65 Milton, Iowa	124	Sales and use tax	144.09
66 State Center Community			
67 School District			
68 State Center, Iowa	128	Sales and use tax	242.08
69 Independent School District			
70 of Sioux City			
71 Sioux City, Iowa	138	Sales and use tax	272.39
72 Mahaska County Auditor			
73 Oskaloosa, Iowa	140	Sales and use tax	1,323.58
74 Guthrie County			
75 Guthrie Center, Iowa	144	Sales and use tax	2,040.62
76 Guthrie County			
77 Guthrie Center, Iowa	146	Sales and use tax	509.99
78 Hardin County			
79 Eldora, Iowa	159	Sales and use tax	35.47
80 Family Service, Inc.			
81 Mason City, Iowa	161	Sales tax	25.48
82 City of LeMars			
83 LeMars, Iowa	167	Sales and use tax	5,823.24
84 Town of Baxter			
85 Baxter, Iowa	176	Sales and use tax	397.97

CLAIMANT	CLAIM NO.	NATURE OF CLAIM	AMOUNT
86 Pocahontas School District			
87 Pocahontas, Iowa	178	Sales and use tax	\$ 20.44
88 City of Cedar Falls			
89 Cedar Falls, Iowa	179	Sales and use tax	146.26
90 Town of Fairfax			
91 Fairfax, Iowa	182	Sales and use tax	66.17
92 State Executive Council			
93 Des Moines, Iowa	185	Sales and use tax	133.73
94 State Executive Council			
95 Des Moines, Iowa	186	Sales and use tax	923.39
96 Wright County			
97 Clarion, Iowa	189	Sales and use tax	880.59
98 Tripoli Community School Dist.			
99 Tripoli, Iowa	194	Sales and use tax	1,084.77
100 Town of Mount Ayr			
101 Mount Ayr, Iowa	222	Sales and use tax	52.83
102 Odebolt-Arthur Community			
103 School District			
104 Odebolt, Iowa	224	Sales and use tax	6,321.73
105 Franklin County			
106 Hampton, Iowa	230	Sales and use tax	93.87
107 Woodbury County			
108 Sioux City, Iowa	233	Sales and use tax	137.50
109 County of Benton			
110 Vinton, Iowa	234	Sales and use tax	367.32
111 Cerro Gordo County			
112 Mason City, Iowa	238	Sales and use tax	120.66
113 Muscatine Levee Improvement			
114 Comm.			
115 Muscatine, Iowa	241	Sales and use tax	51.96
116 Town of Barnes City			
117 Barnes City, Iowa	374	Sales and use tax	94.41

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

Approved May 2, 1961.

## CHAPTER 35

## CLAIMS APPROPRIATIONS

S. F. 516

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			
3	the amount set opposite their respective names in full settlement			
4	of all claims which they may have against the state of Iowa, to-wit:			
5	CLAIMANT	CLAIM NO.	NATURE OF CLAIM	AMOUNT
6	James W. Hudson	8	Expenses for	
7	Pocahontas, Iowa		service	\$ 312.80
8	Gladys Cole	17	Post-operative	
9	Grundy Center, Iowa		X-rays	20.00
10	Remington Rand	32	Merchandise	434.99
11	Buffalo, New York			
12	Judge John W. Tobin	78	Expenses	119.05
13	Vinton, Iowa			
14	Judge George H. Sackett	79	Expenses	378.94
15	Perry, Iowa			
16	Judge Arthur F. Janssen	90	Expenses	113.32
17	Maquoketa, Iowa			
18	Arrow Express Forwarding			
19	Company	98	Express charges	6.10
20	Des Moines, Iowa			
21	Shelby B. Hagberg	110	Aircraft license	
22	Carroll, Iowa		refund	7.50
23	C. E. Colglazier	117	Personal damages	500.00
24	Wapello, Iowa			
25	Clarinda Country Club	203	Property Damage	2,500.00
26	Clarinda, Iowa			
27	Davenport Newspapers, Inc.	125	Cost of	13.67
28	Davenport, Iowa		publication	
29	A. C. Paulson	134	Old Age Pension	15.48
30	Albert City, Iowa		tax refund	
31	Leibundguth Flying Service	157	Refund license fee	13.63
32	Cedar Falls, Iowa		on plane	
33	Sinclair Refining Co.	192	Duplication of	838.76
34	Kansas City, Missouri		inspection fees	
35	Mrs. Louis Garret	198	Loss of wages	7,107.00
36	Corydon, Iowa			
37	State Tax Commission	212	Military Service	335.28
38	Des Moines, Iowa		Tax Credits	
39	Royal McBee	223	Overdue statement	756.96
40	Corporation		for merchandise	
41	Elmhurst, Illinois		furnished state	
42	Davidsons	232	Payment for	105.80
43	Des Moines, Iowa		merchandise	

	CLAIMANT	CLAIM NO.	NATURE OF CLAIM	AMOUNT
44	Mabel M. Hoeye	247	Personal Injury	\$ 95.51
45	Des Moines, Iowa			
46	Floyd County	252	Tax free land	250.45
47	Charles City, Iowa			
48	Thomas A. Acuff	255	Overpayment of	1,125.00
49	Ames, Iowa		tuition	
50	State Tax Commission	258	Military Claims	50.18
51	Des Moines, Iowa		payment due counties	
52	Robert V. Wysong	261	Unpaid bill	10.00
53	Des Moines, Iowa			
54	Linn County Treasurer	5	Ag. land tax credit	100.68
55	Cedar Rapids, Iowa			
56	Carroll County Treasurer	9	Ag. land tax credit	72.51
57	Carroll, Iowa			
58	Poweshiek County Treasurer	20	Ag. land tax credit	104.05
59	Montezuma, Iowa			
60	Appanoose County Treasurer	43	Ag. land tax credit	59.71
61	Centerville, Iowa			
62	Cherokee County Treasurer	54	Ag. land tax credit	19.26
63	Cherokee, Iowa			
64	Mills County Treasurer	55	Ag. land tax credit	62.07
65	Glenwood, Iowa			
66	Mitchell County Treasurer		Ag. land tax	
67	Osage, Iowa	89	credit	284.39
68	Taylor County Treasurer		Ag. land tax	
69	Bedford, Iowa	101	credit	329.04
70	Linn County Treasurer		Ag. land tax	
71	Cedar Rapids, Iowa	119	credit	110.87
72	Linn County Treasurer		Ag. land tax	
73	Cedar Rapids, Iowa	133	credit	283.67
74	Calhoun County Treasurer		Ag. land tax	
75	Rockwell City, Iowa	136	credit	31.34
76	Dallas County Treasurer		Ag. land tax	
77	Adel, Iowa	163	credit	22.93
78	Des Moines County		Ag. land tax	
79	Burlington, Iowa	166	credit	2,444.83
80	Greene County		Ag. land tax	
81	Jefferson, Iowa	168	credit	420.33
82	Marion County Auditor		Ag. land tax	
83	Knoxville, Iowa	201	credit	152.41
84	Jones County Auditor		Ag. land tax	
85	Anamosa, Iowa	211	credit	102.92
86	Palo Alto County		Ag. land tax	
87	Emmetsburg, Iowa	249	credit	958.64
88	O'Brien County		Ag. land tax	
89	Primghar, Iowa	251	credit	980.41
90	Dr. M. G. Bourne		Medical care of	
91	Algona, Iowa	217	Mount Kinseth	101.00

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



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

Approved May 5, 1961.

## CHAPTER 36

### CLAIMS APPROPRIATIONS

S. F. 517

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:			
4	CLAIMANT	CLAIM NO.	NATURE OF CLAIM	AMOUNT
5	James J. Griffin	H-1	Tire Damage	\$ 125.26
6	Farley, Iowa			
7	Mount Kinseth	H-2	Personal Injury	265.26
8	Algona, Iowa			
9	Alfonse Sturm	H-3	Property Damage	10.08
10	Bellevue, Iowa			
11	Mrs. Lester Mangeldorf	H-7	Spray Damage	12.50
12	Adair, Iowa			
13	Harold A. Whitcomb	H-8	Loss of Animals	360.00
14	Kellogg, Iowa			
15	Charles Dose	H-9	Tire Damage	125.00
16	Mapleton, Iowa			
17	Richard Gray	H-11	Weed Spray Damage	116.90
18	Chester, Iowa			
19	Kenneth Darr	H-12	Weed Spray Damage	148.00
20	Chester, Iowa			
21	Robert D. Andresen	H-14	Salary, Highway	160.00
22	Nevada, Iowa		Commission	
23	Frank Brown	H-18	Property Damage	5.47
24	Sigourney, Iowa			
25	E. R. Wilburn	H-19	Crop Damage	240.00
26	Selma, Iowa			
27	Marvin D. Messer	H-24	Crop Damage	3,077.09
28	Bettendorf, Iowa			
29	Vaughn M. &	H-26	Property Damage	500.00
30	Bernice H. Stephenson			
31	William E. Irvine	H-27	Livestock Damage	444.50
32	Dysart, Iowa			

	CLAIMANT	CLAIM NO.	NATURE OF CLAIM	AMOUNT
33	Carl M. & Mabel V. Brown			
34	Selma, Iowa	H-28	Crop Damage	\$ 200.00
35	Home Transportation Co.	H-29	Property Damage	34.95
36	Marietta, Georgia			
37	Isidore E. Weber	H-31	Crop Damage	50.00
38	Kinross, Iowa			
39	Otto Anton	H-37	Car Damage	55.10
40	Oak Lawn, Illinois			
41	John C. Muchow, Jr.	H-41	Error in Salary Check	23.23
42	Ottumwa, Iowa			
43	James F. Carnaham	H-42	Error in Salary Check	23.23
44	Ottumwa, Iowa			
45	Harold L. Whipp	H-43	Property Damage	13.06
46	Clarinda, Iowa			
47	John H. Belk	H-47	Longevity Pay	307.50
48	Marengo, Iowa			
49	Drainage District #2	H-48	Drainage Assessments	1,478.46
50	Grand Junction, Iowa			
51	E. S. Pettit	H-50	Damage to Water Connections	28.50
52	Des Moines, Iowa			
53	C. H. Hossle			
54	Emerson, Iowa	H-53	Damage to Fence	207.79
55	Frank Wiese			
56	Dexter, Iowa	H-54	Crop Damage	200.00
57	Emery M. Brown			
58	Garner, Iowa	H-58	Property Damage	288.28
59	State Farm Mutual			
60	Auto Ins. Co.	H-59	Highway Damage	165.60
61	Bloomington, Illinois			
62	Archie & Maude Underwood	H-17	Property Damage	25.00
63	Moulton, 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 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-ninth General Assembly.

Approved May 2, 1961.

## CHAPTER 37

## CLAIMS APPROPRIATIONS

S. F. 518

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 gas tax refund  
2 of the state of Iowa to the following named firms the amount set  
3 opposite their names in full settlement of the claims which they have  
4 against the state of Iowa, to-wit:

CLAIMANT	CLAIM NO.	NATURE OF CLAIM	AMOUNT
5 Mrs. Anna Colnitz	27	Gas tax refund	\$ 14.22
6 Aurelia, Iowa			
7 R. B. Burch, Inc.	61	Diesel fuel	
8 Cedar Rapids, Iowa		refund	4,170.89
9 Charles E. Walsh	191	Gas tax refund	27.60
10 Harper's Ferry, Iowa			
11 Russell Erickson	245	Gas tax refund	41.72
12 Cresco, Iowa			

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 authorized  
4 and directed to pay the same from the gas tax refund account of the  
5 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-ninth Gen-  
5 eral Assembly.

Approved May 2, 1961.

## CHAPTER 38

## APPROPRIATION LEGISLATIVE RESEARCH

H. F. 657

AN ACT to make appropriations to members of the Legislative Research Committee and Legislative Advisory Committees.

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

1 SECTION 1. There is hereby appropriated out of the general fund of  
2 the state of Iowa to the following named persons the amounts set op-  
3 posite their respective names in full settlement of all claims which they  
4 may have against the state of Iowa on account of services rendered as  
5 a member of the legislative research committee or a legislative advi-  
6 sory committee established by the legislative research committee by  
7 the authority of chapter 63, Acts of the 58th General Assembly.

8 Members of the legislative research committee, including services  
9 on advisory committees:

10	Duane E. Dewel.....	\$390.00
11	C. Edwin Gilmour.....	630.00
12	X. T. Prentis.....	450.00
13	Bert K. Fairchild.....	300.00
14	Robert W. Naden.....	330.00
15	Robert F. Wilson.....	360.00
16	Members of the advisory committee on the children's code study:	
17	A. L. Mensing.....	\$300.00
18	Carl Hirsch.....	180.00
19	Elroy Maule.....	180.00
20	Howard C. Buck.....	210.00
21	Jake B. Mincks.....	150.00
22	Carroll Price.....	150.00
23	Members of the advisory committee on the study of the needs of	
24	higher education in Iowa:	
25	Gene L. Hoffman.....	\$270.00
26	Robert R. Rigler.....	180.00
27	W. C. Stuart.....	120.00
28	Ray C. Cunningham.....	180.00
29	Keith H. Dunton.....	120.00
30	Marvin W. Smith.....	210.00
31	Members of the advisory committee on the study of the taxation of	
32	merchandise inventories and moneys and credits:	
33	Lynn Potter.....	\$180.00
34	Clifford M. Vance.....	150.00
35	John S. Gray.....	120.00
36	Floyd P. Edgington.....	180.00
37	R. P. Harrington.....	180.00
38	Members of the advisory committee on the study of legislative pro-	
39	cedures:	
40	J. Henry Lucken.....	\$360.00
41	C. Joseph Coleman.....	60.00
42	J. Kendall Lynes.....	300.00
43	David O. Shaff.....	240.00
44	John L. Mowry.....	150.00
45	Gail A. Rusk.....	300.00

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  
3 growing out 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 Cres-  
3 ton News Advertiser, a newspaper published at Creston, Iowa and  
4 The Sioux Center News, a newspaper published at Sioux Center, Iowa.

Approved April 7, 1961.

I hereby certify that the foregoing Act, House File 657, was published in the  
Creston News Advertiser, Creston, Iowa, April 12, 1961, and in The Sioux Center News,  
Sioux Center, Iowa, April 20, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 39

## PUBLIC ASSISTANCE STUDY COMMITTEE APPROPRIATION

## H. F. 420

AN ACT to make appropriations to members of the committee on public assistance study, namely: Jake B. Mincks, Jack Schroeder, Walter Edelen, Guy G. Butler, J. Louis Fisher, George E. O'Malley, Riley Dietz, Robert Fulton, Kenneth Owen, Hillman H. Sersland, A. L. Mensing and Robert Dodds.

*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 committee on public assistance study, to wit:	
6	Jake B. Mincks.....	\$ 630.00
7	Jack Schroeder.....	300.00
8	Walter Edelen.....	1,050.00
9	Guy G. Butler.....	600.00
10	J. Louis Fisher.....	90.00
11	George E. O'Malley.....	360.00
12	Riley Dietz.....	420.00
13	Robert Fulton.....	570.00
14	Kenneth Owen.....	420.00
15	Hillman H. Sersland.....	1,050.00
16	A. L. Mensing.....	510.00
17	Robert Dodds.....	480.00

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 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  
3 growing out 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 Winfield Beacon, a newspaper published at Winfield, Iowa, and The  
4 Allison Tribune, a newspaper published at Allison, Iowa.

Approved March 27, 1961.

I hereby certify that the foregoing Act, House File 420, was published in The Winfield Beacon, Winfield, Iowa, April 6, 1961, and in The Allison Tribune, Allison, Iowa, April 5, 1961.

MELVIN D. SYNHOBST, *Secretary of State.*

## CHAPTER 40

## APPROPRIATION TO IOWA-NEBRASKA STUDY COMMITTEE

S. F. 414

AN ACT to make appropriations to the members of the Iowa-Nebraska Boundary Study Committee, namely: Frank M. Hoxie, J. T. Dykhouse, Robert G. Moore, William E. Darrington, Lester L. Kluever, Willard M. Freed and Fred M. Jarvis.

*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 op-  
 3 pose 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 M. Hoxie.....\$360.00  
 8 J. T. Dykhouse..... 390.00  
 9 Robert G. Moore..... 180.00  
 10 William E. Darrington..... 270.00  
 11 Lester L. Kluever..... 270.00  
 12 Willard M. Freed..... 210.00  
 13 Fred M. Jarvis..... 30.00  
 14 Fred M. Jarvis (mileage \$23.10, hotel-meals \$14.00)..... 37.10

1 SEC. 2. The state comptroller is hereby authorized to issue his war-  
 2 rants to the above parties in the amounts stated, and the treasurer is  
 3 hereby directed to pay the same from the designated funds or accounts  
 4 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 Clarinda  
 3 Herald-Journal, a newspaper published at Clarinda, Iowa, and in The  
 4 Sidney Argus-Herald, a newspaper published at Sidney, Iowa.

Approved April 25, 1961.

I hereby certify that the foregoing Act, Senate File 414, was published in The Clarinda Herald-Journal, Clarinda, Iowa, May 4, 1961, and in The Sidney Argus-Herald, Sidney, Iowa, May 4, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 41

APPROPRIATION TO HIGHWAY STUDY COMMITTEE

S. F. 454

AN ACT to make appropriations to members of the committee on highway study, namely: D. C. Nolan, Merle Hagedorn, James R. Dougherty, Gene L. Hoffman, Russell Eldred, Carroll McCurdy, Neal Pierce, Kenneth Robinson, Charles F. Iles and Miles P. Sutera.

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

1 SECTION 1. There is hereby appropriated out of the road use tax  
2 fund of the state of Iowa, as provided in chapter three hundred twelve  
3 (312), Code 1958, to the following persons the amounts set opposite  
4 their respective names in full settlement of all claims which they may  
5 have against the state of Iowa on account of services rendered as a  
6 member of the committee on highway study, to wit:

7	D. C. Nolan.....	\$1,290.00
8	Merle Hagedorn.....	1,551.20
9	James R. Dougherty.....	1,253.64
10	Gene L. Hoffman.....	1,437.15
11	Russell Eldred.....	1,258.85
12	Carroll McCurdy .....	1,357.94
13	Neal Pierce .....	1,179.38
14	Kenneth Robinson.....	1,431.55
15	Charles F. Iles.....	967.33
16	Miles P. Sutera.....	1,330.20

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 force from and after its publication in The North  
3 English Record, a newspaper published at North English, Iowa, and  
4 in the Fort Madison Evening Democrat, a newspaper published at  
5 Fort Madison, Iowa.

Approved April 12, 1961.

I hereby certify that the foregoing Act, Senate File 454, was published in The North English Record, North English, Iowa, April 20, 1961, and in the Fort Madison Evening Democrat, Fort Madison, Iowa, April 24, 1961.

MELVIN D. SYNHORST, Secretary of State.

## CHAPTER 42

## APPROPRIATION TO INTERSTATE COOPERATION COMMITTEE

S. F. 499

AN ACT to make appropriations to members of the Committee on Interstate Cooperation, namely: Edward J. McManus, David O. Shaff, Robert R. Rigler, W. C. Stuart, John Gray, Charles F. Eppers, Katherine M. (Mrs.) Falvey, Peter F. Hansen, Howard C. Reppert, Donald L. Kimball and Neil E. Johns.

*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 committee on interstate cooperation, to wit:	
6	Edward J. McManus.....	\$ 596.18
7	David O. Shaff.....	852.45
8	Robert R. Rigler.....	681.95
9	W. C. Stuart.....	946.50
10	John Gray.....	560.52
11	Charles F. Eppers.....	180.00
12	Katherine M. (Mrs.) Falvey.....	666.32
13	Peter F. Hansen.....	827.52
14	Howard C. Reppert.....	1,543.36
15	Neil E. Johns.....	265.78
16	Donald L. Kimball.....	330.00

17 SEC. 2. The state comptroller is hereby authorized to issue his war-  
 18 ants to the above named parties in the amounts stated, and the treas-  
 19 urer is hereby directed to pay the same from the funds herein ap-  
 20 propriated.

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 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 Clin-  
 3 ton Herald, a newspaper published in Clinton, Iowa, and The Cedar  
 4 Rapids Gazette, a newspaper published in Cedar Rapids, Iowa.

Approved April 25, 1961.

I hereby certify that the foregoing Act, Senate File 499, was published in The Clinton Herald, Clinton, Iowa, May 4, 1961, and in The Cedar Rapids Gazette, Cedar Rapids, Iowa, May 3, 1961.

MELVIN D. SYNHORST, *Secretary of State.*



## CHAPTER 43

## IOWA GREAT LAKES SANITARY DISTRICT

H. F. 357

AN ACT providing for the payment by the state of Iowa of a portion of the cost of completing the construction of sanitary sewer facilities, not including enlargements and additions to the disposal plant, by the Iowa great lakes sanitary district, which includes Spirit Lake, East Okoboji Lake, West Okoboji Lake, and other state-owned waters, in Dickinson county, Iowa.

WHEREAS, it has heretofore appeared that for the preservation and conservation of certain state-owned lakes located in Cerro Gordo and Dickinson counties it was imperative that proper sewage disposal facilities be provided for the territory adjacent to these lakes, and there was therefore appropriated by chapter thirteen (13), Acts of the Fifty-fourth General Assembly, subject to certain conditions heretofore complied with, from unappropriated funds in the state treasury the sum of three hundred fifty thousand (350,000) dollars for assistance by the state in the construction of such sewage facilities in the Iowa Great Lakes sanitary district in Dickinson County, Iowa, and a like amount was similarly appropriated to the Clear Lake sanitary district in Cerro Gordo County, Iowa, and thereafter an additional five hundred thousand (500,000) dollars was allotted to the Clear Lake sanitary district for such purposes from certain funds appropriated by chapter sixteen (16), Acts of the Fifty-fifth General Assembly; and

WHEREAS, the Iowa Great Lakes sanitary district has heretofore authorized by resolution and issued and delivered general obligation bonds of said district in the sum of four hundred fifty-thousand (450,000) dollars, such being the maximum amount of such bonds that it can legally issue; and

WHEREAS, since the establishment of such sanitary facilities for the Iowa Great Lakes sanitary district, more people in the state of Iowa have become vitally interested and concerned in the preservation and conservation of these lakes as evidenced by the ever increasing use by permanent and seasonal residents, vacationers and daily seasonal visitors; and

WHEREAS, it appears that the territories which can be reasonably included in the Iowa Great Lakes sanitary district, abutting or adjacent to these lakes, are not able to meet the entire cost of completing the construction of such sanitary sewer facilities; and

WHEREAS, at the present time the state of Iowa owns considerable property including the Gull Lake State Park and Iowa Lakeside Laboratory and game reserve not now being serviced, and in order to make available the full benefit of said sanitary sewer facilities, it is virtually necessary that the following appropriation be made by the state to cover the cost of completing the same;

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 not otherwise appropriated, the sum of five hun-
- 3 dred thousand (500,000) dollars for assistance by the state in paying

4 a portion of the cost of completing the construction of sanitary  
 5 sewer facilities, not including enlargements and additions to the dis-  
 6 posal plant, in the Iowa Great Lakes sanitary district. All of the  
 7 amount appropriated by the state of Iowa shall be used in payment  
 8 for the actual construction of such sanitary sewer facilities within  
 9 such district. No portion of this appropriation shall be made avail-  
 10 able to such sanitary district except upon authorization of the budget  
 11 and financial control committee to the state treasurer.

1 SEC. 2. This appropriation shall be in lieu of any special assess-  
 2 ment against any state-owned property included within such sanitary  
 3 district.

Approved May 12, 1961.

## CHAPTER 44

### APPROPRIATION TO CIVIL WAR COMMISSION

S. F. 319

AN ACT to appropriate from the general fund to the Iowa Civil War Centennial Commission to conduct appropriate programs in connection with the approaching centennial of the many important events of the Civil War.

WHEREAS, the Fifty-eighth General Assembly established the Iowa Civil War Centennial Commission to plan for and conduct appropriate programs in connection with the Centennial of the many important events of the Civil War, and

WHEREAS, a National Commission has been established to plan for and conduct appropriate programs in connection with the Centennial of the many important events of the Civil War, and

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; NOW THEREFORE,

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

1 SECTION 1. It is hereby appropriated from the general fund of the  
 2 state of Iowa to the Iowa Civil War Centennial Commission to conduct  
 3 appropriate programs and prepare permanent printed publications in  
 4 connection with the Centennial of the many important events of the  
 5 Civil War the sum of twenty-five thousand (25,000) dollars.

Approved May 1, 1961.

## CHAPTER 45

## APPROPRIATION FOR INAUGURAL EXPENSE

S. F. 222

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 four thousand three  
3 hundred seventy-four dollars and ninety-eight cents (\$4,374.98), or  
4 so much thereof as may be necessary, to pay the expenses incurred  
5 on account of the inaugural ceremonies and reception. Warrants  
6 shall be drawn upon the treasury for the sum herein appropriated in  
7 favor of the adjutant general upon the filing of vouchers therefor with  
8 the 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 Toledo Chronicle, a newspaper published at Toledo,  
4 Iowa, and in The Diagonal Reporter, a newspaper published at  
5 Diagonal, Iowa.

Approved March 30, 1961.

I hereby certify that the foregoing Act, Senate File 222, was published in The Toledo Chronicle, Toledo, Iowa, April 6, 1961, and in The Diagonal Reporter, Diagonal, Iowa, April 13, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 46

## EMERGENCY RELIEF FUNDS TRANSFER

H. F. 676

AN ACT to transfer funds from the old-age assistance fund of the social security\* department to the emergency relief fund of the social welfare department.

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

1 SECTION 1. There is hereby transferred from the appropriation  
2 to the social welfare department for the old-age assistance fund for  
3 the biennium ending June 30, 1961, as provided by section one (1)  
4 of chapter nine (9), Acts of the Fifty-eighth General Assembly, the  
5 amount of twenty thousand dollars (\$20,000.00), to be used in the  
6 following manner:

7 For emergency relief fund.....\$20,000.00

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 Conservative, a newspaper published in Tipton, Iowa, and the  
4 Logan Herald-Observer, a newspaper published in Logan, Iowa.

Approved April 7, 1961.

I hereby certify that the foregoing Act, House File 676, was published in The Tipton Conservative, Tipton, Iowa, April 13, 1961, and in the Logan Herald-Observer, Logan, Iowa, April 13, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

\*According to enrolled Act.

## CHAPTER 47

## PRINTING BOARD APPROPRIATION

S. F. 519

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, 1961, and ending June 30, 1963, the sum of one hundred ten  
4 thousand dollars (\$110,000.00) or so much thereof as may be nec-  
5 essary 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 May 2, 1961.

## CHAPTER 48

## STATE AID FOR FAIRS

S. F. 521

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1961, and ending June 30, 1963, 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, 1961,  
4 and ending June 30, 1963, the sum of two hundred ten thousand  
5 dollars (\$210,000.00) or so much thereof as may be necessary to be  
6 used 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

17 one fair entitled to state aid, the state aid available for the county  
18 shall be prorated to said fairs on the basis of cash premiums paid by  
19 said fairs.

Approved May 2, 1961.

## CHAPTER 49

### STATE FAIR APPROPRIATIONS

H. F. 716

AN ACT to appropriate from the general fund of the state of Iowa to the state fair board for capital improvements.

*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 fair board the sum of one hundred eighty-four thou-  
3 sand six hundred fifty dollars (\$184,650.00).

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

2 Cattle barn—painting, new built-up roof, gutter and	
3 downspout .....	\$11,400.00
4 Women's and children's building—painting, roofing cornice,	
5 gutter and downspout.....	37,000.00
6 Horse barn—painting, replace windows, gutter and	
7 downspout .....	7,590.00
8 Sheep barn—roofing, gutter and downspout.....	14,000.00
9 Swine barn—painting, roofing, replace windows, gutter and	
10 downspout .....	10,350.00
11 Baby beef barn—roofing, gutter and downspout.....	3,340.00
12 Agriculture building—painting, roofing, cornice and ceilings	10,950.00
13 Livestock pavilion—painting, roofing, cornice, gutter and	
14 downspout .....	18,650.00
15 Grandstand—painting, roofing, replace steps, replace railing	21,730.00
16 Varied industries building—painting and roofing.....	17,840.00
17 Administration building—painting, roofing, rewire, repair	
18 porch, foundation and floors.....	5,925.00
19 Prevention of loss of elm trees.....	3,000.00
20 Water mains and hydrants.....	12,875.00
21 Electric lines—rebuild .....	10,000.00

22 The state fair board, with the approval of the executive council,  
23 shall employ a state architect to draw up plans and specifications for  
24 the repairs hereinabove listed. Advertisements for bids for both  
25 labor and materials shall be inserted in newspapers in the same man-  
26 ner as used for highway contracts, and the contracts shall be awarded  
27 to the lowest responsible bidder or bidders.

1 SEC. 3. Before any of the funds hereinabove appropriated shall be  
2 expended it shall be determined by the state fair board, with the ap-  
3 proval of the executive council, that the expenditures shall be for the  
4 best interests of the state.

1 SEC. 4. Upon the completion of this project as set forth in this

2 Act, any unobligated balance remaining may be used for such other  
3 repairs or projects as needed.

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 Clarksville Star, a newspaper published at  
4 Clarksville, Iowa, and in The Sheffield Press, a newspaper published  
5 at Sheffield, Iowa.

Approved May 12, 1961.

I hereby certify that the foregoing Act, House File 716, was published in The Clarksville Star, Clarksville, Iowa, May 25, 1961, and in The Sheffield Press, Sheffield, Iowa, May 25, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 50

### OMNIBUS APPROPRIATIONS

S. F. 546

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

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

1	SECTION 1. There is hereby appropriated out of any funds in the	
2	state treasury not otherwise appropriated the following sums, or so	
3	much thereof as may be necessary, in payment of miscellaneous ex-	
4	penses incurred or authorized by the Fifty-ninth General Assembly:	
5	Lillian Leffert, 218 sets of Code annotations.....	\$ 327.00
6	IBM Corporation, Maintenance agreement on typewriters—	
7	House .....	19.58
8	Executive Council, legislative telephones (House).....	378.56
9	Executive Council, legislative press telephones	
10	(Joint Expense) .....	49.20
11	William W. Parker, bus charter for A.M.E. choir for	
12	Memorial Session .....	90.29
13	Storey Kenworthy, six quire stencils (House).....	8.50
14	Des Moines Rubber Stamp Company—(House).....	8.35
15	Carroll A. Lane—Postage.....	100.00
16	Executive Council, legislative telephones (Senate).....	303.30
17	Des Moines Rubber Stamp Company, for two brass plates for	
18	Senator George L. Scott and Lt. Governor Wm. Mooty.....	20.64
19	Ditto, Inc., supplies (Senate).....	7.15
20	IBM Corporation, Maintenance agreement on typewriters	
21	(Senate) .....	15.83
22	Storey Kenworthy, Senate supplies.....	3.75
23	Executive council for legislative photographs, telephone, tele-	
24	graph, supplies, postage and miscellaneous expenses incur-	
25	red during the Fifty-ninth General Assembly and subse-	
26	quent to its adjournment and during the session of the	
27	Sixtieth General Assembly. The amount herein appropri-	
28	ated shall be used only for the payment of bills actually	
29	authorized by the General Assembly and for supplies requi-	

30 sitioned under the signature of the proper officers of the  
31 General Assembly ..... 8,500.00

1 SEC. 2. There is hereby appropriated out of the general fund a sum  
2 sufficient to pay the compensation made necessary by Senate Con-  
3 current Resolution 28 for services required of officers and employees  
4 of the Fifty-ninth General Assembly after final adjournment, and  
5 prior to the convening of the Sixtieth General Assembly, including any  
6 special session called during such period.

1 SEC. 3. There is hereby appropriated out of the general fund to  
2 Wayne A. Faupel the sum of twelve hundred and fifty dollars  
3 (\$1,250.00) for extra services to the legislative research committee,  
4 in accordance with agreement with said committee.

1 SEC. 4. 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 fifty-five (55), Acts of the Fifty-eighth General Assembly, for  
5 legislative expenses in order that such balance may be applied to the  
6 payment of legislative expenses of the Fifty-ninth General Assembly.

1 SEC. 5. This Act, being deemed of immediate importance, shall  
2 take effect and be in force from and after its passage and publication  
3 in the Carroll Daily Times Herald, a newspaper published in Carroll,  
4 Iowa, and in The Gladbrook Tama Northern, a newspaper published  
5 in Gladbrook, Iowa.

Approved May 15, 1961.

I hereby certify that the foregoing Act, Senate File 546, was published in the Carroll Daily Times Herald, Carroll, Iowa, May 20, 1961, and in The Gladbrook Tama Northern, Gladbrook, Iowa, May 26, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 51

GENERAL CONTINGENT FUND

H. F. 713

AN ACT creating the general contingent fund of the state for the biennium beginning July 1, 1961, and ending June 30, 1963, and appropriating thereto the sum of one million two hundred and fifty thousand dollars (\$1,250,000.00) 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, 1961, and ending June 30, 1963, is hereby  
3 created and said fund shall consist of the sum of one million two hun-  
4 dred and fifty thousand dollars (\$1,250,000.00) hereby appropriated  
5 thereto from the general fund of the state. Said contingent fund shall  
6 be administered by the budget and financial control committee and  
7 allocations therefrom may be made only for contingencies other than

8 those concerning chapter\* nineteen point seven (19.7), Code of 1958,  
9 arising during the biennium which are legally payable from the funds  
10 of the state. Allocations may be made for compensation and expense  
11 of members of the budget and financial control committee, authorized  
12 by section two point forty-five (2.45), Code 1958, and for the payment  
13 of obligations incurred under the provisions of subsection six (6) of  
14 section two point forty-four (2.44), Code 1958, and for the support  
15 of the legislative research bureau. The budget and financial control  
16 committee shall not allocate any funds for any purpose or project  
17 which was presented to the general assembly by way of a bill and  
18 which failed to become enacted into law. A report of the dispositions  
19 made of the fund during the first eighteen months of the biennium  
20 shall be made by the budget and financial control committee to the  
21 state comptroller prior to the convening of the sixtieth general  
22 assembly and by him included in the printed budget. Any balance  
23 in said contingent fund as of June 30, 1963, shall revert to the  
24 general fund of the state.

25 Upon the request of the board of control, the budget and financial  
26 control committee is authorized to provide from the general con-  
27 tingent fund for the purchase of supplies which may not be available  
28 through the commodity credit corporation of the United States de-  
29 partment of agriculture as provided during the past biennium.

Approved May 12, 1961.

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\*According to enrolled Act.



## GENERAL LAWS



# GENERAL LAWS

## (TEMPORARY)

### CHAPTER 52

#### STATE AID TO CERTAIN SCHOOL DISTRICTS

H. F. 79

AN ACT authorizing financial assistance for the construction of school facilities in certain school districts meeting the requirements set forth in the Act, and making appropriation therefor.

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

1 SECTION 1. In recognition of the impact which certain state  
2 agencies and activities exert on the school construction needs in the  
3 areas in which such state activities are being carried on, it is hereby  
4 declared to be the policy of the state of Iowa to bear a portion of the  
5 cost of constructing such school facilities in those areas where the  
6 conditions set forth in this Act occur.

1 SEC. 2. To obtain the aid provided in this Act a school district  
2 must meet the following conditions:

3 1. There shall be an institution of higher learning of the state of  
4 Iowa or the regional or state headquarters of a state board or com-  
5 mission or both located within the boundaries of such districts.

6 2. The proportion of students in average daily attendance in the  
7 public schools of such districts whose parent or parents are state  
8 employees, or whose parent or parents are students in a state insti-  
9 tution of higher learning shall exceed twenty-five percent of the total  
10 average daily attendance of the particular school district for the  
11 school year next preceding the date of application.

12 3. The voters of the school district shall have approved the issu-  
13 ance of bonds to within ninety-five percent of the legal debt limit of  
14 said district to construct and equip public school facilities.

1 SEC. 3. Each school district qualifying for aid as specified in this  
2 Act during the biennium July 1, 1961 to June 30, 1963 shall be en-  
3 titled to receive an amount equal to the number of students in average  
4 daily attendance whose parent or parents are state employees or  
5 whose parent or parents are students in a state institution of higher  
6 learning, multiplied by the sum of one thousand seven hundred sev-  
7 enty-five dollars which sum is declared to be the average per pupil  
8 cost of public school construction in the state of Iowa. This amount  
9 shall be paid as state construction relief to the school districts quali-  
10 fying under the provisions of this Act.

1 SEC. 4. School districts qualifying for state school construction  
2 relief may apply to the state superintendent of public instruction.  
3 The application shall state the qualifications of the school district, the  
4 reasons for the proposed construction of the school facilities, the total  
5 average daily attendance for the school year next preceding the date

6 of application and the number of students whose parent or parents  
7 were in such year state employees or whose parent or parents were  
8 students in a state institution of higher learning. The superintendent  
9 shall verify the allegations of fact contained in the petition.

1 SEC. 5. The state board of public instruction shall determine the  
2 maximum amounts which are available under the provisions of this  
3 Act and it shall thereafter review this amount in consideration of the  
4 particular needs of the local school district. It is authorized to reduce  
5 the maximum amount which such local school district is entitled to  
6 receive if it determines that such a reduced amount will adequately  
7 serve the school district and is in proportion to the additional school  
8 construction demands placed on the particular school district because  
9 of the students who are children of state employees or students of  
10 institutions of higher learning.

1 SEC. 6. When the total amount payable to a local school district  
2 is determined and approved by the state board of public instruction  
3 and is then approved by the budget and financial control committee,  
4 the state comptroller shall draw a warrant upon the treasurer of  
5 state for the amount as determined, payable to the order of such school  
6 corporation from funds appropriated for that purpose.

1 SEC. 7. The state board of public instruction may use any amount  
2 of the sum of monies appropriated by this Act as state matching funds  
3 when required as a condition to the acceptance of federal funds ap-  
4 propriated by congress for educational purposes.

1 SEC. 8. This Act shall be in force during the biennium July 1, 1961  
2 to June 30, 1963.

1 SEC. 9. There is hereby appropriated from the general fund of  
2 the state of Iowa the sum of five hundred thousand dollars or so much  
3 thereof as may be necessary to carry out the purposes of this Act.

Approved May 12, 1961.

## CHAPTER 53

### ROAD USE TAX FUND

#### S. F. 465

AN ACT relating to the disposition of the proceeds of 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 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 al-  
4 locating and crediting for the period July 1, 1961, through December  
5 31, 1961, the sum of ten thousand dollars each month to the highway  
6 grade crossing safety fund."

1 SEC. 2. Section three hundred twelve point three (312.3), Code  
2 1958, is hereby amended as follows:

3 1. By inserting the following and designating the same as sub-  
4 section one (1):

5 "During the period July 1, 1961, through December 31, 1961, ap-

6 portion among the cities and towns of the state, in the ratio which  
 7 the population of each city or town, as shown in the latest available  
 8 census, bears to the total population of all cities and towns in the  
 9 state, two per cent of the total road use tax fund before any other ap-  
 10 portionment is made, to be credited to the street fund of the cities  
 11 and towns and shall remit to the city clerk of each city and town the  
 12 amount so apportioned to such city and town."

13 2. By renumbering the remaining subsections.

1 SEC. 3. This Act being deemed of immediate importance shall be  
 2 in full force and effect July 1, 1961, after its passage and publication  
 3 in *The Anamosa Eureka*, a newspaper published at Anamosa, Iowa,  
 4 and in *The North English Record*, a newspaper published at North  
 5 English, Iowa.

Approved May 15, 1961.

I hereby certify that the foregoing Act, Senate File 465, was published in *The Anamosa Eureka*, Anamosa, Iowa, May 25, 1961, and in *The North English Record*, North English, Iowa, May 25, 1961.

MELVIN D. SYNHORST, *Secretary of State*.

## CHAPTER 54

### LEVY FOR ORDINARY COUNTY REVENUE

H. F. 398

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  
 3 of such subsection after the period (.) in line fourteen (14) and  
 4 inserting 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 1961 and 1962 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  
 10 (26,000,000) dollars wherein said additional tax is levied, the total  
 11 levy in dollars for all county purposes shall not exceed by more  
 12 than four per cent (4%) the greater of the two preceding total  
 13 annual levies for all county purposes, and in any county with an  
 14 assessed valuation of twenty-six million (26,000,000) dollars or more  
 15 wherein said additional tax is levied the total levy in dollars for  
 16 all county purposes shall not exceed by more than two per cent  
 17 (2%) the greater of the two preceding total annual levies for all  
 18 county purposes. Before such additional levy is made, a showing  
 19 of the necessity for such additional levy shall be made to the state  
 20 comptroller and no such additional levy shall be made unless it shall  
 21 be approved in writing by the state comptroller. However, the fore-  
 22 going limitations shall not apply to any tax levied under the provi-  
 23 sions of chapter three hundred forty-seven A (347A) of the Code,  
 24 and such tax shall be disregarded in computing the foregoing limi-  
 25 tations."

Approved May 6, 1961.

## GENERAL LAWS

### (PERMANENT)

#### CHAPTER 55

##### APPROPRIATION FOR LEGISLATIVE PRINTING

H. F. 18

AN ACT relating to an appropriation for legislative printing.

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

1 SECTION 1. Section two point ten (2.10), Code 1958, is amended  
2 by striking from lines three (3), four (4) and five (5) the words  
3 "the sum of seventy-five thousand dollars, or so much thereof as may  
4 be necessary, for each biennium" and inserting in lieu thereof the  
5 words "a sum sufficient".

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 Marshall-  
3 town Times-Republican, a newspaper published at Marshalltown,  
4 Iowa, and The Spencer Daily Reporter, a newspaper published at  
5 Spencer, Iowa.

Approved February 20, 1961.

I hereby certify that the foregoing Act, House File 18, was published in the Marshalltown Times-Republican, Marshalltown, Iowa, February 24, 1961, and in The Spencer Daily Reporter, Spencer, Iowa, February 24, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

#### CHAPTER 56

##### INAUGURATION DAY

S. F. 30

AN ACT relating to the day of canvassing the vote for governor and lieutenant governor and the inauguration of both.

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

1 SECTION 1. Section two point thirty-three (2.33), Code 1958, is  
2 amended by striking from line three (3) the words "second Tuesday  
3 of January" and inserting in lieu thereof the words "same day the  
4 assembly first convenes in January".

Approved March 21, 1961.

## CHAPTER 57

## MATCHING FEDERAL ROAD FUNDS

S. F. 351

AN ACT in relation to the budget and financial control Act.

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

1 SECTION 1. Amend section eight point two (8.2), Code 1958, by  
 2 inserting after the word "government" in line five (5) of subsection  
 3 one (1), the following: ", including the state highway commission,  
 4 except for funds which are required to match federal aid allotted to  
 5 the state by the federal government for highway special purposes,  
 6 and".

Approved May 15, 1961.

## CHAPTER 58

## AUDITING SCHOOL DISTRICTS

H. F. 66

AN ACT relating to the auditing of school districts.

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

1 SECTION 1. Section eleven point eighteen (11.18), Code 1958, is  
 2 hereby amended by striking from lines three (3) through seven (7),  
 3 inclusive, all beginning with the word "offices," and ending with the  
 4 word "population" and inserting in lieu thereof the following:  
 5 "offices in independent and community school districts maintaining  
 6 high schools".

1 SEC. 2. Section eleven point eighteen (11.18), Code 1958, is here-  
 2 by amended by inserting in line eight (8) after the word "year" the  
 3 words ". The examination of school offices shall include an audit of  
 4 activity funds." and by striking from lines eight (8) and nine (9) the  
 5 words "and such examination" and inserting in lieu thereof the word  
 6 "Examinations".

Approved May 2, 1961.

## CHAPTER 59

## STATE PUBLICATIONS TO LIBRARIES

S. F. 206

AN ACT relating to providing copies of state publications to libraries within the state that are designated by the federal government as depositories for federal documents.

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

1 SECTION 1. Chapter seventeen (17), Code 1958, is hereby amend-  
 2 ed by adding the following section:

3 "Upon the request of any library in Iowa which is designated by  
 4 the federal government as a depository for federal documents, the  
 5 superintendent of printing shall send to such library one copy, at no  
 6 cost, of any state publication made available to his office. For each  
 7 publication a separate request shall be required. Such library shall  
 8 keep such publications in its collection and make them available to  
 9 the public."

Approved May 1, 1961.

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CHAPTER 60

DEPARTMENTAL RULES AND REGULATIONS

S. F. 503

AN ACT relating to the rules and regulations promulgated by the various state agencies.

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

1 SECTION 1. Section seventeen A point two (17A.2), Code 1958,  
 2 is hereby repealed and the following enacted in lieu thereof:  
 3 "Whenever in the statutes any administrative agency is empowered  
 4 to make rules and regulations such rules and regulations or amend-  
 5 ments thereto hereinafter promulgated shall be operative but such  
 6 rules and regulations shall be reported to the general assembly within  
 7 thirty days after the commencement of a regular session and shall  
 8 become the permanent rules and regulations of such agency July 4th  
 9 following the adjournment of such session with such changes, if any,  
 10 as may have been enacted at such session. All rules and regulations  
 11 must be indexed at the time of promulgation to the line, sentence,  
 12 section or paragraph of the law which contains the legislative intent  
 13 expressed in the rule and regulation. Nothing contained herein shall  
 14 adversely affect the substantive rights of any persons arising out of  
 15 any rule or regulation promulgated by any such agency."

1 SEC. 2. Section seventeen A point three (17A.3), Code 1958, is  
 2 hereby repealed and the following enacted in lieu thereof:  
 3 "All rules and regulations adopted, as provided in section seventeen  
 4 A point two (17A.2), shall be filed in the office of the secretary of  
 5 state, who shall endorse thereon the date of filing and deposit and  
 6 index the same in the files of his office. Such rules and regulations  
 7 shall have no force and effect until so filed and indexed."

Approved April 21, 1961.



## CHAPTER 61

## BIDDING ON PUBLIC IMPROVEMENTS

## S. F. 248

AN ACT to amend chapter twenty-three (23), Code 1958, to provide for competitive bidding on the construction, erection, demolition, alteration or repair of public improvements.

*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 thereto the following new section:  
 3 "Bids Required — Procedure. When the estimated total cost  
 4 of construction, erection, demolition, alteration or repair of any public  
 5 improvement exceeds five thousand dollars (\$5,000), the municipi-  
 6 pality shall advertise for bids on the proposed improvement by two  
 7 (2) publications in a newspaper published in the county in which the  
 8 work is to be done, the first of which shall be not less than fifteen  
 9 (15) days prior to the date set for receiving bids, and shall let the  
 10 work to the lowest responsible bidder submitting a sealed proposal;  
 11 provided, however, if in the judgment of the municipality bids re-  
 12 ceived be not acceptable, all bids may be rejected and new bids re-  
 13 quested. All bids must be accompanied, in a separate envelope, by  
 14 a deposit of money or certified check in an amount to be named in  
 15 the advertisement for bids as security that the bidder will enter into  
 16 a contract for the doing of the work. The municipality shall fix said  
 17 bid security in an amount equal to at least five per cent (5%), but  
 18 not more than ten per cent (10%) of the estimated total cost of the  
 19 work. The checks or deposits of money of the unsuccessful bidders  
 20 shall be returned as soon as the successful bidder is determined, and  
 21 the check or deposit of money of the successful bidder shall be re-  
 22 turned upon execution of the contract documents. This section shall  
 23 not apply to the construction, erection, demolition, alteration or re-  
 24 pair of any public improvement when the contracting procedure for  
 25 the doing of the work is provided for in another provision of law."

Approved April 19, 1961.

## CHAPTER 62

## METROPOLITAN AREAS

## S. F. 453

AN ACT relating to planning assistance for cities, towns, counties regional and metropolitan areas.

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

1 SECTION 1. Section one (1) of chapter two hundred eighty (280),  
 2 Acts of the Fifty-eighth General Assembly is hereby amended as  
 3 follows:  
 4 1. By striking from lines four (4), five (5) and six (6) the words  
 5 "and towns that now or hereafter have a population of less than  
 6 twenty-five thousand (25,000) in the solution of their local planning  
 7 problems;" and inserting in lieu thereof the following: ", towns,

8 counties, groups of adjacent communities, incorporated or unincor-  
9 porated, other cities, towns and counties which have suffered sub-  
10 stantial damage as a result of a catastrophe, areas where rapid urban-  
11 ization has resulted or is expected to result from the establishment  
12 or rapid and substantial expansion of a Federal installation, and  
13 metropolitan and regional areas;”.

14 2. By inserting in line six (6) after the word “receive” the follow-  
15 ing: “, contract for”.

1 SEC. 2. Section two (2) of chapter two hundred eighty (280),  
2 Acts of the Fifty-eighth General Assembly is hereby amended by  
3 striking from lines two (2) and three (3) the words “or town that  
4 now or hereafter has a population of less than twenty-five thousand  
5 (25,000),” and inserting in lieu thereof the following: “, town, county,  
6 regional or metropolitan area”.

Approved April 12, 1961.

## CHAPTER 63

### GOVERNMENTAL INTER-AGENCY LIAISON COMMITTEE

S. F. 442

AN ACT relating to cooperative efforts of various departments.

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

1 SECTION 1. The board of control, the board of parole, board of so-  
2 cial welfare, board of regents, commissioner of health, department of  
3 public instruction, vocational rehabilitation and employment security  
4 commission shall meet together annually the first week in April.  
5 Such meeting shall be called by the commissioner of health acting  
6 as chairman of the annual meeting, for the purpose of coordinating  
7 and integrating activities which involve the personnel of two or  
8 more divisions, and shall designate one representative from each of  
9 their agencies as a member of an inter-agency liaison committee.  
10 This committee shall meet at least quarterly to consider areas of  
11 mutual joint interest and responsibility. Minutes shall be kept of  
12 such meetings and made available to the legislature. It shall select  
13 a chairman who shall be responsible to implement decisions reached  
14 by the committee. All activities, which would involve personnel from  
15 two or more of these agencies, shall be presented to each board con-  
16 cerned by the committee representative of that board or adminis-  
17 trative head at any regular meeting or at the annual joint meeting.  
18 When approved by the board or administrative head of each agency  
19 involved, the activities will be implemented by the chairman of the  
20 inter-agency liaison committee which, however, may delegate respon-  
21 sibility to the most appropriate person for carrying out the work.

Approved May 15, 1961.

**CHAPTER 64**  
**NATIONAL GUARD**

S. F. 35

AN ACT relating to the Iowa national guard and the Iowa air national guard 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 twenty-nine point fifteen (29.15), Code 1958,  
2 is hereby amended by inserting in line six (6) after the word  
3 "badges" the words "or other appropriate awards".

1 SEC. 2. Section twenty-nine point fifty-seven (29.57), Code 1958,  
2 is hereby amended as follows:

3 1. By striking from line twenty-two (22) the word "armories" and  
4 inserting in lieu thereof the words "installations and facilities of the  
5 Iowa national guard and the Iowa air national guard".

6 2. By striking from line fifty-one (51) the word "armory" and  
7 inserting in lieu thereof the words "installation and facility".

8 3. By striking from line fifty-five (55) the words "armory pur-  
9 poses" and inserting in lieu thereof the words "installations and  
10 facilities".

11 4. By striking from line seventy-five (75) the word "regiment" and  
12 inserting in lieu thereof the words "battle group".

1 SEC. 3. Section twenty-nine point fifty-eight (29.58), Code 1958,  
2 is hereby amended by adding to the last paragraph the following:

3 "Payments of special tax assessments arising under the lease may  
4 be paid from funds appropriated for the support and maintenance  
5 of the national guard."

1 SEC. 4. Section twenty-nine point sixteen (29.16), Code 1958,  
2 is amended by adding in line six (6) after the word "regulations"  
3 the words "to and including the rank of brigadier general".

4 Further amend said section by adding in line eight (8) before the  
5 word "national" the words "air national guard or army".

Approved May 1, 1961.

**CHAPTER 65**  
**NATIONAL GUARD**

S. F. 66

AN ACT relating to the Iowa National Guard and the Iowa Air National Guard 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 twenty-nine point twenty-seven (29.27), Code  
2 1958, is hereby amended by striking in line nine (9) the word "three"  
3 and inserting in lieu thereof the word "five (5)".

1 SEC. 2. Amend section twenty-nine point twenty-seven (29.27),  
2 Code 1958, by striking from the fifth (5th) paragraph the words "by

3 warrant drawn against any state funds not otherwise appropriated."  
4 and inserting in lieu thereof the following "from the contingent fund  
5 of the executive council."

Approved April 25, 1961.

CHAPTER 66

YOUTH HONOR DAY

S. F. 19

AN ACT to create a "Youth Honor Day."

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

1 SECTION 1. Chapter thirty-one (31), Code 1958, is hereby amend-  
2 ed by adding thereto the following new section:

3 "The governor of this state is hereby requested and authorized to  
4 issue annually a proclamation designating the thirty-first day of  
5 October of each year as 'Youth Honor Day'."

Approved March 14, 1961.

CHAPTER 67

MEMORIAL HOSPITALS

S. F. 149

AN ACT to amend chapter thirty-seven (37), Code 1958, relating to memorial hospitals.

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

1 SECTION 1. Section thirty-seven point two (37.2), Code 1958, is  
2 hereby amended by adding the following subsection thereto:

3 "Set forth therein the purpose of the memorial proposed, as out-  
4 lined in section thirty-seven point eighteen (37.18)."

1 SEC. 2. Section thirty-seven point three (37.3), Code 1958, is  
2 hereby amended by inserting after the word, "Code" in line eleven  
3 (11) the following: "for the purpose of (.....)

4 .....),".  
set forth purpose of memorial as outlined in section thirty-seven point eighteen (37.18)

1 SEC. 3. Section thirty-seven point four (37.4), Code 1958, is here-  
2 by amended by adding thereto the following: "Such notice shall state  
3 the purpose of the memorial proposed as outlined in section thirty-  
4 seven point eighteen (37.18)."

1 SEC. 4. Chapter thirty-seven (37), Code 1958, is hereby further  
2 amended by adding thereto the following new section:

3 "In the event that a memorial building has been constructed for  
4 the purpose of a hospital pursuant to this chapter, and particularly  
5 pursuant to section thirty-seven point eighteen (37.18), additions  
6 thereto for hospital purposes, and nursing homes to be operated in  
7 conjunction with such hospital may be erected or acquired by follow-

8 ing the procedure outlined in chapter three hundred forty-seven (347)  
 9 and particularly section three hundred forty-seven point two (347.2)  
 10 with the commissioners acting in the same manner and fashion as the  
 11 hospital trustees under chapter three hundred forty-seven (347), and  
 12 with the procedure in all other respects to be identical."

Approved April 5, 1961.

## CHAPTER 68

### CONGRESSIONAL DISTRICTS

S. F. 480

AN ACT to repeal section forty point one (40.1), Code 1958, and to enact a substitute therefor, redistricting the state into seven (7) congressional districts.

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

1 SECTION 1. Section forty point one (40.1), Code 1958, is hereby  
 2 repealed and the following enacted in lieu thereof:

3 The state of Iowa is hereby organized and divided into seven (7)  
 4 congressional districts, which shall be composed, respectively, of the  
 5 following counties:

6 First district shall consist of the counties of Iowa, Johnson, Cedar,  
 7 Scott, Washington, Louisa, Muscatine, Jefferson, Henry, Des Moines,  
 8 Van Buren and Lee.

9 Second district shall consist of the counties of Winneshiek, Alla-  
 10 makee, Fayette, Clayton, Buchanan, Delaware, Dubuque, Linn, Jones,  
 11 Jackson and Clinton.

12 Third district shall consist of the counties of Winnebago, Worth,  
 13 Mitchell, Howard, Hancock, Cerro Gordo, Floyd, Chickasaw, Wright,  
 14 Franklin, Butler, Bremer, Hamilton, Hardin, Grundy and Black Hawk.

15 Fourth district shall consist of the counties of Marshall, Tama,  
 16 Benton, Jasper, Poweshiek, Warren, Marion, Mahaska, Keokuk, Union,  
 17 Clarke, Lucas, Monroe, Wapello, Ringgold, Decatur, Wayne, Appa-  
 18 noose and Davis.

19 Fifth district shall consist of the counties of Webster, Boone, Story  
 20 and Polk.

21 Sixth district shall consist of the counties of Lyon, Osceola, Dickin-  
 22 son, Emmet, Kossuth, Sioux, O'Brien, Clay, Palo Alto, Plymouth,  
 23 Cherokee, Buena Vista, Pocahontas, Humboldt, Woodbury, Ida, Sac  
 24 and Calhoun.

25 Seventh district shall consist of the counties of Monona, Crawford,  
 26 Carroll, Greene, Harrison, Shelby, Audubon, Guthrie, Dallas, Cass,  
 27 Pottawattamie, Adair, Madison, Mills, Montgomery, Adams, Fremont,  
 28 Page and Taylor.

1 SEC. 2. This Act shall be effective as to the nomination and elec-  
 2 tion of representatives in congress for this state in 1962 and succeed-  
 3 ing years. Nothing herein contained shall affect the law concerning  
 4 the filling of vacancies, should any occur in the eighty-seventh  
 5 (87th) congress.

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

Approved May 5, 1961.

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CHAPTER 69

STATE SENATORIAL DISTRICTS

S. F. 504

AN ACT relating to the state senatorial districts.

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

1     **SECTION 1.** Section forty-one point one (41.1), Code 1958, is  
2 hereby repealed and the following enacted in lieu thereof:  
3     The number of senators in the general assembly is hereby fixed  
4 at fifty, and they are hereby apportioned among the several counties  
5 according to the number of inhabitants in each, and under said appor-  
6 tionment the state is hereby divided into fifty senatorial districts,  
7 each district to have one senator, as follows:  
8     1. Lee county shall constitute the first district.  
9     2. Appanoose county, Davis county and Van Buren county shall  
10 constitute the second district.  
11     3. Lucas county, Monroe county and Wayne county shall consti-  
12 tute the third district.  
13     4. Decatur county, Ringgold county and Union county shall con-  
14 stitute the fourth district.  
15     5. Adams county, Montgomery county and Taylor county shall  
16 constitute the fifth district.  
17     6. Fremont county, Mills county and Page county shall constitute  
18 the sixth district.  
19     7. Des Moines county shall constitute the seventh district.  
20     8. Henry county and Jefferson county shall constitute the eighth  
21 district.  
22     9. Wapello county shall constitute the ninth district.  
23     10. Louisa county and Washington county shall constitute the tenth  
24 district.  
25     11. Keokuk county and Mahaska county shall constitute the eleventh  
26 district.  
27     12. Marion county and Warren county shall constitute the twelfth  
28 district.  
29     13. Adair county, Clarke county and Madison county shall con-  
30 stitute the thirteenth district.  
31     14. Audubon county, Cass county and Shelby county shall constitute  
32 the fourteenth district.  
33     15. Pottawattamie county shall constitute the fifteenth district.  
34     16. Cedar county and Muscatine county shall constitute the six-  
35 teenth district.  
36     17. Scott county shall constitute the seventeenth district.  
37     18. Clinton county shall constitute the eighteenth district.

- 38 19. Jackson county and Jones county shall constitute the nineteenth  
39 district.
- 40 20. Linn county shall constitute the twentieth district.
- 41 21. Johnson county shall constitute the twenty-first district.
- 42 22. Benton county and Tama county shall constitute the twenty-  
43 second district.
- 44 23. Iowa county and Poweshiek county shall constitute the twenty-  
45 third district.
- 46 24. Marshall county shall constitute the twenty-fourth district.
- 47 25. Jasper county shall constitute the twenty-fifth district.
- 48 26. Story county shall constitute the twenty-sixth district.
- 49 27. Polk county shall constitute the twenty-seventh district.
- 50 28. Boone county and Greene county shall constitute the twenty-  
51 eighth district.
- 52 29. Dallas county and Guthrie county shall constitute the twenty-  
53 ninth district.
- 54 30. Carroll county, Crawford county and Sac county shall constitute  
55 the thirtieth district.
- 56 31. Harrison county and Monona county shall constitute the thirty-  
57 first district.
- 58 32. Dubuque county shall constitute the thirty-second district.
- 59 33. Buchanan county and Delaware county shall constitute the  
60 thirty-third district.
- 61 34. Black Hawk county shall constitute the thirty-fourth district.
- 62 35. Hamilton county and Hardin county shall constitute the thirty-  
63 fifth district.
- 64 36. Webster county shall constitute the thirty-sixth district.
- 65 37. Buena Vista county, Calhoun county and Pocahontas county  
66 shall constitute the thirty-seventh district.
- 67 38. Cherokee county, Ida county and Plymouth county shall con-  
68 stitute the thirty-eighth district.
- 69 39. Woodbury county shall constitute the thirty-ninth district.
- 70 40. Allamakee county and Clayton county shall constitute the  
71 fortieth district.
- 72 41. Fayette county and Winneshiek county shall constitute the  
73 forty-first district.
- 74 42. Bremer county, Butler county and Grundy county shall consti-  
75 tute the forty-second district.
- 76 43. Franklin county, Humboldt county and Wright county shall  
77 constitute the forty-third district.
- 78 44. Chickasaw county and Floyd county shall constitute the forty-  
79 fourth district.
- 80 45. Howard county, Mitchell county and Worth county shall con-  
81 stitute the forty-fifth district.
- 82 46. Cerro Gordo county shall constitute the forty-sixth district.
- 83 47. Hancock county, Kossuth county and Winnebago county shall  
84 constitute the forty-seventh district.
- 85 48. Clay county, Emmet county and Palo Alto county shall consti-  
86 tute the forty-eighth district.
- 87 49. Dickinson county, O'Brien county and Osceola county shall con-  
88 stitute the forty-ninth district.

89 50. Lyon county and Sioux county shall constitute the fiftieth dis-  
90 trict.

1 SEC. 2. This Act shall be effective as to the nomination and elec-  
2 tion of the senators from the following districts in the year 1962:

3 First (1st)  
4 Sixth (6th)  
5 Seventh (7th)  
6 Eighth (8th)  
7 Ninth (9th)  
8 Tenth (10th)  
9 Fourteenth (14th)  
10 Seventeenth (17th)  
11 Eighteenth (18th)  
12 Twenty-second (22nd)  
13 Twenty-third (23rd)  
14 Twenty-fifth (25th)  
15 Twenty-seventh (27th)  
16 Thirtieth (30th)  
17 Thirty-first (31st)  
18 Thirty-second (32nd)  
19 Thirty-fourth (34th)  
20 Thirty-fifth (35th)  
21 Thirty-seventh (37th)  
22 Forty-fourth (44th)  
23 Forty-fifth (45th)

24 In all other senatorial districts the Act shall be effective as to the  
25 nomination and election of senators for full four-year terms in the  
26 year 1964, except that in the nineteenth (19th), twenty-sixth (26th)  
27 and forty-third (43rd) districts senators shall be elected for two-  
28 year terms.

29 This Act shall not affect the terms of office of senators now hold-  
30 ing certificates of election from the present senatorial districts. In  
31 the event of any vacancy occurring in any senatorial district after  
32 July 4, 1961 it shall be filled by the electors of the district as it existed  
33 at the time the vacancy occurred. For the legislative session in 1963  
34 and at any special session thereafter prior to 1965 the following  
35 counties are hereby attached for the purpose of representation in  
36 the senate to the present districts designated opposite the name of  
37 the county:

38 Winneshiek to the fortieth  
39 Muscatine to the twenty-third  
40 Keokuk to the fourteenth  
41 Greene to the thirty-first  
42 Grundy to the thirty-ninth  
43 Humboldt to the twenty-seventh  
44 Wright to the forty-third.

Approved May 5, 1961.



## CHAPTER 70

## STATE REPRESENTATIVE DISTRICTS

H. F. 434

AN ACT relating to state representative districts.

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

1 SECTION 1. Section forty-two point one (42.1), Code 1958, is  
 2 hereby amended by striking from lines four (4) and five (5) the  
 3 words "twenty-five thousand six hundred thirty-nine" and inserting  
 4 in lieu thereof the words "twenty-seven thousand five hundred eighty-  
 5 three".

1 SEC. 2. Section forty-two point two (42.2), Code 1958, is hereby  
 2 amended by striking from line three (3) the word "Wapello" and  
 3 inserting in lieu thereof the word "Johnson".

1 SEC. 3. Nothing in this Act shall affect the present term of the  
 2 representatives from Wapello County.

Approved April 19, 1961.

## CHAPTER 71

## NONPARTY NOMINATIONS

S. F. 2

AN ACT relating to nominations by nonparty political organizations.

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

1 SECTION 1. Section forty-four point one (44.1), Code 1958, is  
 2 amended by adding at the end thereof the following:

3 "Provided that to qualify for any nomination made for a statewide  
 4 elective office by such a political organization shall require a minimum  
 5 of fifty (50) qualified electors with at least one elector from each of  
 6 ten (10) counties, in attendance at such convention or caucus and  
 7 such fact shall be certified to the secretary of state together with the  
 8 other certification requirements of this chapter."

Approved March 21, 1961.

## CHAPTER 72

## POLLING PLACES

S. F. 215

AN ACT amending section forty-nine point ten (49.10), Code 1958, relating to petitions for polling places.

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

1 SECTION 1. Amend subsection two (2), section forty-nine point ten  
 2 (49.10), Code 1958, by adding thereto "When the board of supervisors

3 has fixed such a polling place it shall remain the polling place at all  
 4 subsequent primary, general and special elections, until such time as  
 5 the county board of supervisors, upon its own motion, shall fix a poll-  
 6 ing place within said precinct."

Approved May 2, 1961.

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### CHAPTER 73

#### ELECTION BOARDS

H. F. 596

AN ACT relating to the selection of members of election boards.

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

1 SECTION 1. Section forty-nine point fifteen (49.15), Code 1958,  
 2 is hereby amended by inserting after the word "unrepresented." in  
 3 line six (6) the following:  
 4 "The board of supervisors shall select said members from a list of  
 5 persons submitted by the official county chairman of each of afore-  
 6 said parties, filed with the said board not more than forty-five days  
 7 nor less than thirty days prior to each primary and general election.  
 8 In the event such lists are not timely filed, the said board shall make  
 9 the selection thereof in the manner prescribed herein without such  
 10 lists, or, if said lists are incomplete, the said board shall complete the  
 11 selection thereof in the same prescribed manner."

Approved April 19, 1961.

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### CHAPTER 74

#### ASSISTANCE TO BLIND VOTERS

H. F. 427

AN ACT relating to assistance to blind voters in the polling place.

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

1 SECTION 1. Section forty-nine point eighty-nine (49.89), Code  
 2 1958, is hereby amended by adding thereto the following:  
 3 "Voters who are blind may have the assistance of any person they  
 4 may select."  
 1 SEC. 2. Section forty-nine point ninety (49.90), Code 1958, is  
 2 hereby amended as follows:  
 3 1. By inserting after the second comma in line six (6) the follow-  
 4 ing: "or by any person the blind voter may select,".  
 5 2. By inserting after the word "officers" in line seven (7) the  
 6 following: ", or person selected by the blind voter,".

Approved March 28, 1961.

## CHAPTER 75

## VOTING MACHINES

H. F. 210

AN ACT relating to the purchase of voting machines.

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

- 1 SECTION 1. Section fifty-two point two (52.2), Code 1958, is here-  
 2 by amended by striking from line three (3) the word "two-thirds"  
 3 and inserting in lieu thereof the word "majority".

Approved April 26, 1961.

## CHAPTER 76

## VOTING MACHINES

S. F. 49

AN ACT to amend section fifty-two point three (52.3), 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 insert-  
 3 ing in lieu thereof the following:  
 4 " , or levy not to exceed one-half ( $\frac{1}{2}$ ) mill; and any amounts so  
 5 levied and collected in excess of actual costs of voting machines shall  
 6 revert to the general fund of the county, city, or town concerned. In  
 7 the case of a city or town, any such funds collected under this Act  
 8 shall be held in a separate account in the municipal enterprises fund  
 9 and shall be used for no other purpose than the purchase of voting  
 10 machines."

Approved April 26, 1961.

## CHAPTER 77

## CONSTITUTIONAL AMENDMENTS AND PUBLIC MEASURES

H. F. 276

AN ACT relating to the use of separate ballots for constitutional amendments and other public measures.

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

- 1 SECTION 1. Section fifty-two point twenty-four (52.24), Code 1958,  
 2 is hereby amended as follows:  
 3 1. By striking from lines seven (7) and eight (8) the words "con-  
 4 stitutional amendments and other".  
 5 2. By striking the period at the end of line eight (8) and adding  
 6 the following: "; provided, however, that separate ballots shall be  
 7 used for the submission to the people of the question of a constitu-  
 8 tional convention or amendments or contracting state debts."

Approved May 4, 1961.

## CHAPTER 78

## ABSENT VOTERS' BALLOTS

S. F. 97

AN ACT relating to mailing of absent voters' applications and ballots.

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

1 SECTION 1. Section fifty-three point ten (53.10), Code 1958, is  
2 hereby amended by striking from lines one (1) and two (2) the words  
3 "is absent from the county and".

1 SEC. 2. Section fifty-three point ten (53.10), Code 1958, is hereby  
2 amended by adding after the word "by" in line three (3) the follow-  
3 ing words "card or".

Approved April 4, 1961.

## CHAPTER 79

## LEGISLATOR'S CAMPAIGN EXPENSE

H. F. 149

AN ACT relating to the limit of campaign expense of a member of the general assembly.

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

1 SECTION 1. Section fifty-six point eight (56.8), Code 1958, is  
2 amended by striking from line seven (7) the words "of a member at  
3 one regular session" and inserting in lieu thereof the words "paid to  
4 a member at the last preceding regular session".

Approved March 13, 1961.

## CHAPTER 80

## MINES AND MINING

H. F. 240

AN ACT to amend chapter eighty-two (82), Code 1958, relating to mines and mining.

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

1 SECTION 1. Section eighty-two point one (82.1), Code 1958, is  
2 hereby repealed and the following enacted in lieu thereof:

3 "There is hereby established a department of mines and minerals  
4 which shall consist of the state mine inspector and a state mining  
5 board as hereinafter created:

6 1. To supervise and enforce the mining laws of the state;

7 2. To acquire and diffuse information concerning the nature,  
8 causes and prevention of mine accidents;

9 3. To make inquiries into the economic conditions affecting the  
10 mining, utilization and marketing of the minerals of the state;

11 4. To make available to all interested parties information relative  
12 to the production of coal and other minerals within the state."

1 SEC. 2. Section eighty-two point two (82.2), Code 1958, is hereby  
2 repealed and the following enacted in lieu thereof:

3 "The governor shall, on or before the thirtieth day of June of each  
4 even-numbered year, appoint a board of five members to be known  
5 as the state mining board, who shall hold office for a term of two  
6 years, and until their successors have been appointed and have quali-  
7 fied. Any member of the board may be removed from office by the  
8 governor for inefficiency, neglect of duty, or malfeasance in office,  
9 and his successor shall thereupon be appointed by the governor for  
10 the unexpired term. The state mine inspector shall be an ex-officio  
11 member of the mining board and shall serve as its secretary without  
12 additional compensation, but he shall not have the right to vote with  
13 respect to any matter before the board.

14 Two members of the mining board shall be persons who, by reason  
15 of previous training and experience, may reasonably be considered to  
16 represent the viewpoint of mine workmen, and two members shall be  
17 persons who, by reason of previous training and experience, may  
18 reasonably be considered to represent the viewpoint of mine operators.  
19 One member of the board, who shall be chairman of the board, and  
20 serve as a representative of the public, shall not, within one year of  
21 his appointment as a member of the board, have had a pecuniary  
22 interest in, or engaged in, the mining of coal or other minerals, or have  
23 been an officer or representative of either mine workers or operators.  
24 Each member of the board shall, in addition to necessary traveling  
25 and hotel expenses, receive twenty (20) dollars per day while actually  
26 engaged in the performance of work of the board. No member of the  
27 board shall receive more than four hundred (400) dollars in per diem  
28 compensation in any one year.

29 The mining board shall meet, in addition to meetings for examina-  
30 tions as provided in this chapter, at such times and places as shall  
31 be designated by the chairman, to administer any statute which by  
32 its terms or meaning is to be administered by said board."

1 SEC. 3. Section eighty-two point twenty-seven (82.27), Code 1958,  
2 is hereby amended by adding the following thereto:

3 "The word 'mine' as used in this chapter shall be deemed to include  
4 underground and open-cut coal mines, underground and open-cut  
5 gypsum mines."

1 SEC. 4. Section eighty-two point one hundred fourteen (82.114),  
2 Code 1958, is hereby amended by striking from line seven (7) the  
3 words "of coal".

1 SEC. 5. Section eighty-two point eighteen (82.18), Code 1958, is  
2 hereby amended by striking from line two (2) the word "the" and  
3 inserting in lieu thereof the words "any underground".

4 "Further amend section eighty-two point eighteen (82.18), Code  
5 1958, by adding in line two (2) after the word 'which' the word  
6 'said'."

Approved April 18, 1961.

## CHAPTER 81

## WORKMEN'S COMPENSATION

S. F. 264

AN ACT to amend sections eighty-five point thirty-one (85.31) and eighty-five point forty-two (85.42), Code 1958, relating to workmen's compensation so as to clarify the definition of "stepparent".

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

1 SECTION 1. Section eighty-five point thirty-one (85.31), Code  
2 1958, is hereby amended by adding to subsection two (2) the follow-  
3 ing:

4 "For the purposes of this section a stepparent shall be regarded as  
5 a parent only when the stepparent has actually received his principal  
6 support from the stepchild who died as a result of compensable in-  
7 juries."

1 SEC. 2. Section eighty-five point forty-two (85.42), Code 1958,  
2 is hereby amended by striking therefrom all of subsection three (3)  
3 as amended by section nine (9) of chapter one hundred three (103),  
4 Acts of the Fifty-eighth General Assembly.

Approved May 4, 1961.

## CHAPTER 82

## PRESSURE BOILERS

H. F. 300

AN ACT relating to the boiler laws of the state of Iowa.

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

1 SECTION 1. Section eighty-nine point three (89.3), Code 1958, as  
2 amended by section two (2) of chapter one hundred six (106), Acts  
3 of the Fifty-eighth General Assembly, is hereby amended by adding  
4 at the end thereof the following:

5 "Unfired steam pressure vessels not exceeding the following limita-  
6 tions are not required to be reported to the bureau of labor:

7 1. A vessel not greater than five (5) cubic feet in volume and not  
8 having a pressure greater than two hundred fifty (250) pounds per  
9 square inch.

10 2. A vessel not greater than one and one-half (1½) cubic feet in  
11 volume with no limit on pressure."

1 SEC. 2. Internal inspection shall not be required on unfired steam  
2 pressure vessels where they have been manufactured without inspec-  
3 tion plate and where it would be necessary for them to be drilled in  
4 order to be inspected as required in section eighty-nine point two  
5 (89.2) of the Code. The above-mentioned unfired pressure vessels  
6 must be reported to the bureau of labor and certified by the inspector  
7 that in his judgment they are safe and in satisfactory condition for  
8 the purpose for which they are used.

Approved April 4, 1961.

## CHAPTER 83

## COMMISSION FOR THE BLIND

## H. F. 9

AN ACT relating to the Iowa commission for the blind.

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

1 SECTION 1. Section one (1) of chapter one hundred seventy-three  
2 (173), Acts of the Fifty-eighth General Assembly, is hereby amend-  
3 ed by inserting after the period (.) in line four (4) thereof, the  
4 following: "The commission shall have the power to provide for  
5 the maintenance, upkeep, repair, and alteration of such buildings and  
6 grounds as may be designated as centers for the blind. Such power  
7 shall include the power to spend such moneys as may be appropriated  
8 to the commission by the state for the purpose of carrying out the  
9 provisions of chapter ninety-three (93) of the Code as amended. The  
10 director of the commission for the blind, with the approval of the  
11 executive council, shall have the power to employ the necessary per-  
12 sonnel to maintain and operate the center or centers, at such salaries  
13 as may be fixed by the director with the approval of the commission."

1 SEC. 2. Section ninety-three point six (93.6), Code 1958, as  
2 amended by chapter one hundred seventy-three (173), Acts of the  
3 Fifty-eighth General Assembly, is hereby amended by adding thereto  
4 the following new subsection:

5 "Nonresidents may be admitted to Iowa centers for the blind if  
6 their presence would not be prejudicial to the interests of residents,  
7 and upon such terms as may be fixed by the commission."

1 SEC. 3. Section ninety-three point three (93.3), Code 1958, is  
2 hereby amended by inserting in line two (2) after the word "employ"  
3 the words "a director and".

Approved March 28, 1961.

## CHAPTER 84

## EMPLOYMENT SECURITY

## S. F. 263

AN ACT to amend section three (3) of chapter one hundred twelve (112), Acts of the Fifty-eighth General Assembly relating to employment security and disqualification for voluntary quitting.

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

1 SECTION 1. Amend section three (3) of chapter one hundred  
2 twelve (112), Acts of the Fifty-eighth General Assembly by striking  
3 therefrom lines thirty-nine (39) through forty-six (46) inclusive  
4 and by inserting in lieu thereof the following:

5 "g. However, an individual who has left his employment without  
6 good cause attributable to his employer, except as provided in para-  
7 graphs 'a' through 'f' hereof, shall forfeit only those credits acquired  
8 by him during that period of employment that was quit."

Approved March 29, 1961.

CHAPTER 85

EMPLOYMENT SECURITY

S. F. 436

AN ACT to amend sections ninety-six point seven (96.7), and ninety-six point fourteen (96.14), Code 1958, relating to the rate of contributions by employers and providing penalties for failure to timely pay contributions and to make certain reports.

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

1 SECTION 1. Section ninety-six point seven (96.7), subsection three  
 2 (3), paragraph "d", Code 1958, is amended by striking from said  
 3 paragraph "d", subparagraphs one (1), two (2), three (3), four (4)  
 4 and five (5), and inserting in lieu thereof the following:

5 "Contribution	6 Rate	7 If Percentage of Average	8 Annual Payroll is
7	2.7%		less than 2.5%
8	2.5%	2.5%	but less than 3.0%
9	2.2%	3.0%	but less than 3.5%
10	1.9%	3.5%	but less than 4.0%
11	1.6%	4.0%	but less than 4.5%
12	1.3%	4.5%	but less than 5.0%
13	1.0%	5.0%	but less than 5.5%
14	.9%	5.5%	but less than 6.0%
15	.8%	6.0%	but less than 6.5%
16	.7%	6.5%	but less than 7.0%
17	.6%	7.0%	but less than 7.5%
18	.5%	7.5%	but less than 8.0%
19	.4%	8.0%	but less than 8.5%
20	.3%	8.5%	but less than 9.0%
21	.2%	9.0%	but less than 9.5%
22	.1%	9.5%	but less than 10%
23	0%	10%	or over

24 "Whenever the unemployment trust fund account of the state equals  
 25 or exceeds one hundred ten million dollars (\$110,000,000) the con-  
 26 tribution rates herein stated, except the rates of contribution higher  
 27 than one point nine per cent (1.9%), shall be reduced to and remain  
 28 at fifty per cent (50%) thereof until said unemployment trust fund  
 29 account of the state shall have been reduced to seventy million dollars  
 30 (\$70,000,000) in which event the said contribution rates shall revert  
 31 to the rate herein stated."

1 SEC. 2. Section ninety-six point fourteen (96.14), Code 1958, is  
 2 amended as follows:

3 1. By striking subsection one (1) therefrom and inserting in lieu  
 4 thereof the following:

5 "1. Interest. Any employer who shall fail to pay any contribution  
 6 and at the time required by this chapter and the rules and regulations  
 7 of the commission, shall pay to the commission in addition to such  
 8 contribution, interest thereon at the rate of one per cent (1%) per  
 9 month and one-thirtieth (1/30) of one per cent (1%) for each day  
 10 or fraction thereof computed from the date upon which said contribu-  
 11 tion should have been paid."



12 2. By adding a new subsection two (2) as follows:

13 "2. Penalties. Any employer who shall fail to file a report of wages  
14 paid to each of his employees for any period in the manner and within  
15 the time required by this chapter and the rules and regulations of the  
16 commission or any extension of such time, shall pay to the commis-  
17 sion a penalty in a sum equal to two per cent (2%) of the contribu-  
18 tions required to be paid by such employer for each month or part  
19 thereof, for failure to file such report, provided that the total of such  
20 penalties shall not exceed ten per cent (10%) of the amount of such  
21 contributions. If the commission finds that any such report is insuffi-  
22 cient, it shall notify the employer in writing to file a sufficient report.  
23 If such employer shall fail to file a sufficient report within thirty (30)  
24 days after the mailing of such notice to him, he shall, in addition to  
25 any amount otherwise payable by him under the provisions of this  
26 chapter, pay to the commission, a penalty equal to two per cent (2%)  
27 of the contributions for such period unpaid by him at the time of the  
28 mailing of each notice, for each month or part thereof of such failure  
29 to file a sufficient report, provided that the total penalties shall not ex-  
30 ceed ten per cent (10%) of the amount of such contribution.

31 "If the commission finds that any employer has wilfully failed to  
32 pay any contribution or part thereof when required by this chapter  
33 and the rules and regulations of the commission, with intent to de-  
34 fraud the commission, then such employer shall in addition to such  
35 contribution or part thereof, pay a contribution equal to fifty per cent  
36 (50%) of the amount of such contribution or part thereof, as the case  
37 may be.

38 "However, in the event an employer is not required to make a con-  
39 tribution, the penalties for failure to report shall be an amount equal  
40 to one per cent (1%) of his taxable payroll. After September 30,  
41 1961 no penalty or penalties shall be less than ten dollars (\$10.00).

42 "The commission may cancel any interest or penalties if it is  
43 shown to the satisfaction of the commission that the failure to pay a  
44 required contribution or to file a required report was not the result  
45 of negligence, fraud, or intentional disregard of the law or the rules  
46 and regulations of the commission."

47 3. Further amend by renumbering all subsequent subsections.

Approved May 3, 1961.

## CHAPTER 86

### REFERENCES TO "STATES" EMPLOYMENT SECURITY LAW

H. F. 92

AN ACT relating to the definition of a "state" in the employment security law.

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

1 SECTION 1. Section ninety-six point nineteen (96.19), Code 1958,  
2 is amended by striking from line two (2) of subsection eleven (11)  
3 the following: "Alaska, Hawaii, and".

1 SEC. 2. Section ninety-six point nineteen (96.19), Code 1958, is  
2 amended by adding at the end of subsection eleven (11) the following:  
3 "and Puerto Rico".

Approved April 5, 1961.

## CHAPTER 87

## BOAT REGULATIONS

S. F. 451

AN ACT relating to boat registration, navigation regulations and water safety.

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

Chapter one hundred six (106), Code 1958, as amended by chapter one hundred twenty-two (122), Acts of the Fifty-eighth General Assembly, is hereby repealed and the following enacted in lieu thereof:

1 "SECTION 1. Declaration of Policy. It is the policy of this state  
2 to promote safety for persons and property in and connected with  
3 the use, operation and equipment of vessels and to promote uniformity  
4 of laws relating thereto.

1 SEC. 2. Definitions. As used in this Act, unless the context clear-  
2 ly requires a different meaning:

3 1. 'Vessel' means every description of watercraft, other than a  
4 seaplane on the water, used or capable of being used as a means of  
5 transportation on water.

6 2. 'Motorboat' means any vessel propelled by machinery, whether  
7 or not such machinery is the principal source of propulsion, or vessel  
8 propelled attached to another craft which is propelled by machinery.

9 3. 'Owner' means a person, other than a lien holder, having the  
10 property right in or title to a motorboat or vessel. The term includes  
11 a person entitled to the use or possession of a vessel or motorboat  
12 subject to an interest in another person, reserved or created by agree-  
13 ment and securing payment or performance of an obligation, but the  
14 term excludes a lessee under a lease not intended as security.

15 4. 'Waters of this state under the jurisdiction of the state conserva-  
16 tion commission' means any navigable waters within the territorial  
17 limits of this state, and the marginal river areas adjacent to this state,  
18 exempting only farm ponds, privately owned lakes and waters specifi-  
19 cally delegated to local authorities.

20 5. 'Farm pond' means a body of water wholly on the lands of a  
21 single owner, or a group of joint owners, which does not have any  
22 connection with any public waters and which is less than ten surface  
23 acres.

24 6. 'Person' means an individual, partnership, firm, corporation or  
25 association.

26 7. 'Operate' means to navigate or otherwise use a vessel or motor-  
27 boat.

28 8. 'Navigable waters' means all lakes, rivers and streams, which  
29 can support a vessel capable of carrying one or more persons during a  
30 total of six months period in one out of every ten years.

31 9. 'Watercraft' means any vessel which through the buoyance force  
32 of water floats upon the water and is capable of carrying one or more  
33 persons.

34 10. 'Undocumented vessel' means any vessel which is not required  
35 to have, and does not have, a valid marine document issued by the  
36 bureau of customs or a foreign government.

37 11. 'Commission' means state conservation commission.

38 12. 'Privately owned lakes' means any lake, located within the

39 boundaries of this state and not subject to federal control covering  
40 navigation owned by an individual, group of individuals or a non-  
41 profit corporation and which is not open to the use of the general  
42 public but is used exclusively by the owners and their personal guests.

1 **SEC. 3. Powers and Duties of State Conservation Commission.**

2 The state conservation commission is hereby vested with the power  
3 and is charged with the duty of observing, administering and enforcing  
4 the provisions of this Act.

5 The state conservation commission is hereby authorized to adopt,  
6 promulgate and enforce such rules and regulations as may be neces-  
7 sary to carry out the provisions of this Act.

1 **SEC. 4. Operation of Unnumbered Motorboats Prohibited. Every**

2 undocumented motorboat on the waters of this state under the juris-  
3 diction of the state conservation commission and waters specifically  
4 delegated to local authorities shall be numbered. No person shall  
5 operate, maintain or give permission for the operation or mainten-  
6 ance of any such vessel on such waters unless the vessel is numbered  
7 in accordance with this Act or in accordance with applicable federal  
8 laws or in accordance with a federally approved numbering system  
9 of another state and unless the certificate of number awarded to such  
10 vessel is in full force and effect and the identifying number set forth  
11 in the certificate of number is displayed on each side of the bow of  
12 such vessel.

1 **SEC. 5. Registration and Identification Number.**

2 1. The owner of each motorboat requiring numbering by this state  
3 shall be registered every two years with the commission. The owner  
4 of such motorboat shall file an application for registration with the  
5 commission on forms approved by it. The application shall be signed  
6 by the owner of the motorboat and shall be accompanied by a fee of  
7 four dollars. Upon receipt of the application in approved form, the com-  
8 mission shall enter the same upon the records of its office and shall is-  
9 sue to the applicant a pocket size registration certificate. The registra-  
10 tion certificate shall bear thereon the number awarded to such motor-  
11 boat, the passenger capacity of such vessel and the name and address  
12 of the owner. The registration certificate shall be carried either in the  
13 motorboat or on the person of the operator of such vessel when in use.

14 The owner shall cause the identification number to be painted on or  
15 attached to each side of the bow of the motorboat in such size and  
16 manner as may be prescribed by the rules and regulations of the com-  
17 mission and shall be maintained in a legible condition at all times.

18 No number, other than the number awarded to a vessel under the  
19 provisions of this Act or granted reciprocity pursuant to this Act,  
20 shall be painted, attached or otherwise displayed on either side of the  
21 bow of such vessel.

22 The owner of each vessel must display and maintain, in a legible  
23 manner and in a prominent spot on the exterior of such vessel, other  
24 than the bow, the passenger capacity of the vessel which must con-  
25 form with the passenger capacity designated on the registration  
26 certificate.

27 2. The commission may issue a certificate to dealers and manu-  
28 facturers which may be used on different vessels at different times,  
29 when such vessels are used as demonstrators or experimental craft.

30 The word 'manufacturer' or 'dealer' shall be plainly marked on each  
31 such certificate. The manufacturer or dealer shall have the number  
32 so awarded printed upon or attached to a removable sign or signs to  
33 be temporarily but firmly mounted upon or attached to the vessel  
34 being demonstrated or tested and the display must meet the require-  
35 ments of this Act and the rules and regulations of the commission.

36 3. The owner of any vessel already covered by a number in full  
37 force and effect, which has been awarded to it pursuant to then oper-  
38 ating federal law, shall not be required to register such vessel under  
39 the provisions of this Act for one year from the date of approval of  
40 such numbering system by the United States coast guard unless such  
41 number expires prior to that time.

42 4. Upon transfer of ownership of any motorboat, the owner shall  
43 within five days surrender the registration certificate to the commis-  
44 sion and report the name and address of the purchaser and the date  
45 of transfer. Within five days the purchaser shall file a new applica-  
46 tion form with the commission with a fee of one dollar and a transfer  
47 of number shall be awarded in the same manner as provided for in an  
48 original registration.

49 5. All fees collected for the registration of vessels shall be for-  
50 warded by the commission to the treasurer of the state, who shall  
51 place such money in a conservation fund. The money so collected shall  
52 be appropriated by the legislature to the commission solely for the  
53 administration and enforcement of navigation laws and water safety.

54 6. When an agency of the United States government shall have in  
55 force an over-all system of identification numbering for motorboats,  
56 the numbering system prescribed by the commission pursuant to this  
57 Act, shall be in conformity therewith.

58 7. Every registration certificate and number issued hereunder shall  
59 expire at midnight July 3, 1963 and every two years thereafter unless  
60 sooner terminated or discontinued in accordance with the provisions  
61 of this Act. Registration certificates and numbers may be renewed  
62 upon application of the owner in the same manner as provided for in  
63 securing the original registration.

64 8. Whenever any person, after registering a vessel, moves from  
65 the address shown on the registration certificate, he shall, within ten  
66 days, notify the commission in writing of his old and new address.

67 Whenever the name of any person, who has registered a vessel, is  
68 thereafter changed by marriage or otherwise, he shall, within ten  
69 days, notify the commission of such former and new name.

70 If a registration certificate is lost, mutilated or becomes illegible,  
71 the owner shall immediately make application for and obtain a dupli-  
72 cate registration certificate by furnishing information satisfactory  
73 to the commission.

74 A fee of one dollar shall be paid to the commission for a duplicate  
75 registration certificate.

76 If a vessel, registered under the provisions of this Act, is destroyed  
77 or abandoned, such destruction or abandonment shall be reported to  
78 the commission and the registration certificate shall be forwarded to  
79 the office of the commission within ten days after such destruction  
80 or abandonment.

81 9. All records of the commission, made or kept pursuant to this  
82 Act, shall be public records.

**1 SEC. 6. Exemption from Registration Provisions of this Act.****2 A vessel shall not be required to be registered if it is:****3 1. Covered by a number in full force and effect which has been**  
**4 awarded to it pursuant to federal law or a federally-approved num-**  
**5 bering system of another state if such vessel shall not have been with-**  
**6 in this state for a period in excess of ninety days within one calendar**  
**7 year.****8 2. Foreign vessels temporarily using the navigable waters of the**  
**9 United States and of this state.****10 3. A public vessel of the United States, a state or subdivision**  
**11 thereof.****12 4. A vessel which has a valid marine document issued by the bureau**  
**13 of customs of the United States government or any federal agency**  
**14 successor thereto.****15 5. A ship's lifeboat.****16 6. A type of vessel which has been exempted from registration by**  
**17 the commission after said commission has found that the registration**  
**18 or numbering of such vessel will not materially aid in their identifi-**  
**19 cation and such vessel would be exempt from numbering if it were**  
**20 subject to federal law.****1 SEC. 7. Collisions, Accidents and Casualties.****2 1. The operator of a vessel involved in a collision, accident or other**  
**3 casualty shall, so far as possible without serious danger to his own**  
**4 vessel, crew or passengers, render to other persons affected by the**  
**5 collision, accident or casualty, such assistance as may be practicable**  
**6 and necessary to save them from or minimize any danger caused by**  
**7 the collision, accident or other casualty. He shall also give his name,**  
**8 address and identification of his vessel in writing to any person in-**  
**9 jured and to the owner of any property damaged in the collision, acci-**  
**10 dent or other casualty.****11 2. Whenever any vessel numbered under this Act is involved in a**  
**12 collision, accident or casualty which results in loss of life, injury re-**  
**13 quiring medical attention, or property damage in excess of one hun-**  
**14 dred dollars, the operator of such vessel shall file with the commission**  
**15 a report of the occurrence, in writing, and containing such informa-**  
**16 tion as the commission may, by regulation, require. Said report shall**  
**17 be submitted within forty-eight hours in death cases and within five**  
**18 days in other cases.****1 SEC. 8. Transmittal of Information. When any request is duly**  
**2 made by an authorized official or agency of the United States, any**  
**3 information compiled or otherwise available to the commission under**  
**4 this Act, such information shall be transmitted to said official or**  
**5 agency.****1 SEC. 9. 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.****1 SEC. 10. Classification and Required Equipment.****2 1. Vessels subject to the provisions of this Act shall be divided into**  
**3 four classes as follows:****4 Class I. Less than sixteen feet in length.****5 Class II. Sixteen feet or over and less than twenty-six feet in length.**

6 Class III. Twenty-six feet or over and less than forty feet in length.

7 Class IV. Forty feet or over.

8 2. Every vessel, in all weathers, from sunset to sunrise, shall carry  
9 and exhibit the following lights when under way, and during such  
10 time shall exhibit no other lights which may be mistaken for those  
11 required.

12 a. Every motorboat of class I and II shall carry the following  
13 lights:

14 (1) A bright white light aft to show all around the horizon.

15 (2) A combined lantern in the fore part of the vessel and lower  
16 than the white light aft, showing green to starboard and red to port,  
17 so fixed as to throw the light from right ahead to two points abaft  
18 the beam on their respective sides.

19 b. Every motorboat of classes III and IV shall carry the following  
20 lights:

21 (1) A bright white light in the fore part of the vessel as near the  
22 bow as practicable, so constructed as to show an unbroken light over  
23 an arc of the horizon of twenty points of the compass, so fixed as to  
24 throw the light ten points on each side of the vessel; namely, from  
25 right ahead to two points abaft the beam on either side.

26 (2) A bright white light aft to show all around the horizon and  
27 higher than the white light forward.

28 (3) A green light on the starboard side so constructed as to show  
29 an unbroken light over an arc of the horizon of ten points of the com-  
30 pass, so fixed as to throw the light from right ahead to two points  
31 abaft the beam on the starboard side. A red light on the port side,  
32 so constructed as to show an unbroken light over an arc of the hori-  
33 zon of ten points of the compass so fixed as to throw the light from  
34 right ahead to two points abaft the beam on the port side. The said  
35 side lights shall be fitted with inboard screens of sufficient height so  
36 set as to prevent these lights from being seen across the bow.

37 c. Vessels of class I and II, when propelled by sail alone, shall  
38 carry the combined lantern, but not the white light aft prescribed by  
39 this section. Vessels of classes III and IV when so propelled, shall  
40 carry the colored side lights, suitably screened, but not the white lights  
41 required by this section.

42 d. Vessels of all classes, other than motorboats and sailboats, shall  
43 carry ready at hand a lantern or flashlight showing a white light  
44 which shall be exhibited in sufficient time to avert collision.

45 e. Every white light required by this section shall be of such char-  
46 acter as to be visible at a distance of at least two miles. Every colored  
47 light required by this section shall be of such character as to be visible  
48 at a distance of at least one mile. The term 'visible' in this section,  
49 when applied to lights, shall mean visible on a dark night with clear  
50 atmosphere.

51 f. When propelled by sail and machinery, such motorboat shall  
52 carry the lights required by this section for a motorboat propelled by  
53 machinery only.

54 3. Every vessel shall carry and exhibit such other lights required  
55 by the rules and regulations of the commission.

56 4. Every motorboat of class II, III or IV shall be provided with an  
57 efficient whistle or other sound producing appliance.

58 5. Every motorboat of class III or IV shall be provided with an  
59 efficient bell.

60 6. Every vessel shall carry at least one life preserver, life belt, ring  
61 buoy or other device, of the sort prescribed by the regulations of the  
62 commission, for each person on board, so placed as to be readily  
63 accessible.

64 7. Every motorboat shall be provided with such number, size and  
65 type of fire extinguishers capable of promptly and effectually extin-  
66 guishing burning gasoline, as may be prescribed by the regulations  
67 of the commission. Such fire extinguishers shall, at all times, be  
68 kept in condition for immediate and effective use and shall be so  
69 placed as to be readily accessible.

70 8. The provisions of subsections four (4), five (5) and seven (7)  
71 of this section shall not apply to motorboats while competing in any  
72 race conducted pursuant to section seventeen (17) of this Act or, if  
73 such boats are designed and used solely for racing, while engaged in  
74 such navigation as is incidental to the tuning up of the boats and  
75 engines for the race.

76 The operator of a motorboat, while engaged in such race, must  
77 wear a crash helmet and life preserver.

78 9. Every motorboat shall have the carburetor or carburetors of  
79 every engine therein, except outboard motors, using a liquid of a  
80 volatile nature as fuel, equipped with such efficient flame arrestor,  
81 backfire trap or other similar device as may be prescribed by the rules  
82 and regulations of the commission.

83 10. Every motorboat, except open boats, using any liquid of a vola-  
84 tile nature as fuel, shall be provided with such means as may be pre-  
85 scribed by the rules and regulations of the commission for properly  
86 and efficiently ventilating the bilges of the engines and fuel tank  
87 compartments so as to remove any explosive or inflammable gases.

88 11. The commission is hereby authorized to make rules and regu-  
89 lations modifying the equipment requirements contained in this sec-  
90 tion to the extent necessary for the safety of operators and passengers.

91 12. The commission is hereby authorized to establish such pilot  
92 rules as may be necessary for the safe operation of vessels on the  
93 waters of this state under the jurisdiction of the commission.

94 13. No person shall operate or give permission for the operation  
95 of a vessel which is not equipped as required by this section or modi-  
96 fication thereof.

1 **SEC. 11. Boat Liveries.**

2 1. The owner of a boat livery shall cause to be kept a record of the  
3 name and address of the person or persons hiring any vessel which  
4 is designed or permitted by him to be operated for hire, the identi-  
5 fication number thereof, the departure date and time and the expected  
6 time of return. The records shall be preserved for six months.

7 2. The owner of a boat livery shall not permit any of his vessels,  
8 operated for hire, to depart from his premises unless it shall have  
9 been provided, either by the owner or renter, with the equipment re-  
10 quired by the commission.

1 **SEC. 12. Muffling Devices.** The exhaust of every internal com-  
2 bustion engine used on any motorboat shall be effectively muffled  
3 by equipment so constructed and used as to muffle the noise of the  
4 exhaust in a reasonable manner. The use of cutouts is prohibited,  
5 except for motorboats competing in a regatta or boat race approved

6 as provided in section seventeen (17) of this Act and for such motor-  
7 boats while on trial run during a period not to exceed forty-eight  
8 hours immediately preceding such regatta or race and for such motor-  
9 boats while competing in official trials for speed records during a  
10 period not to exceed forty-eight hours immediately following such  
11 regatta or race.

1 **SEC. 13. Prohibited Operation.**

2 1. No person shall operate any vessel, or manipulate any water  
3 skis, surfboard or similar device in a careless, reckless or negligent  
4 manner so as to endanger the life, limb or property of any person.

5 2. No person shall operate any vessel, or manipulate any water  
6 skis, surfboard or similar device while intoxicated or under the in-  
7 fluence of any narcotic drug, barbiturate or marijuana.

1 **SEC. 14. Penalty.** Any person violating any of the provisions of  
2 this Act, for which another penalty is not otherwise specifically pro-  
3 vided, shall, upon conviction or a plea of guilty, be fined not to exceed  
4 one hundred dollars or be imprisoned in the county jail not to exceed  
5 thirty days.

1 **SEC. 15. Operating Vessel While Intoxicated or Under Influence**  
2 **of Drugs.** Whoever, while in an intoxicated condition or under in-  
3 fluence of narcotic drugs, operates a vessel or manipulates any water  
4 skis, surfboard or similar device upon the public waters of this state,  
5 shall, upon conviction or a plea of guilty be punished, for the first  
6 offense by a fine of not less than three hundred dollars nor more than  
7 one thousand dollars, or by imprisonment in the county jail for a  
8 period of not to exceed one year, or by both such fine and imprison-  
9 ment; for the second offense by a fine of not less than five hundred  
10 dollars, nor more than one thousand dollars, or by imprisonment in  
11 the penitentiary for a period of not to exceed one year, or by both such  
12 fine and imprisonment; and for a third offense and each offense there-  
13 after, by imprisonment in the penitentiary for a period not to exceed  
14 three years.

15 The court shall also, in pronouncing sentence, provide for the revo-  
16 cation of the pilot's and engineer's license of the defendant, if any,  
17 and the immediate surrender of the defendant's liquor permit issued  
18 under chapter one hundred twenty-three (123). The clerk of court  
19 shall immediately certify to the commission a true copy of the judg-  
20 ment sentencing the defendant under this Act.

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

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

1 **SEC. 16. Water Skis and Surfboards.**

2 1. No person shall operate a vessel on any waters of this state under



3 the jurisdiction of the commission for towing a person or persons on  
4 water skis, surfboard or similar device unless there is in such vessel  
5 a responsible person, in addition to the operator, in a position to ob-  
6 serve the progress of the person or persons being towed.

7 2. No person shall operate a vessel on any waters of this state under  
8 the jurisdiction of the commission, towing a person or persons on  
9 water skis, surfboard or similar device, nor shall any person engage  
10 in water skiing, surfboarding or similar activity at any time between  
11 the hours from one hour after sunset to one hour before sunrise.

12 3. The provisions of subsections one (1) and two (2) of this sec-  
13 tion do not apply to a performer engaged in a professional exhibition  
14 or a person or persons engaged in a professional exhibition or a person  
15 or persons engaged in an activity authorized under section seventeen  
16 (17) of this Act.

#### 1 SEC. 17. Regattas, Races, Marine Parades, Tournaments or 2 Exhibitions.

3 1. The commission may authorize the holding of regattas, motor-  
4 boat or other boat races, marine parades, tournaments or exhibitions  
5 on any waters of this state under the jurisdiction of the commission.  
6 The commission shall adopt and may, from time to time, amend regu-  
7 lations concerning the safety of vessels and persons, either observers  
8 or participants. If a regatta, motorboat or other boat race, marine  
9 parade, tournament or exhibition is proposed to be held, the person  
10 in charge thereof shall file an application with the commission for  
11 permission to hold such regatta, motorboat or other boat race, marine  
12 parade, tournament or exhibition. The application shall set forth  
13 the date, time and location where it is proposed to hold such regatta,  
14 motorboat or other boat race, marine parade, tournament or exhibition  
15 and it shall not be conducted without written authorization of the  
16 commission.

17 2. The provisions of this section shall not exempt any person from  
18 compliance with applicable federal law or regulation, but nothing  
19 contained herein shall be construed to require the securing of a state  
20 permit under this section if a permit therefor has been obtained from  
21 an authorized agency having jurisdiction of the waters where such  
22 regatta, race, marine parade, tournament or exhibition is being con-  
23 ducted.

#### 1 SEC. 18. Local Regulations Prohibited.

2 1. The provisions of this Act and other applicable laws of this state  
3 shall govern the operation, equipment, numbering and all other mat-  
4 ters relating thereto of any vessel whenever such vessel is operated  
5 or maintained on the waters of this state under the jurisdiction of  
6 the commission, but nothing in this Act shall be construed to prevent  
7 the adoption of any ordinance or local law relating to the oper-  
8 ation of equipment of vessels. Such ordinances or local law shall  
9 be operative only so long as they are not inconsistent with the pro-  
10 visions of this Act or the rules and regulations adopted by the  
11 commission.

12 2. Any subdivision of this state may, but only after public notice  
13 thereof by publication in a newspaper having a general circulation in  
14 such subdivision, make formal application to the commission for  
15 special rules and regulations concerning the operation of vessels on  
16 any waters within its territorial limits and shall set forth therein the

17 reasons which make such special rules or regulations necessary or  
18 appropriate.

19 3. The commission is hereby authorized upon application of local  
20 authorities to make special rules and regulations, in conformity with  
21 this Act, concerning the operation of vessels on any waters of this  
22 state under the jurisdiction of the commission within the territorial  
23 limits of any subdivision of this state.

1 SEC. 19. **Owner's Civil Liability.** The owner and operator of any  
2 undocumented vessel shall be liable for any injury or damage occa-  
3 sioned by the negligent operation of such vessel.

1 SEC. 20. **Inspectors, Water Safety Patrolmen and Conservation**  
2 **Officers.** The commission shall appoint one or more qualified persons  
3 as boat inspectors and water safety patrolmen.

4 Boat inspectors, water safety patrolmen and conservation officers  
5 are herewith vested with the powers and charged with the duties of  
6 peace officers in enforcing the provisions of this Act.

1 SEC. 21. **Boat Inspection.** Any person having, upon any waters  
2 of this state under the jurisdiction of the commission, any vessel,  
3 either for hire or offered for hire, must have such vessel and all its  
4 appurtenances annually inspected.

5 Every such owner shall file in the office of the commission, an appli-  
6 cation for inspection of such vessels on a blank furnished by the  
7 commission for that purpose.

8 Boat inspectors, conservation officers and water safety patrolmen  
9 shall have the power and authority to determine whether such vessel  
10 is safe for the transportation of passengers or cargo and upon what  
11 waters it may be used. They may determine and designate the num-  
12 ber of passengers or cargo, including crew, that may be carried and  
13 determine whether the machinery, equipment and all appurtenances  
14 are such as to make said vessels seaworthy, where used, and such  
15 other matters as are pertinent.

16 After such vessels have been inspected as provided herein, a cur-  
17 rent inspection seal or tag shall be issued by the commission and shall  
18 be kept posted in a conspicuous place upon or in such vessel. Any  
19 inspection seal or tag shall be in effect only for the calendar year for  
20 which the inspection seal or tag is issued.

21 Private vessels may also be inspected to determine their seaworthi-  
22 ness at any time by representatives of the commission.

1 SEC. 22. **Fees.** The annual fee for the inspection of vessels oper-  
2 ated for hire shall be based upon the passenger-carrying capacity,  
3 including crew, for which such vessel is registered.

4 Such fee shall be computed at the rate of fifty cents per person ca-  
5 pacity, except rowboats, but shall be not less than one dollar and shall  
6 not exceed the maximum of twenty dollars. The fee for inspecting  
7 rowboats shall be one dollar per boat.

8 The annual fee for pilot's license is one dollar.

9 The annual fee for engineer's license is two dollars.

10 The provisions of this section shall be applicable to all vessels which  
11 are rented to the public for hire, including vessels furnished with  
12 leased cottages. If such vessels are found to be in satisfactory con-  
13 dition, the boat inspector shall attach thereto a small plate or inspec-

14 tion seal, indicating the date of inspection and the passenger-carrying  
15 capacity. The owner of such vessel shall not offer it for hire or allow  
16 it to be so used until such inspection has been made and the vessel  
17 found to be in satisfactory condition.

18 There shall be no fee charged for the inspection of private vessels  
19 not used for hire.

20 The boat inspector or conservation officer shall collect all inspection  
21 fees and forward them to the commission.

22 All fees collected shall be forwarded by the commission to the  
23 treasurer of the state, who shall place such money in a conservation  
24 fund. The money so collected shall be appropriated by the legislature  
25 to the commission solely for the administration and enforcement of  
26 navigation laws and water safety.

1 SEC. 23. **Engineer or Pilot License.** No vessel shall be operated  
2 for hire by a pilot or engineer upon the waters of this state under the  
3 jurisdiction of the commission unless he first obtains an engineer's  
4 or pilot's license. A pilot's license is required for any person who  
5 has charge of the steering or directing of the vessel's course or who  
6 does the steering or directs the vessel's course. An engineer's license  
7 is required for all operators who have charge of or operate the equip-  
8 ment by which the boat is propelled. If one person acts in a dual or  
9 alternate capacity, he shall first obtain both an engineer's and pilot's  
10 license.

11 Any person desiring a pilot's or engineer's license shall file an appli-  
12 cation with the commission upon forms prepared and furnished by  
13 the commission. Such license may be issued by the commission only  
14 upon recommendation of a boat inspector, water safety patrolman or  
15 conservation officer duly authorized by the commission. Before the  
16 boat inspector, water safety patrolman or conservation officer recom-  
17 mends such a license, he shall investigate the competency of the appli-  
18 cant, his acquaintance with and experience in boat work, his habits  
19 as to sobriety, his mental and physical qualifications for the work, his  
20 acquaintance with the waters for which application to operate upon  
21 is made, his familiarity with the laws and regulations pertaining to  
22 the vessel operation and all other pertinent matters. Such license  
23 shall not be issued to anyone under eighteen years of age.

24 Engineer's and pilot's licenses shall be in effect only for the cal-  
25 endar year in which such license is issued.

1 SEC. 24. **Suspension or Revocation.**

2 1. The boat inspector, water safety patrolman or conservation  
3 officer may, for cause, temporarily suspend the registration certificate  
4 of any vessel and the license of a pilot or engineer, that has been issued  
5 under this Act, and the commission, after a due hearing on the matter  
6 at its next session, shall make final determination in the matter.

7 2. The commission shall forthwith revoke the registration certifi-  
8 cate of any vessel and the pilot's or engineer's license of the operator  
9 of such vessel upon receiving a record of such owner or operator's  
10 conviction of any of the following offenses, when such conviction has  
11 become final.

12 a. Manslaughter resulting from the operation of a vessel.

13 b. Operating a vessel or manipulating water skis, surfboard or  
14 similar device while in an intoxicated condition or under influence of  
15 a narcotic drug.

16 c. Failure to stop and render aid as required by this Act when a  
17 collision, accident or other casualty results in the death or personal  
18 injury of another.

19 d. Perjury or the making of a false affidavit or statement under  
20 oath to the commission under this Act relating to the ownership or  
21 operation of a vessel.

22 3. The commission is hereby authorized to suspend the registration  
23 certificate of any vessel and the pilot's or engineer's license of an  
24 operator upon a showing by its records that the owner or operator:

25 a. Has committed an offense for which mandatory revocation of  
26 registration certificate or pilot's or engineer's license is required upon  
27 conviction.

28 b. Is a habitual reckless or negligent operator of a vessel.

29 c. Is incompetent to operate a vessel.

30 d. Has permitted an unlawful or fraudulent use of such registration  
31 certificate or pilot's or engineer's license.

1 SEC. 25. **Overloading of Vessels.** No person owning or operating  
2 a vessel shall permit said vessel to be occupied by more passengers  
3 and crew than the registration capacity permits.

1 SEC. 26. **Penalty.** If any owner, agent or master of any vessel,  
2 plying the waters of this state, shall hire or offer for hire, such vessel  
3 for the carrying of a person or persons thereon, without first obtain-  
4 ing annually, a permit as in this Act required, and before operating  
5 such vessel in such service; or if the owner, agent or master, having  
6 obtained such permit, receives for carriage or permits carriage on  
7 such vessel a greater number of persons than authorized therein, or  
8 if any person acts as pilot or engineer on any vessel, for which inspec-  
9 tion and registration are required, without first obtaining a permit  
10 therefor; or if such pilot or engineer continues to follow such avoca-  
11 tion after the same has been revoked or expired, he shall be fined in  
12 a sum not to exceed one thousand (1000) dollars or imprisoned in the  
13 county jail not to exceed one year or punished by both such fine and  
14 imprisonment. The provisions of this section shall not apply to  
15 vessels registered or numbered by authority of the United States.

1 SEC. 27. **Right-of-way Rules.** Vessel traffic shall be governed  
2 by the following rules:

3 1. Passing from rear—keep to the operator's left.

4 2. Passing headon—keep to the operator's right.

5 3. Passing at right angles—vessel at the right has the right-of-way.

6 4. Manually propelled vessels have the right-of-way over all other  
7 vessels.

8 5. Sailboats have the right-of-way over all motor driven vessels.  
9 Motorboats, when meeting or overtaking sailboats, shall always pass  
10 on the leeward side.

11 6. Any vessel backing from a landing has the right-of-way over  
12 incoming vessels.

13 7. The commission is authorized to promulgate further rules and  
14 regulations governing vessel traffic.

1 SEC. 28. **Removal of Non-permanent Structures.** Every vessel  
2 or structure, not considered a permanent structure by the commission  
3 or excepted by the regulations of the commission, shall be removed

4 from the waters of this state under the jurisdiction of the commission  
5 on or before December fifteen of each year.

1 **SEC. 29. Unworthy Vessels Drydocked.** No person shall place or  
2 allow to remain in the waters of this state under the jurisdiction of  
3 the commission, any vessel which has failed to pass inspection.

1 **SEC. 30. Official Duty Exempted.** Members of the commission,  
2 its deputies, agents and employees shall not be deemed violating the  
3 provisions of this Act while on emergency duty and acting within  
4 the scope of their employment.

1 **SEC. 31. Aircraft Restriction.** It shall be unlawful for any air-  
2 craft to make use of the inland lakes of the state, except in the trans-  
3 portation of persons or property between points separated by a dis-  
4 tance of thirty miles or more. Nothing herein shall prohibit the use  
5 of such waters by any aircraft in danger or distress or the use of such  
6 waters by the operators of private aircraft, not operated for hire.  
7 The foregoing provisions notwithstanding, the commission may, on  
8 the recommendation of the Iowa aeronautics commission, designate  
9 certain areas on inland lakes of the state where seaplane flight in-  
10 struction may be conducted under such conditions as may be adopted  
11 by the commission and the Iowa aeronautics commission.

1 **SEC. 32. Artificial Lakes.**

2 1. No motorboats with inboard motors; motorboats of plane or  
3 gliding type, including combination plane and displacement types,  
4 propelled by an outboard motor; rowboats of displacement type with  
5 outboard motor, shall be permitted on any artificial lake under the  
6 jurisdiction of the commission except that rowboats or motorboats  
7 equipped with an outboard motor, not to exceed six horsepower shall be  
8 permitted upon any artificial lake of one hundred acres or more in size.

9 2. No person shall operate any sailboat on any artificial lake under  
10 the jurisdiction of the commission except those lakes specifically des-  
11 ignated by the commission. All sailboats, so operated, must be of a  
12 type and size approved by the commission.

13 3. All privately-owned boats on artificial lakes under the juria-  
14 diction of the commission shall be kept at locations designated by the  
15 commission.

16 4. All privately-owned rowboats, used on or kept at the artificial  
17 lakes under the jurisdiction of the commission, shall be seaworthy  
18 for the waters where they are kept and used. All such boats shall be  
19 removed from state property whenever ordered by the commission,  
20 and, in any event, shall be removed from such property not later than  
21 December fifteen of each year.

1 **SEC. 33. Regulations for Buoys.**

2 1. No private buoy shall be maintained in the waters of this state  
3 under the jurisdiction of the commission except as specified by the  
4 rules and regulations of the commission.

5 2. No other obstruction of any kind shall be maintained in the  
6 waters of this state under the jurisdiction of the commission without  
7 first receiving permission from the commission to maintain such  
8 obstruction.

9 3. It shall be unlawful to tamper with, move or attempt to move  
10 any state-owned buoy.

11 4. No boat shall be anchored away from the shore and left un-  
12 guarded unless it is attached to a legal buoy.

1 SEC. 34. Driving over Ice. No craft or vehicle operating on the  
2 surface of ice on the inland lakes and streams of this state and pro-  
3 pelled by machinery in whole or in part, except ice-cutting machinery,  
4 automobiles, motorcycles and trucks when such are used without  
5 endangering public safety, shall be operated without a permit issued,  
6 by the commission, for such operation. Any such permit issued may  
7 be revoked by the commission if such craft or vehicle is operated in a  
8 careless manner as endangers others."

Approved April 26, 1961.

## CHAPTER 88

### NONRESIDENT WATERCRAFT

H. F. 23

AN ACT relating to the use, operation or maintenance of watercraft in the waters of this state by nonresidents.

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

1 SECTION 1. The use, operation or maintenance by any nonresident  
2 of watercraft in the waters of this state, shall be deemed an appoint-  
3 ment by such nonresident of the secretary of state as his true and  
4 lawful attorney upon whom may be served all original notices of suit  
5 growing out of such use, operation or maintenance or resulting in  
6 damage or loss to person or property and said use, operation or main-  
7 tenance shall be deemed an agreement by such nonresident that any  
8 original notice of suit so served shall be of the same legal force and  
9 validity as if personally served on him in this state.

1 SEC. 2. The term "person" as used in this Act means:  
2 1. The owner of watercraft whether it is being used and operated  
3 personally by said owner or by his agent.  
4 2. An agent using and operating the watercraft for his principal.  
5 3. Any person who is in charge of the watercraft and of the use  
6 and operation thereof with the express or implied consent of the  
7 owner.

1 SEC. 3. The original notice of suit filed with the secretary of state  
2 shall be in form and substance the same as now provided in suits  
3 against residents of this state, except that the part of said notice  
4 pertaining to the return day shall be in substantially the following  
5 form, to wit:  
6 "and unless you appear thereto and defend in the district court of  
7 Iowa in and for.....county at the courthouse in.....,  
8 Iowa before noon of the sixtieth day following the filing of this notice  
9 with the secretary of state, default will be entered and judgment  
10 rendered against you."

1 SEC. 4. Plaintiff in any such action shall cause the original notice  
2 of suit to be served as follows:

- 3 1. By filing a copy of said original notice of suit with said secretary
- 4 of state, together with a fee of two dollars, and
- 5 2. By mailing to the defendant, and to each of the defendants if
- 6 more than one, within ten days after said filing with the secretary
- 7 of state, by restricted certified mail addressed to the defendant at
- 8 his last known residence or place of abode, a notification of the said
- 9 filing with the secretary of state.

1 SEC. 5. The notification, provided for by this Act, shall be sub-

2 stantially in the following form, to wit:

3 "To.....(Here insert the name of each defendant and

4 his residence or last known place of abode.)

5 You will take notice that an original notice of suit against you, a

6 copy of which is hereto attached, was duly served upon you at Des

7 Moines, Iowa, by filing a copy of said notice on the.....day of

8 ....., 19....., with the secretary of state.

9 Dated at....., Iowa, this.....day of....., 19....

10 .....

11 Plaintiff

12 By.....

13 Attorney for Plaintiff"

1 SEC. 6. In lieu of mailing said notification to the defendant in a

2 foreign state, plaintiff may cause said notification to be personally

3 served in the foreign state on the defendant by any adult person

4 not a party to the suit, by delivering said notification to the defendant

5 or by offering to make such delivery in case defendant refuses to

6 accept delivery.

1 SEC. 7. Proof of the filing of a copy of said original notice of suit

2 with the secretary of state, and proof of the mailing or personal

3 delivery of said notification to said nonresident shall be made by

4 affidavit of the party doing said acts. All affidavits of service shall

5 be indorsed upon or attached to the originals of the papers to which

6 they relate. All proofs of service, including the restricted certified

7 mail return receipt, shall be forthwith filed with the clerk of the

8 district court.

1 SEC. 8. The foregoing provisions relative to service of original

2 notice of suit on nonresidents shall not be deemed to prevent actual

3 personal service in this state upon the nonresident in the time,

4 manner, form and under the conditions provided for service on

5 residents.

1 SEC. 9. Actions against nonresidents as contemplated by this Act

2 may be brought in the county of which plaintiff is a resident, or in

3 the county in which the injury was received or damage done.

1 SEC. 10. The court in which such action is pending shall grant

2 such continuances to a nonresident defendant as may be necessary

3 to afford him reasonable opportunity to defend said action.

1 SEC. 11. The secretary of state shall keep a record of all notices

2 of suit filed with him, shall not permit said filed notices to be taken

3 from his office except on an order of court and shall, on request,

4 and without fee, furnish any defendant with a certified copy of the  
5 notice in which he is defendant.

1 SEC. 12. If judgment is rendered against the plaintiff upon the  
2 trial of said action, said judgment shall include the reasonable ex-  
3 penses incurred by the defendant and his attorney in appearing to  
4 and defending against said action, provided that in the judgment of  
5 the trial court said action was commenced maliciously or without  
6 probable cause.

1 SEC. 13. The dismissal of an action after the nonresident has  
2 entered a general appearance under the substituted service herein  
3 authorized, shall bar the recommencement of the same action against  
4 the same defendant unless said recommenced action is accompanied  
5 by actual personal service of the original notice of suit on said defend-  
6 ant in this state.

1 SEC. 14. Any contract insuring the liability of a nonresident oper-  
2 ator of a motor boat in Iowa shall, in case of the death of said non-  
3 resident, be considered an asset of his estate having a situs in Iowa  
4 in any civil action arising out of an accident in which said nonresi-  
5 dent may be liable.

Approved May 4, 1961.

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## CHAPTER 89

### HUNTING BY ARTIFICIAL LIGHT

S. F. 166

AN ACT to prohibit use of artificial lights for hunting.

*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 new section:

3 "It shall be unlawful to throw or cast the rays of a spotlight,  
4 headlight or other artificial light on any highway, or in any field,  
5 woodland or forest for the purpose of spotting, locating or taking or  
6 attempting to take or hunt any animal, except raccoons or other fur-  
7 bearing animals when treed with the aid of dogs, while having in  
8 possession or control, either singly or as one of a group of persons,  
9 any firearm, bow or other implement whereby game could be killed.

10 "Any person violating this section shall be punished by a fine of  
11 not more than three hundred dollars or imprisonment in the county  
12 jail for a period not to exceed thirty days."

Approved May 3, 1961.



## CHAPTER 90

## DOMESTICATED FUR-BEARING ANIMALS

H. F. 73

AN ACT relating to domesticated fur-bearing animals.

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

- 1 SECTION 1. Section one hundred nine point forty (109.40), Code  
 2 1958, is amended by adding at the end thereof the following new  
 3 sentence:  
 4 "Nothing in this chapter shall apply to domesticated fur-bearing  
 5 animals."

Approved April 4, 1961.

## CHAPTER 91

## RACCOON HUNTING

S. F. 212

AN ACT relating to the prohibition of hunting with dogs thirty (30) days prior to the open season on raccoon.

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

- 1 SECTION 1. Section one hundred nine point fifty-six (109.56),  
 2 Code 1958, is hereby amended by striking all after "season." in line  
 3 six (6).

Approved April 18, 1961.

## CHAPTER 92

## FISHING ON BORDER RIVERS

H. F. 252

AN ACT to restrict commercial fishing within three hundred yards of the farthest projection of any dam in the Mississippi river and Missouri river.

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

- 1 SECTION 1. Section one hundred nine point one hundred seven  
 2 (109.107), Code 1958, is hereby amended by striking the word "one"  
 3 in line eighteen (18) and inserting in lieu thereof the word "three".

Approved March 29, 1961.

## CHAPTER 93

## BAIT DEALERS

S. F. 115

AN ACT restricting the issuance of bait dealer's licenses to residents of Iowa and residents of states who sell similar licenses to residents of Iowa.

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

1 SECTION 1. Section ten (10) of chapter one hundred twenty-seven  
2 (127), Acts of the Fifty-eighth General Assembly is hereby amended  
3 by striking all after the colon (:) in line two (2) and inserting in  
4 lieu thereof the following: "No licenses or tags for commercial fishing  
5 gear, or no commercial fishing gear operator's certificates, or no bait  
6 dealers' licenses may be issued to residents of states who do not sell  
7 similar licenses, tags, or certificates to residents of Iowa."

Approved March 29, 1961.

## CHAPTER 94

## HUNTING AND FISHING LICENSES

S. F. 221

AN ACT to amend section one hundred ten point one (110.1), Code 1958, eliminating the restriction of issuance of hunting and fishing licenses to certain nonresidents.

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

1 SECTION 1. Section one hundred ten point one (110.1), Code 1958,  
2 is hereby amended by striking lines fifty-three (53) through line  
3 sixty-two (62).

Approved April 5, 1961.

## CHAPTER 95

## TROUT FISHING LICENSE

H. F. 446

AN ACT to require a special license to fish for trout, and prescribing the fee therefor.

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

1 SECTION 1. Section one hundred ten point one (110.1), Code 1958,  
2 is amended by inserting after line thirteen (13) the following:  
3 "No person, resident or nonresident, required to have a fishing  
4 license, shall fish for trout in waters designated by the conservation  
5 commission as 'trout waters' without having a special license stamp  
6 affixed to his fishing license.

7 Special trout fishing license stamp.....\$2.00".

1 SEC. 2. The proceeds from the sale of this stamp shall be used  
2 exclusively to restock the "trout waters" designated by the con-  
3 servation commission.

Approved March 21, 1961.

## CHAPTER 96

## FISHING AND HUNTING LICENSES

H. F. 601

AN ACT to amend section one hundred ten point one (110.1), Code 1958, relating to resident fishing and hunting license fees.

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

1 SECTION 1. Section one hundred ten point one (110.1), Code  
2 1958, is hereby amended as follows:

3 1. By striking from line thirteen (13) the figures "\$2.00" and  
4 inserting in lieu thereof the figures "\$2.50".

5 2. By striking from line sixteen (16) the figures "2.00" and in-  
6 sserting in lieu thereof the figures "2.50".

7 3. By striking from line nineteen (19) the figures "\$3.50" and  
8 inserting in lieu thereof the figures "\$4.50".

1 SEC. 2. This Act being deemed of immediate importance shall  
2 take effect and be in force from and after its publication in the  
3 Forest City Summit, a newspaper published in Forest City, Iowa,  
4 and in The Manchester Press, a newspaper published in Manchester,  
5 Iowa.

Approved March 30, 1961.

I hereby certify that the foregoing Act, House File 601, was published in the Forest City Summit, Forest City, Iowa, April 6, 1961, and in The Manchester Press, Manchester, Iowa, April 6, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 97

## HUNTING LICENSES FOR CHILDREN

S. F. 219

AN ACT to amend the exemption for 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. Amend chapter one hundred thirty (130), Acts of  
2 the Fifty-eighth General Assembly by striking the period (.) and quo-  
3 tation mark (") in line seven (7) and by inserting in lieu thereof the  
4 following: ", providing, however, that there is one licensed adult  
5 accompanying each person under sixteen (16) years of age."\*.

Approved May 2, 1961.

\*According to enrolled Act.

## CHAPTER 98

## HUNTING AND FISHING LICENSES OF MILITARY PERSONNEL

S. F. 110

AN ACT to amend section one hundred ten point seventeen (110.17), Code 1958, to restrict the exemption of military personnel to legal residents of the state of Iowa.

*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 "States"
- 3 in line twenty-two (22) the following: "on active duty, and a legal
- 4 resident of the State of Iowa,".

Approved March 23, 1961.

## CHAPTER 99

## EXECUTIVE COUNCIL LAND CONVEYANCES

H. F. 642

AN ACT to permit the executive council to convey certain lands to cities, towns or counties for park purposes.

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

- 1 SECTION 1. Upon request by resolution of any city, town or county
- 2 or any legal agency thereof, the executive council may, upon majority
- 3 recommendation of the state conservation commission, convey with-
- 4 out consideration to such city, town or county or legal agency thereof,
- 5 such public lands under the jurisdiction of the commission as in its
- 6 judgment may be desirable for city, town or county parks. Convey-
- 7 ance shall be in the name of the state, with the great seal of the state
- 8 attached and shall contain a provision that when such lands cease to
- 9 be used as public park by said city, town or county such lands revert
- 10 to the state, and such park shall, within one year after such land has
- 11 reverted to the state, be restored, as nearly as possible, to the condi-
- 12 tion it was in when acquired by such city, town, county or legal agency
- 13 thereof at the expense of such city, town, county or legal agency.
- 14 The state may require that the city, town, county or legal agency
- 15 thereof file a notice of intention every three years.

Approved May 4, 1961.

## CHAPTER 100

## COUNTY CONSERVATION BOARDS

H. F. 435

AN ACT relating to county conservation boards.

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

- 1 SECTION 1. Section one hundred eleven A point two (111A.2),
- 2 Code 1958, is hereby amended by adding thereto the following:

3 "Members of the county conservation board may be removed for  
4 cause by the body making such appointment, but every such removal  
5 shall be by written order, which shall be filed with the county auditor."

1 SEC. 2. Section one hundred eleven A point six (111A.6), Code  
2 1958, is amended by inserting immediately following the word  
3 "county," in line fourteen (14) of said section the words "upon proper  
4 certification by said county conservation board made pursuant to and  
5 in compliance with all of the provisions of chapter twenty-four of the  
6 Code,".

7 Further amend said section by inserting immediately following  
8 the word "purposes." in line twenty-seven (27) of said section the  
9 words "Any single expenditure of, or contract to expend, a sum of  
10 five thousand dollars shall be subject to the provisions of chapter  
11 twenty-three (23) of the Code".

Approved May 12, 1961.

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## CHAPTER 101

### COUNTY CONSERVATION BOARDS

H. F. 93

AN ACT relating to the county conservation boards.

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

1 SECTION 1. Section one hundred eleven A point nine (111A.9),  
2 Code 1958, is amended by striking from line three (3) the word  
3 "education" and inserting in lieu thereof the words "public instruc-  
4 tion".

Approved February 16, 1961.

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## CHAPTER 102

### ENGINEERS AND LAND SURVEYORS

H. F. 11

AN ACT to amend the law relating to registration as a professional engineer and land surveyor.

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

1 SECTION 1. Section one hundred fourteen point two (114.2), Code  
2 1958, is hereby amended by adding the following paragraph:  
3 "The term 'engineer-in-training' as used in this chapter shall mean  
4 a person who passes an examination in the fundamental engineering  
5 subjects, but shall not entitle the person to hold himself out as a pro-  
6 fessional engineer."

1 SEC. 2. Section one hundred fourteen point thirteen (114.13),  
2 Code 1958, is hereby amended by striking all after the word "work"  
3 in line five (5) and by inserting in lieu thereof the following:

4 " Applications for examination in fundamentals shall be accom-  
5 panied by not less than three references having personal knowledge  
6 of the applicant's character and ability and an application fee of  
7 ten dollars. Applications for examination in professional engineer-  
8 ing shall be accompanied by not less than five references having  
9 personal knowledge of the applicant's character and engineering ex-  
10 perience, three of which references shall be from professional engi-  
11 neers, and an application fee of fifteen dollars. Applications for  
12 examination in land surveying shall be accompanied by not less  
13 than five references having personal knowledge of the applicant's  
14 character and land surveying experience, three of which references  
15 shall be from land surveyors, or professional engineers, or both,  
16 and an application fee of fifteen dollars. All fees deposited shall  
17 be retained by the board."

1 SEC. 3. Section one hundred fourteen point fourteen (114.14),  
2 Code 1958, is hereby repealed and the following is enacted in lieu  
3 thereof:

4 "Each applicant for registration as a professional engineer or  
5 land surveyor shall have all of the following requirements, respec-  
6 tively, to wit:

7 1. As a professional engineer:

8 a. Graduation from a course in engineering of four years or  
9 more in a school or college which, in the opinion of the board, will  
10 properly prepare the applicant for the examination in fundamental  
11 engineering subjects. In lieu of graduation from a school or college,  
12 eight years' practical experience which, in the opinion of the board,  
13 is of satisfactory character to properly prepare the applicant for  
14 the examination in fundamental engineering subjects.

15 b. Successfully passing a written, oral, or written and oral ex-  
16 amination in fundamental engineering subjects which is designed to  
17 show the knowledge of general engineering principles. A person  
18 passing the examination in fundamental engineering subjects will  
19 be entitled to a certificate as an engineer-in-training.

20 c. In addition to any other requirement, a specific record of four  
21 years or more of practical experience in engineering work which is  
22 of a character satisfactory to the board.

23 d. Successfully passing a written, oral, or written and oral  
24 examination designed to determine the proficiency and qualifications  
25 to engage in the practice of professional engineering. No applicant  
26 shall be entitled to take this examination until the applicant shows  
27 the necessary practical experience in engineering work.

28 2. As a land surveyor:

29 a. Graduation from a course in engineering of four years or  
30 more in a school or college which, in the opinion of the board, will  
31 properly prepare the applicant for the examination in fundamental  
32 land surveying subjects. In lieu of graduation from a school or  
33 college, eight years' practical experience which, in the opinion of  
34 the board, is of satisfactory character to properly prepare the appli-  
35 cant for the examination in fundamental land surveying subjects.

36 b. Successfully passing a written, oral, or written and oral  
37 examination in fundamental land surveying subjects which is designed  
38 to show the knowledge of general land surveying principles.

39 c. In addition to any other requirement, a specific record of four  
40 years or more of practical experience in land surveying work which  
41 is of a character satisfactory to the board.

42 d. Successfully passing a written, oral, or written and oral  
43 examination designed to determine the proficiency and qualifications  
44 to engage in the practice of land surveying. No applicant shall be  
45 entitled to take this examination until the applicant shows the neces-  
46 sary practical experience in land surveying work."

47 "Provided, that no person shall be eligible for registration as a  
48 professional engineer, or land surveyor, who is not of good character  
49 and reputation."

1 SEC. 4. Section one hundred fourteen point twenty (114.20), Code  
2 1958, is hereby repealed and the following enacted in lieu thereof:

3 "A person holding a certificate of registration as a professional  
4 engineer or land surveyor issued to him by a proper authority of a  
5 state, territory, or possession of the United States, the District of  
6 Columbia, or of any foreign country, based on requirements and  
7 qualifications, in the opinion of the board equal to or higher than  
8 the requirements of this chapter, may be registered without further  
9 examination.

10 The application for registration shall be accompanied by a fee of  
11 twenty-five dollars. After the board determines the applicant quali-  
12 fied under this section, a certificate of registration shall be issued  
13 upon receipt of an additional ten dollars. All fees deposited shall  
14 be retained by the board."

1 SEC. 5. No provisions of this Act shall affect any litigation pend-  
2 ing at the time of its enactment.

Approved May 6, 1961.

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## CHAPTER 103

### LIQUOR SEALS

S. F. 80

AN ACT relating to liquor container seals or labels.

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

1 SECTION 1. Section one hundred twenty-three point twenty-four  
2 (123.24), Code 1958, is hereby amended by striking from lines seven  
3 (7), eight (8) and nine (9) the words "and a facsimile of the signa-  
4 ture of the chairman of the liquor control commission".

Approved May 2, 1961.

## CHAPTER 104

## ALCOHOLISM STUDY COMMISSION

H. F. 288

AN ACT relating to alcoholics and alcoholism, providing for the creation of a state commission to study and disseminate information on alcoholism; to develop a program of prevention and rehabilitation through research, education and treatment in cooperation with existing agencies and facilities; to encourage the formation of alcoholic information centers in the various counties of the state to work with the state commission and to perform such duties at the local level to help carry out the purposes of this Act, and to provide for an appropriation.

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

1 SECTION 1. 1. "Alcoholic" shall mean any person who chronically  
2 and habitually uses alcoholic beverages to the extent that he has  
3 lost the power of self-control with respect to the use of such bever-  
4 ages, or while chronically or habitually under the influence of alcoholic  
5 beverages endangers public morals, health, safety, or welfare;

6 2. "Commission" shall mean the Iowa commission on alcoholism.

7 3. "Alcoholism" shall mean the pathological condition attendant  
8 upon the excessive and habitual use of alcoholic beverages.

1 SEC. 2. There is hereby established, within the state department  
2 of health, the Iowa commission on alcoholism and there is hereby  
3 appropriated to the state board of regents for the psychopathic hos-  
4 pital at Iowa City, Iowa to further the research studies of alcoholism,  
5 the sum of twenty-five thousand (25,000) dollars out of the funds  
6 of the liquor control commission. The commission shall consist of  
7 the following members: The commissioner of public health and eight  
8 (8) other members to be appointed by the governor, at least two of  
9 whom shall be physicians, one a member of the general assembly,  
10 one a representative of industry, one an attorney, one a member of  
11 the clergy, and two recovered alcoholics.

1 SEC. 3. The terms of office for each appointive member of the  
2 commission shall be four (4) years and each member shall be eligible  
3 for reappointment at the discretion of the governor when the term  
4 of the commission member expires. Upon this act taking effect the  
5 governor shall appoint four (4) members to two (2) year terms and  
6 four (4) members to four (4) year terms, such that every two (2)  
7 years one-half (1/2) of the membership of the commission shall have  
8 terms which shall expire.

9 There is hereby established an advisory committee to the commis-  
10 sion, which shall consist of the superintendent of public instruction,  
11 the chairman of the state board of social welfare, the director of  
12 mental health, the chairman of the liquor control commission, the  
13 dean of medicine at the state university of Iowa, the medical director  
14 of the state psychopathic hospital at the state university of Iowa  
15 and the director of alcoholic studies at the state university of Iowa,  
16 or their designated representatives, who separately or together shall  
17 willingly render advice and assistance to the commission upon request.

1 SEC. 4. The commission shall select one of its members as chair-  
2 man. It shall meet quarterly and at such other times as the chairman  
3 shall issue a call therefor. Five members shall constitute a quorum.



4 The members shall receive no additional compensation but shall be  
 5 allowed their actual and necessary traveling expenses when engaged  
 6 in the discharge of their official duties as members of the commission,  
 7 paid as other state officers are paid, from funds available to the  
 8 commission as provided under section eight (8).

1 SEC. 5. The commission shall:

2 1. Study alcoholism and its problems, including methods and facili-  
 3 ties available for the care, custody, detention, treatment, employment,  
 4 and rehabilitation of resident alcoholics;

5 2. Promote meetings and programs for the discussion of alcoholism  
 6 or any of its aspects, disseminate information on the subject of alco-  
 7 holism for the guidance and assistance of individuals, courts, and  
 8 public or private agencies for the prevention of alcoholism, and inform  
 9 and educate the general public on problems of alcoholism, its preven-  
 10 tion and treatment, to the end that alcoholism may be prevented and  
 11 that persons suffering from alcoholism may be disposed to seek  
 12 available treatment;

13 3. Make every effort to evaluate and assess the program from  
 14 its inception;

15 4. Refer for examination, diagnosis, guidance and treatment in-  
 16 sofar as funds and facilities permit, any resident of the state coming  
 17 to the commission of his own volition for advice and guidance;

18 5. Establish, insofar as possible, local alcoholic commissions which  
 19 would perform the same duties as the state alcoholic commission;

20 6. Recommend the establishment of policies and rules governing  
 21 the acceptance, care, and treatment of alcoholics.

22 7. Employ such assistants as may be necessary.

23 8. Report to the governor and the legislature biennially incorporat-  
 24 ing such recommendations as it may deem advisable.

1 SEC. 6. The records of the commission shall not be open to the  
 2 public, but shall be available to all participating agencies upon request  
 3 of the agencies.

1 SEC. 7. The commission may contract for such educational, re-  
 2 search, casework, institutional and medical facilities, personnel and  
 3 services of public or private agencies as may be necessary to carry  
 4 out the provisions of this Act. It may accept for training under its  
 5 direction such medical, technical, and clinical personnel as may be  
 6 desirable.

1 SEC. 8. It may furnish grants from its available funds to private  
 2 or public treatment centers and institutions to further the treatment  
 3 of alcoholics and to carry out the provisions of this Act. The com-  
 4 mission may accept funds, property, or services from any source,  
 5 and all revenue received by the commission in any manner including  
 6 gifts, grants in aid, reimbursement, or sale of articles or services  
 7 is hereby appropriated and shall be used in carrying out the provi-  
 8 sions of this Act. Expenditure of any funds available to the commis-  
 9 sion shall be made upon vouchers signed by the chairman or the  
 10 executive director of the committee.

Approved May 12, 1961.

## CHAPTER 105

## BEER LABELS

S. F. 246

AN ACT to amend section one hundred twenty-four point thirty-eight (124.38), Code 1958, by removing the mandatory labeling requirement therefrom.

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

- 1 SECTION 1. Section one hundred twenty-four point thirty-eight
- 2 (124.38), Code 1958, is hereby amended by striking all of the section
- 3 preceding the word "The" in line six (6).

Approved April 12, 1961.

## CHAPTER 106

## HOSPITAL LICENSES

S. F. 283

AN ACT to amend chapter one hundred thirty-five (135), Acts of the Fifty-eighth General Assembly, relating to licensure of hospitals.

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

- 1 SECTION 1. Chapter one hundred thirty-five (135), Acts of the
- 2 Fifty-eighth General Assembly, is hereby amended by striking from
- 3 line five (5) of section two (2) the following: "Where the facilities
- 4 of an applicant for hospital license" and inserting in lieu thereof the
- 5 following: "In those instances where an applicant for hospital license
- 6 was licensed as a hospital on December 31, 1960, or had an application
- 7 for hospital license pending on April 1, 1961, and the facilities of such
- 8 applicant".

- 1 SEC. 2. Chapter one hundred thirty-five (135) Acts of the Fifty-
- 2 eighth General Assembly, is hereby further amended by adding at the
- 3 end of section two (2) the following: "Provided, however, that the
- 4 provisions of this section shall not in any way affect, change, deny or
- 5 nullify any rights set forth in, or arising from the provisions of
- 6 chapter one hundred thirty-five B (135B), and particularly section
- 7 one hundred thirty-five B point seven. (135B.7) of the Code, arising
- 8 before or after December 31, 1960."

Approved May 3, 1961.

CHAPTER 107  
MOBILE HOME PARKS  
S. F. 46

AN ACT to amend section one hundred thirty-five D point seven (135D.7), Code 1958, relating to mobile home parks.

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

1 SECTION 1. Section one hundred thirty-five D point seven  
2 (135D.7), Code 1958, is amended by inserting at the beginning of said  
3 section the following:  
4 "No person, firm or corporation shall construct, expand, remodel  
5 or make alterations to the sanitary facilities in a mobile home park  
6 within this state without first obtaining a permit therefor from the  
7 state department of health. The application for such permit shall be  
8 made to the state department of health in such manner as may be  
9 prescribed by regulations of said department; provided, that when  
10 such mobile home park is located within a municipality, the applica-  
11 tion and any information to accompany the same, shall be filed with  
12 the local board of health, which shall forward the same to the state  
13 department of health."

Approved March 29, 1961.

CHAPTER 108  
MOBILE HOMES  
H. F. 402

AN ACT relating to fees on house trailers and mobile homes.

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

1 SECTION 1. Section one hundred thirty-five D point nine (135D.9),  
2 Code 1958, is amended as follows:  
3 1. By striking the word "two" in line seven (7) and inserting in  
4 lieu thereof the word "three".  
5 2. By striking the words "two and one-half" in line ten (10) and  
6 inserting in lieu thereof the word "four".  
7 3. By striking the word "three" in line twelve (12) and inserting  
8 in lieu thereof the word "five".  
9 4. By striking from lines forty (40) through forty-two (42) the  
10 words "a monthly fee in the amount and in the manner as has  
11 heretofore been provided in this section" and inserting in lieu thereof  
12 the following: "the fee provided in this section. Such fee shall be  
13 paid semiannually. The fee due for April through September shall  
14 be paid by the tenth day of April. The fee due for October through  
15 March shall be paid by the tenth day of October. On the tenth day  
16 of May and on the tenth day of November said semiannual fees be-  
17 come delinquent and on the tenth of each month thereafter that the  
18 fee remains unpaid a ten per cent penalty shall be added and the  
19 county treasurer shall not renew the motor vehicle registration until  
20 such delinquent fees and penalties, if any, have been paid. If any

21 mobile home is moved during the six-month period for which a fee  
 22 has been paid, the county treasurer shall, upon request of the owner,  
 23 refund his pro rata share of the fee paid. If said fee is not paid, the  
 24 amount of the unpaid fee shall become a tax and the tax shall be  
 25 assessed against the land from which the mobile home was removed."

1 SEC. 2. Section one hundred thirty-five D point ten (135D.10),  
 2 Code 1958, is amended as follows:

3 1. By striking the word "fifty" in line fourteen (14) and inserting  
 4 in lieu thereof the word "seventy-five".

5 2. By striking all after the word "located" in line twenty (20),  
 6 inserting a period and adding the following:

7 "If there is no municipality one hundred percent shall be paid to  
 8 the local public school district."

1 SEC. 3. Section three hundred twenty-one point one hundred  
 2 twenty-three (321.123), Code 1958, is amended by adding thereto the  
 3 following new subsection:

4 "House trailers and mobile homes, regardless of whether or not  
 5 they are used on the highways, five dollars."

1 SEC. 4. Section three hundred twenty-one point one hundred  
 2 thirty (321.130), Code 1958, is amended as follows:

3 1. By striking from line three (3) the words "or house trailers".

4 2. By striking from lines five (5) and six (6) the words "or house  
 5 trailers".

6 3. By striking from line seven (7) the words "or house trailer".

7 4. By striking from line eleven (11) the words "or house trailer".

8 5. By striking from line thirteen (13) the words "or house trailer".

9 6. By striking all after the word "year" in line fifteen (15) and  
 10 inserting in lieu thereof a period.

Approved April 12, 1961.

## CHAPTER 109

### COUNTY BOARD OF HEALTH

#### H. F. 61

AN ACT relating to county boards of health.

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

1 Chapter one hundred thirty-seven (137), Code 1958, is hereby  
 2 amended by adding the following two (2) sections thereto:

3 SECTION 1. In counties that have a population in excess of one  
 4 hundred fifty thousand (150,000) inhabitants, the board of health  
 5 shall consist of the chairman of the board of supervisors, the county  
 6 auditor, the county superintendent of schools and four (4) residents  
 7 of the county appointed by the county board of supervisors, no more  
 8 than two (2) of whom shall be practitioners of the healing arts. The  
 9 board of supervisors shall originally appoint one (1) person for a term  
 10 of one (1) year, one (1) for a term of two (2) years, one (1) for a  
 11 term of three (3) years and one (1) for a term of four (4) years. There-  
 12 after each appointment shall be for a period of four (4) years, but no

13 person shall be appointed to more than two (2) consecutive full terms.  
 14 In the event a member dies, resigns, or is unable to fulfill the duties  
 15 of his office, the unexpired portion of his term shall be filled by ap-  
 16 pointment of the board of supervisors.

17 SEC. 2. All members of the board shall be reimbursed for the  
 18 actual and necessary expenses incurred by them in the discharge of  
 19 their duties. They shall also receive compensation for services at the  
 20 rate of three dollars (\$3.00) per diem, but such compensation shall not  
 21 exceed a total of one hundred twenty dollars (\$120.00) in any one  
 22 year in counties of more than one hundred fifty thousand (150,000)  
 23 population. The expenses and compensation of county board members  
 24 shall be paid from the general fund of the county; provided, however,  
 25 that the chairman of the board of supervisors, county auditor, and  
 26 county superintendent of schools shall not be paid compensation as  
 27 members of the board of health for any day on which they are paid for  
 28 their official work.

1 SEC. 3. Section one hundred thirty-seven point one (137.1), Code  
 2 1958, is hereby amended by inserting in line two (2) of such section  
 3 after the word "consist" the words "of the following members, except  
 4 as hereinafter provided".

Approved April 18, 1961.

## CHAPTER 110

### COUNTY MEDICAL EXAMINERS

H. F. 96

AN ACT relating to county medical examiners.

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

1 SECTION 1. Section one hundred forty-one point thirty-five  
 2 (141.35), Code 1958, is amended by striking all of the last three (3)  
 3 lines and inserting in lieu thereof the following: "chapter two hun-  
 4 dred fifty-eight (258), Acts of the Fifty-eighth General Assembly."

1 SEC. 2. Section one hundred forty-two point three (142.3), Code  
 2 1958, is amended by striking from the third (3d) line from the end  
 3 of said section the word "coroners" and inserting in lieu thereof the  
 4 words "medical examiners".

1 SEC. 3. Section six hundred twenty-two point sixty-four (622.64),  
 2 Code 1958, is amended by striking from line three (3) the following,  
 3 "coroner,".

1 SEC. 4. Section sixty-four point eleven (64.11), Code 1958, is  
 2 amended by striking from line three (3) the word "coroner" and  
 3 inserting in lieu thereof the words "medical examiner".

1 SEC. 5. Wherever in the statutes other than this Act the term  
 2 "coroner" is used in reference to the county officer replaced by a  
 3 medical examiner by chapter two hundred fifty-eight (258), Acts of  
 4 the Fifty-eighth General Assembly, the Code Editor is authorized to

5 make such change in conformity with the intent of said Act.

Approved February 16, 1961.

### CHAPTER 111

#### DEATH NOTICES TO COUNTY AUDITOR

H. F. 144

AN ACT requiring death notices to be sent to the county auditor.

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

1 SECTION 1. Section one hundred forty-four point ten (144.10),  
2 Code 1958, is hereby amended by adding thereto the following new  
3 subsections:

4 "On the tenth day of every month the county registrar shall  
5 transmit to the county auditor a copy of all certificates of death  
6 received by him during the preceeding month.

7 "On the tenth day of every month the county registrar shall  
8 transmit to each officer in charge of permanent voter registration  
9 in each township, city, and town within the county having permanent  
10 voter registration, a copy of all certificates of death received by  
11 him during the preceding month."

Approved May 6, 1961.

### CHAPTER 112

#### BASIC SCIENCE BOARD

S. F. 459

AN ACT to amend chapter one hundred forty-six (146), Code 1958, relating to basic science, compensation of members of the board of examiners, fixing fees for examination of applicants and fees charged in matters of reciprocity.

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

1 SECTION 1. Section one hundred forty-six point eleven (146.11),  
2 Code 1958, is amended by striking from line three (3) the word "ten"  
3 and inserting in lieu thereof the word "fifteen".

1 SEC. 2. Section one hundred forty-six point twelve (146.12), Code  
2 1958, is amended by striking from line two (2) the word "ten" and  
3 inserting in lieu thereof the word "twenty".

4 Further amend said section by striking from line five (5) the word  
5 "ten" and inserting in lieu thereof the word "twenty".

Approved May 15, 1961.

## CHAPTER 113

## DENTAL EXAMINERS INSPECTOR

S. F. 47

AN ACT to amend chapter one hundred forty-seven (147), Code 1958, relating to appointment of inspector by board of dental examiners and fixing compensation therefor, and relating to dental license renewal fees and the expenditure thereof.

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

1 SECTION 1. Amend chapter one hundred forty-seven (147), Code  
2 1958, by adding the following:

3 "The board of dental examiners is authorized to employ an inspect-  
4 or, who shall not be a member of the examining board, at such per  
5 diem compensation as shall be fixed by the executive council and pay-  
6 able from a special fund in the office of the treasurer of the state  
7 known as the state board of dental examiners fund."

1 SEC. 2. Further amend chapter one hundred forty-seven (147),  
2 Code 1958, by adding the following:

3 "The secretary of the dental examiners shall annually add four (4)  
4 dollars to the renewal fee provided in this chapter for a person  
5 licensed to practice dentistry. Such additional amount shall be con-  
6 sidered as a part of the regular renewal fee and payment of same by  
7 a licensee shall be a prerequisite to the renewal of his license. The  
8 funds derived from the additional renewal fee collected under this  
9 section shall be placed in a special fund by the treasurer of the state  
10 and the state comptroller to be known as the 'State Board of Dental  
11 Examiners Fund', to be used by the examining board to assist in  
12 administering and enforcing the laws relating to the practice of  
13 dentistry, and no part of such expense shall be paid out of the state  
14 treasury. Any remainder in said fund at the end of each fiscal year  
15 shall be paid into the general fund of the state. Said fund shall be  
16 subject at all times to the warrant of the state comptroller, drawn  
17 upon written requisition of the chairman of examining board and  
18 attested by the secretary, for the payment of all salaries, per diem  
19 expense, and other expenses necessary to administer and aid in the  
20 enforcement of the provisions of law relating to the practice of  
21 dentistry, but in no event shall the total expenses therefor exceed  
22 the total fees collected and deposited to the credit of said fund."

Approved February 16, 1961.

## CHAPTER 114

## PODIATRISTS

H. F. 121

AN ACT relating to the change of name of chiropodist to podiatrist and the name of chiropody to podiatry, and amending certain provisions of the code relating thereto.

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

1 SECTION 1. Wherever the word "chiropody" appears in chapter  
2 one hundred forty-seven (147) or chapter one hundred forty-nine

3 (149) of the Code, or other sections of the Code, or in any legisla-  
 4 tion enacted by the Fifty-ninth General Assembly, it is hereby stricken  
 5 and the word "podiatry" inserted in lieu thereof.

1 SEC. 2. Wherever the word "chiroprapist" appears in chapter one  
 2 hundred forty-seven (147) or chapter one hundred forty-nine (149)  
 3 of the Code, or other sections of the Code, or in any legislation enacted  
 4 by the Fifty-ninth General Assembly, it is hereby stricken and the  
 5 word "podiatrist" inserted in lieu thereof.

Approved April 18, 1961.

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## CHAPTER 115

### CHIROPODY FEE

H. F. 120

AN ACT to amend section one hundred forty-seven point eighty (147.80), Code 1958, relating to the fee for renewal of license to practice chiropody.

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

1 SECTION 1. Section one hundred forty-seven point eighty  
 2 (147.80), subsection seven (7), Code 1958, is amended by striking  
 3 the period at the end of said subsection and adding thereto the follow-  
 4 ing: ", and except the renewal fee of a license to practice chiropody  
 5 shall be five dollars."

Approved April 4, 1961.

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## CHAPTER 116

### OPTOMETRY LICENSES

H. F. 333

AN ACT to amend section one hundred forty-seven point eighty (147.80), Code 1958, relating to the fee for renewal of license to practice optometry.

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

1 SECTION 1. Section one hundred forty-seven point eighty (147.80),  
 2 subsection seven (7), Code 1958, is amended by striking the period  
 3 at the end of said subsection and adding thereto the following: ", and  
 4 except the renewal fee of a license to practice optometry shall be five  
 5 dollars."

Approved May 6, 1961.



CHAPTER 117  
CHIROPODY SCHOOLS

H. F. 70

AN ACT to amend section one hundred forty-nine point four (149.4), Code 1958, relating to entrance requirements for schools of chiropody.

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

1 SECTION 1. Section one hundred forty-nine point four (149.4),  
2 subsection two (2), Code 1958, is amended by striking from line four  
3 (4) of said subsection the words "one year's" and inserting in lieu  
4 thereof the words "two years".

1 SEC. 2. Section one hundred forty-nine point four (149.4), Code  
2 1958, subsection two (2), is further amended by striking "January 1,  
3 1940," in line one (1) and inserting in lieu thereof "January 1, 1962,".

Approved April 19, 1961.

CHAPTER 118  
DRUGS AND MEDICINES

S. F. 9

AN ACT to amend section one hundred fifty-five point twenty (155.20), Code 1958, relating to restricted drugs and medicines.

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

1 SECTION 1. Section one hundred fifty-five point twenty (155.20),  
2 Code 1958, is amended as follows:

3 1. By inserting after the word "other" in line eight (8) thereof  
4 the word "than".

5 2. By striking the period (.) following the word "pharmacies" at  
6 the end of line eight (8) thereof and by inserting the following: "nor  
7 shall any person licensed under this chapter sell or dispense any  
8 prescription-legend drug or medicine to any person other than a  
9 licensed pharmacy or a physician without prescription."

Approved April 5, 1961.

CHAPTER 119  
BRUCELLOSIS CONTROL IN SWINE

H. F. 584

AN ACT relating to the control of brucellosis in swine.

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

1 SECTION 1. As used in this Act:

2 1. "Departments" or "department of agriculture", unless otherwise  
3 indicated, means the department of agriculture of the state of Iowa.

4 2. "Brucellosis" means the disease wherein an animal of the

5 porcine species is infected with brucella microorganisms irrespective  
6 of the occurrence or absence of clinical symptoms of infectious abor-  
7 tion.

8 3. "Brucellosis test" means the blood serum agglutination test  
9 for brucellosis applied in accordance with a technique approved by  
10 the department.

11 4. "Infected animal" or "reactor" means an animal which has  
12 given a complete reaction to the brucellosis test in dilutions of one  
13 to fifty or higher.

14 5. "Negative animal" means an animal which does not give a  
15 complete reaction to the brucellosis test in the dilution of one to fifty.

16 6. "Accredited veterinarian" means a veterinarian who is licensed  
17 by the state in which he practices, is approved by the department  
18 of agriculture or the livestock sanitary authority of that state, and  
19 is accredited by the United States department of agriculture.

20 7. "Licensed veterinarian" means a veterinarian licensed to prac-  
21 tice in Iowa.

22 8. "Official brucellosis test report" means a legible record made  
23 on an official form prescribed by the department.

24 9. "Health certificate" or "certificate of health" or "interstate  
25 health certificate" means a legible record, made on an official form  
26 of the state of origin or the animal disease eradication branch of  
27 the United States department of agriculture or any successor agency  
28 thereto, and issued by an accredited veterinarian of the state of  
29 origin or a veterinarian in the employ of the animal-disease-eradi-  
30 cation branch of the United States department of agriculture or any  
31 successor agency thereto, which shows that the animals listed there-  
32 on meet the health requirements of the state of destination.

33 10. "Certified brucellosis-free herd" means a herd which has had  
34 a minimum of two brucellosis tests made on all boars, sows and  
35 gilts over six months of age, between thirty and ninety days apart  
36 with no test positive in the dilution of one to one hundred or higher.  
37 The certification shall be in force and effect for one year from the  
38 date of the last test and shall be renewable on an annual basis by  
39 the completion of a single test on boars, sows and gilts over six  
40 months of age with no reactions positive in the dilution of one to  
41 one hundred or higher.

1 SEC. 2. No person or partnership shall sell, offer for service,  
2 or transfer ownership of any boar, as provided in section three(3)  
3 of this Act, unless it is accompanied by a negative brucellosis test  
4 report.

1 SEC. 3. No person or partnership shall sell or offer for service  
2 any boar for breeding purposes unless such boar is accompanied  
3 by an official brucellosis test report showing that the boar has  
4 been tested by a licensed veterinarian within sixty days of sale or  
5 service and found to be negative to the brucellosis test. Such test  
6 shall be recognized for one change of ownership or service only  
7 within the sixty-day period. Thereafter, a negative test shall be  
8 required for each subsequent change of ownership or service.

9 If an animal is added to a certified brucellosis-free herd, it must  
10 be a negative animal that either comes from another certified

11 brucellosis-free herd or has been negative to two (2) brucellosis  
12 tests conducted not less than thirty (30) days nor more than sixty  
13 (60) days apart, the last test being within thirty (30) days prior  
14 to the introduction of the animal into the herd.

1 SEC. 4. The brucellosis test for the intrastate movement of boars  
2 shall be conducted by a licensed veterinarian who has been approved  
3 by the department of agriculture to operate a laboratory for making  
4 tests for brucellosis, or any official state or federal laboratory.

1 SEC. 5. All breeding swine four months of age and over, entering  
2 Iowa for breeding or exhibition purposes, shall be accompanied by  
3 an official interstate health certificate issued by an accredited veter-  
4 inarian of the state of origin, showing that such swine meet the  
5 Iowa entry requirements and are negative to the test for brucellosis  
6 conducted by an official laboratory of the state of origin within  
7 thirty days of entry; provided, that swine from certified brucellosis-  
8 free herds may enter the state or be exhibited without a test for  
9 brucellosis when accompanied by a certificate of health issued by  
10 an accredited veterinarian of the state of origin or a veterinarian  
11 employed by the animal disease eradication branch of the United  
12 States department of agriculture or any successor agency thereto,  
13 showing such swine to have originated from brucellosis-free herds  
14 and giving the certificate herd number and showing that the herd  
15 has been tested within the past twelve months.

1 SEC. 6. All Iowa breeding swine four months of age and over  
2 for exhibition within the state of Iowa shall meet all requirements  
3 for exhibition purposes and shall also be accompanied by an official  
4 brucellosis test report showing the swine to have been negative to  
5 the brucellosis test conducted within sixty days of date of exhibition  
6 unless such swine are from certified brucellosis-free herds.

1 SEC. 7. Any boar showing a positive reaction to the brucellosis  
2 test shall be tagged in the left ear with a reactor identification tag.  
3 Such reactor shall not be offered for breeding purposes and may be  
4 sold for slaughter only.

1 SEC. 8. Nothing in this Act shall be construed as preventing the  
2 movement of swine to slaughter.

1 SEC. 9. The department may make and adopt reasonable rules  
2 and regulations for the administration and enforcement of the pro-  
3 visions of this Act.

1 SEC. 10. Any person who shall violate any provision of this Act  
2 or any rule adopted thereunder by the department of agriculture  
3 shall be punished by a fine of not less than one hundred dollars nor  
4 more than one thousand dollars, or by imprisonment in the county  
5 jail for not more than one year.

1 SEC. 11. Any group of swine that is kept isolated from the  
2 parent herd and is known as a 4-H project or educational program  
3 of the farmer's sons or daughters shall be considered a separate  
4 and distinct herd.

Approved May 6, 1961.

## CHAPTER 120

## IMPORTATION OF SWINE

H. F. 622

AN ACT relating to importation of swine into Iowa.

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

1 SECTION 1. Chapter one hundred forty-one (141), Acts of the  
2 Fifty-eighth General Assembly, is hereby repealed and the following  
3 enacted in lieu thereof:

4 1. As used in this Act, "pig dealer" means any person who engages  
5 in the business of buying for resale, selling or exchanging feeder swine  
6 as a principal or agent, or who holds himself out as so engaged, but  
7 does not include employees of a licensed pig dealer doing business in  
8 the name of such dealer, or the owner or operator of a farm who ex-  
9 changes only swine which have been kept by him solely for feeding  
10 or breeding purposes and does not hold himself out as so engaged, or  
11 livestock auction markets.

12 2. To qualify as a pig dealer any person must secure a license from  
13 the department of agriculture. The fee for such license shall be five  
14 dollars per annum and all licenses shall expire on the first day of July  
15 following date of issue. Licenses shall be numbered and the dealer  
16 shall retain his number from year to year. To secure a license the  
17 applicant must file with the department of agriculture a bond in the  
18 penal sum of ten thousand dollars running to the state of Iowa with  
19 sureties approved by the secretary of agriculture for the use and bene-  
20 fit of anyone damaged by a violation of this Act, except that the bond  
21 shall not be required for dealers who are bonded by the federal rules  
22 and regulations adopted under the Federal Packers and Stockyards  
23 Act. Failure to adhere to this law shall be cause for revocation of  
24 license by the secretary of agriculture.

25 3. After the effective date of this Act all swine, other than regis-  
26 tered swine for exhibition or breeding purposes, or swine for manu-  
27 facture of biological products, or swine for immediate slaughter, im-  
28 ported into this state shall have affixed in either ear of each animal an  
29 ear tag, each ear tag having a number thereon and the name of the  
30 state of origin from which the swine are imported into this state.  
31 Provided, however, that in the case of swine immunized under su-  
32 pervision of salaried veterinarians from the United States Depart-  
33 ment of Agriculture and identified by an ear tag indicating the place  
34 of such immunization, such place shall be recognized as the origin of  
35 such animals. Such immunized swine shall be accompanied by a  
36 health certificate.

37 All swine imported from a terminal market shall be considered as  
38 having originated at that market.

39 All swine imported for breeding or feeding purposes must be ac-  
40 companied by a health certificate issued by a qualified veterinarian  
41 and a copy of said certificate shall be promptly forwarded to the di-  
42 vision of animal industry of the department of agriculture. Such  
43 health certificate shall include a statement showing that the swine  
44 have been inspected within forty-eight hours prior to the time of im-  
45 portation, and that they are free of symptoms of infectious, contagious  
46 or communicable diseases and shall also include a statement that the

47 swine had not been vaccinated with a cholera-immunizing agent other  
48 than modified virus or killed vaccine or by anti-hog cholera serum  
49 alone, except as prescribed by the laws of this state.

50 4. Swine that have been immunized properly with anti-hog cholera  
51 serum and modified virus fourteen days prior to importation may  
52 be exchanged freely, provided they have been inspected by a licensed  
53 veterinarian for contagious and infectious diseases after importation  
54 and a health certificate and certificate of vaccination have been for-  
55 warded to the office of the division of animal industry of the de-  
56 partment of agriculture.

57 5. Swine may be imported into Iowa that have been immunized  
58 less than twenty-four hours by a licensed veterinarian with anti-hog  
59 cholera serum and modified virus, but must be quarantined fourteen  
60 days at the point of destination, but in no case shall such swine be  
61 in transit from point of origin to point of destination more than forty-  
62 eight hours after vaccination.

63 6. Swine may be imported into this state subject to immunization  
64 within five days after arrival and held under quarantine fourteen  
65 days from date of vaccination.

66 7. A licensed pig dealer or livestock auction market may follow  
67 procedure outlined in subsection three (3), and may hold swine up  
68 to seventy-two hours after importation, after which time he shall  
69 vaccinate said swine or cause them to be vaccinated with anti-hog  
70 cholera serum and modified virus and quarantine them on his premises  
71 for fourteen days, or, if disposed of in less than seventy-two hours,  
72 said swine may be vaccinated with anti-hog cholera serum and modi-  
73 fied virus and quarantined at point of destination for fourteen days.

74 Proof of proper immunization and quarantine as set forth in sub-  
75 sections five (5), six (6) and seven (7) hereof shall be forwarded to  
76 the division of animal industry of the department of agriculture  
77 within twelve hours after quarantine.

78 8. A producer of swine may bring or transfer into this state swine  
79 of his own raising provided they have been properly ear-tagged, at  
80 which time he must possess an ownership statement as to origin and  
81 that he has been the owner for at least thirty days. Said swine shall  
82 be inspected at destination by a licensed veterinarian at which time  
83 a health certificate shall be forwarded to the division of animal indus-  
84 try of the department of agriculture. Such destination shall be either  
85 an auction market or the place of business of a licensed pig dealer.

86 9. It shall be unlawful for any person:

87 a. To knowingly and willfully make or cause to be made in con-  
88 nection with the purchase or sale of swine any false or misleading  
89 representation concerning the ownership, origin or health status  
90 of such swine.

91 b. To receive or have in possession or purchase swine with knowl-  
92 edge that the transfer or sale thereof is prohibited by or conducted  
93 contrary to any provision of the laws of this state.

94 c. To knowingly and willfully make any false report or misrep-  
95 resentation of any kind to the department of agriculture in respect  
96 to the ownership, identification, or health status of swine or in re-  
97 lation to the purchase, sale or movement of swine.

98 d. To knowingly and willfully make or cause to be made to  
99 a veterinarian any false or misleading statement or false repre-

100 sentation of any kind concerning the identification, ownership or  
 101 health status of swine which is examined or treated by such vet-  
 102 erinarian.  
 103 e. To knowingly and willfully sell or deliver, or cause the sale  
 104 or delivery of, diseased swine to any person other than to a slaugh-  
 105 tering establishment.

1 SEC. 2. The provisions of this Act shall not apply to the intrastate  
 2 movement of native Iowa swine.

1 SEC. 3. This Act being deemed of immediate importance shall take  
 2 effect and be in full force from and after its publication in the Record-  
 3 Herald and Indianola Tribune, a newspaper published at Indianola,  
 4 Iowa, and the Eldora Herald-Ledger, a newspaper published at El-  
 5 dora, Iowa.

Approved April 21, 1961.

I hereby certify that the foregoing Act, House File 622, was published in the Record-  
 Herald and Indianola Tribune, Indianola, Iowa, April 27, 1961, and in the Eldora  
 Herald-Ledger, Eldora, Iowa, May 2, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 121

### TRANSPORTING DEAD ANIMALS

#### S. F. 124

AN ACT relating to transporting dead animals.

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

1 SECTION 1. Section one hundred sixty-seven point three (167.3),  
 2 Code 1958, is amended by striking from lines six (6) and seven (7)  
 3 the words:  
 4 "for the purpose of transporting the same upon the highways of  
 5 this state,".

1 SEC. 2. Chapter one hundred sixty-seven (167), Code 1958, is  
 2 hereby amended by adding thereto the following section:  
 3 "The department is authorized to enter into reciprocal agreements  
 4 in behalf of this state with any one or more of the states adjacent  
 5 to this state, providing for permits to be issued to rendering plants  
 6 located in either state to transport carcasses to their plants over public  
 7 highway of this state and the reciprocating state."

Approved April 25, 1961.

## CHAPTER 122

## TAX AID TO FAIRS

S. F. 320

AN ACT relating to tax aid to county and district fairs.

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

1 SECTION 1. Section one hundred seventy-four point seventeen  
 2 (174.17), Code 1958, is hereby amended by striking all of lines nine  
 3 (9) through twenty-four (24), inclusive.

Approved May 15, 1961.

## CHAPTER 123

## AGRICULTURAL EXTENSION

S. F. 103

AN ACT to amend chapter one hundred seventy-six A (176A), Code 1958, relating to county agricultural extension districts, the education program thereof and the taxes levied therefor and the consolidation of extension districts.

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

1 SECTION 1. Section one hundred seventy-six A point ten  
 2 (176A.10), Code 1958, is hereby amended by striking all of the sec-  
 3 tion following the "colon (:)" in line eleven (11) thereof, and insert-  
 4 ing in lieu thereof the following: "For the 'county agricultural ex-  
 5 tension education fund' annually not to exceed one-half (1/2) mill on  
 6 the dollar of assessed valuation, provided, however, that no extension  
 7 council in an extension district shall make an estimate or certify an  
 8 amount in any one year in excess of thirty thousand (30,000) dollars  
 9 in districts having a population of fifty-five thousand (55,000) or  
 10 more, in excess of twenty-five thousand (25,000) dollars in districts  
 11 having a population of twenty thousand (20,000) but not more than  
 12 fifty-five thousand (55,000) population, in excess of seventeen thou-  
 13 sand five hundred (17,500) dollars in districts having a population  
 14 of not more than twenty thousand (20,000), which shall be the maxi-  
 15 mum amount that any such extension district shall be entitled to  
 16 receive annually from the county. The extension council in every  
 17 extension district shall in every respect comply with chapter twenty-  
 18 four (24), Code 1958."

1 SEC. 2. Chapter one hundred seventy-six A (176A), Code 1958,  
 2 is amended by adding thereto the following section:

3 Any two or more extension districts may be consolidated to form a  
 4 single extension district, by resolution duly adopted by the extension  
 5 council of each such extension district. Upon adoption of such reso-  
 6 lutions providing for such consolidation, the extension councils shall  
 7 do all things which may be necessary or convenient to carry into effect  
 8 such consolidation. The initial extension council for such new exten-  
 9 sion district shall consist of the members of the extension councils of  
 10 the consolidated extension districts. The extension council of such new  
 11 extension district shall promptly elect officers as provided in this

12 chapter, and upon such election the terms of the officers of the exten-  
13 sion councils of the consolidated extension districts shall terminate.  
14 The extension council of the new extension district shall select a  
15 name for such district and shall file the name, together with copies  
16 of the resolutions providing for such consolidation, with the recorder  
17 of each county affected thereby. The new extension district shall be  
18 regarded for all purposes as an extension district, the same as if such  
19 extension district consisted of a single county, and its extension council  
20 and officers thereof shall have all the powers and duties which now  
21 or hereafter may pertain to extension councils and officers thereof.  
22 All assets and liabilities of the consolidated extension districts shall  
23 become the assets and liabilities of the new extension district. The  
24 millage rate for the "county agricultural extension education fund"  
25 shall be the same in each county included in an extension district  
26 formed by consolidation. For the purposes of any law requiring ex-  
27 tension districts to file any document with or certify any information  
28 to any county officer or board, an extension district formed by con-  
29 solidation shall file or certify the same with or to the appropriate  
30 officer or board of each county included in the extension district. An  
31 extension district formed by consolidation may be dissolved and the  
32 original extension districts as they existed prior to such consolidation  
33 may be re-established, by resolution duly adopted by the extension  
34 council of such extension district; and upon adoption of such resolu-  
35 tion, the extension council shall do all things which may be necessary  
36 or convenient to carry into effect such dissolution and the re-establish-  
37 ment of the original extension districts.

Approved April 6, 1961.

## CHAPTER 124

### CHEESE

H. F. 227

AN ACT to amend sections one hundred ninety point one (190.1) and one hundred ninety-one point two (191.2), Code 1958, relating to cheeses and cheese products.

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

1 SECTION 1. Section one hundred ninety point one (190.1), Code  
2 1958, is hereby amended by striking therefrom all of subsections  
3 four (4) and six (6) and substituting in lieu thereof the following:

4 "The specifications and standards for cheeses and cheese products  
5 shall be as provided by the definitions and standards contained in  
6 federal food and drug standards under the Federal Food, Drug, and  
7 Cosmetic Act, Part 19 of Title 21, as amended to December 31, 1960.

1 SEC. 2. Section one hundred ninety-one point two (191.2), Code  
2 1958, is hereby amended by striking all of subsection four (4)  
3 thereof.

Approved February 6, 1961.



## CHAPTER 125

## CREAM AND MILK GRADING

S. F. 126

AN ACT relating to cream and milk grading law.

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

1 SECTION 1. Section one hundred ninety-five point fifteen (195.15),  
 2 Code 1958, is hereby repealed and the following enacted in lieu thereof:  
 3 "No creamery or cheese factory or cream station or vehicle for the  
 4 collection of cream or milk for manufacture of dairy products shall  
 5 be operated unless the owner or operator shall have first obtained  
 6 from the secretary a license for each creamery, each cheese factory,  
 7 each cream station, and each vehicle so owned or operated."

1 SEC. 2. Section one hundred ninety-five point seventeen (195.17),  
 2 Code 1958, is amended by adding the following:  
 3 "For each cheese factory, three (3) dollars."

1 SEC. 3. Chapter one hundred forty-nine (149), Acts of the Fifty-  
 2 eighth General Assembly, is amended by adding the following as a  
 3 new section:

4 "Every vehicle used for the collection of milk for manufacture of  
 5 dairy products, and persons purchasing milk for manufacture of dairy  
 6 products, shall first be licensed by the secretary of agriculture accord-  
 7 ing to chapter one hundred ninety-five (195) of the Code. This shall  
 8 not apply to individuals transporting their own dairy products.

9 "By applying for said license, the applicant consents to abide by  
 10 all laws set forth in this chapter and the rules and regulations which  
 11 may be promulgated to implement these laws in the case of all milk  
 12 obtained from Iowa producers for manufacture of dairy products."

1 SEC. 4. The provisions of section one hundred eighty-nine point  
 2 twenty-six (189.26), Code 1958, shall not apply to milk for manu-  
 3 facture of dairy products.

Approved April 25, 1961.

## CHAPTER 126

## SEED TESTING

H. F. 8

AN ACT to amend chapter one hundred ninety-nine (199), Code 1958, relating to agricultural seed testing.

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

1 SECTION 1. Section one hundred ninety-nine point one (199.1),  
 2 Code 1958, is hereby amended by adding a new subsection as follows:  
 3 "The term 'guidance test' shall mean any seed test not conducted  
 4 in accordance with the procedures outlined in the Federal Seed Act  
 5 Rules or the Association of Official Seed Analysts' Rules for seed  
 6 testing. Guidance tests are intended for a grower who plans to use  
 7 the seed for planting on his own farm. The results shall not be em-

8 played for labeling seed exposed for sale.”

1 SEC. 2. Section one hundred ninety-nine point eight (199.8), Code  
2 1958, is hereby amended by adding to subsection one (1) a new para-  
3 graph as follows: “Labeled on the basis of guidance test.”

1 SEC. 3. Section one hundred ninety-nine point ten (199.10), Code  
2 1958, is hereby amended by striking from subsection three (3) all  
3 beginning with the word “Charges” in line thirteen (13) and ending  
4 with the words “Commercial rates” in line thirty-one (31) and in-  
5 serting in lieu thereof two new subsections as follows:

6 “Charges for seed testing shall be determined by the Iowa state  
7 university. Separate fee schedules shall be published for:

8 a. Guidance tests for farmers who do not plan to sell seed.

9 b. Tests conducted in accordance with official testing methods for  
10 seedsmen, permit holders and farmers who plan to sell seed.

11 c. Tests for out-of-state persons.

12 “Individuals or organizations making guidance tests shall:

13 a. Issue special report forms for guidance tests. These forms  
14 shall carry a statement in bold-face type at the top of the report:  
15 “This report not valid for the sale of seed.”

16 b. Report the name and address of the seed sender and submit  
17 copies of all guidance test reports to the Iowa department of agri-  
18 culture.”

Approved April 18, 1961.

## CHAPTER 127

### BOARD OF CONTROL

H. F. 644

AN ACT to amend chapter two hundred eighteen (218), Code 1958, relating to the management, control and government of institutions 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 seven (218.7),  
2 Code 1958, is hereby amended by striking from line six (6) thereof  
3 the words “secretary of the”.

1 SEC. 2. Section two hundred eighteen point eight (218.8), Code  
2 1958, is hereby amended as follows:

3 1. Strike from line four (4) thereof the words “the secretary of”.

4 2. Strike from line two (2) of subsection three (3) the words  
5 “the secretary of”.

6 3. Strike from lines five (5) and six (6) of subsection three (3)  
7 the words “secretary of the”.

8 4. Strike from lines seven (7) and eight (8) of subsection three  
9 (3) the words “shall be approved by the auditor of state.” and insert  
10 in lieu thereof the following: “of accounting records shall be pre-  
11 scribed by the state comptroller.”

1 SEC. 3. Section two hundred eighteen point twelve (218.12), Code  
2 1958, is hereby amended as follows:

3 1. Strike from line one (1) thereof the word "its" and strike from  
4 line two (2) thereof the words "secretary and".

5 2. Insert in line two (2) thereof immediately preceding the word  
6 "employee" the word "any".

7 3. Strike from lines ten (10) to twelve (12) inclusive the follow-  
8 ing: "It may require bonds of other officers and employees not  
9 enumerated above."

1 SEC. 4. Section two hundred eighteen point thirteen (218.13),  
2 Code 1958, is hereby amended by striking from lines one (1) to four  
3 (4) inclusive thereof the following: ", annually, fix the annual or  
4 monthly salaries of all officers and employees for the year beginning  
5 July 1 of said year," and inserting in lieu thereof the following:  
6 "annually, on each employee's employment anniversary date, review  
7 and fix the annual, monthly, or semi-monthly salaries of said em-  
8 ployees,".

1 SEC. 5. Section two hundred eighteen point fourteen (218.14),  
2 Code 1958, is hereby amended by striking the period in line eight (8)  
3 thereof and inserting in lieu thereof the following words: "or the  
4 board may compensate the executive head of each of said institutions  
5 in lieu of furnishing all of the above items."

1 SEC. 6. Section two hundred eighteen point fifteen (218.15), Code  
2 1958, is hereby amended by striking from line two (2) thereof the  
3 word "monthly" and inserting in lieu thereof the word "semimonthly".

1 SEC. 7. Section two hundred eighteen point seventeen (218.17),  
2 Code 1958, is hereby amended by striking from lines nine (9) to  
3 thirteen (13) inclusive thereof the following: "payroll of the insti-  
4 tution for the month during which the vacation was taken, and the  
5 payroll shall show the number of days the person was absent under  
6 the permit." and inserting in lieu thereof the following: "institution's  
7 copy of the payroll of the institution, for audit purposes, for the period  
8 during which the vacation was taken, and the semimonthly payroll  
9 shall show the number of days the person was absent under the  
10 permit."

1 SEC. 8. Section two hundred eighteen point eighteen (218.18),  
2 Code 1958, is hereby amended as follows:

3 1. Strike from line two (2) thereof the words "in a book" and  
4 insert in lieu thereof the words "a record".

5 2. Strike from line three (3) thereof the following: "a record,"  
6 and inserting in lieu thereof the words "with entries".

7 3. Strike from line six (6) thereof the words "time book" and in-  
8 serting in lieu thereof the word "record".

1 SEC. 9. Section two hundred eighteen point twenty-two (218.22),  
2 Code 1958, is hereby amended by striking from line five (5) thereof  
3 the word "secretary," and inserting in lieu thereof the following:  
4 "board assistants, directors of respective divisions".

1 SEC. 10. Section two hundred eighteen point thirty-nine (218.39),  
2 Code 1958, is hereby amended as follows:

3 1. Strike from line one (1) of subsection five (5) the following:  
4 "Take an invoice, quarterly," and inserting in lieu thereof the  
5 words, "Maintain a perpetual inventory".

6 2. Strike from line three (3) of subsection five (5) the following:  
7 "a copy thereof," and insert in lieu thereof the following: ", monthly,  
8 a report showing the condition of such inventory,".

9 3. Strike from lines one (1) and two (2) of subsection six (6) the  
10 words "the biennial" and insert in lieu thereof the words "each fiscal  
11 year".

12 4. Strike from line two (2) of subsection six (6) the word "con-  
13 solidated".

1 SEC. 11. Section two hundred eighteen point forty-four (218.44),  
2 Code 1958, is hereby amended by striking from lines six (6) and  
3 seven (7) thereof the following: ". All deposits shall be on the best  
4 attainable terms." and inserting in lieu thereof the following: ", or  
5 may pay to the county of commitment all or any part of his care,  
6 treatment or subsistence while at said institution from any credit  
7 balance accruing to the account of said inmate."

1 SEC. 12. Section two hundred eighteen point fifty-one (218.51),  
2 Code 1958, is hereby amended by striking from lines one (1) to three  
3 (3) inclusive the following: "A full, minute, and itemized statement  
4 of every expenditure made during the month from" and inserting in  
5 lieu thereof the following: "A monthly report of the status of".

1 SEC. 13. Section two hundred eighteen point fifty-four (218.54),  
2 Code 1958, is hereby amended by striking from lines three (3) and  
3 four (4) thereof the following: "for six months after the delivery of  
4 such purchase." and inserting in lieu thereof the following: "until  
5 after an award or delivery of such items is made."

1 SEC. 14. Section two hundred eighteen point fifty-six (218.56),  
2 Code 1958, is hereby amended by striking from lines five (5) and  
3 six (6) thereof the following: ", verification, and audit" and inserting  
4 in lieu thereof the following: "and verification".

1 SEC. 15. Section two hundred eighteen point sixty-two (218.62),  
2 Code 1958, is hereby amended as follows:

3 1. Strike from lines one (1) and two (2) the word "Authorized"  
4 and insert in lieu thereof the following: "Upon prior authorization by  
5 the board,".

6 2. Strike from lines three (3) and four (4) the following: ", under  
7 authorization of the board,".

1 SEC. 16. Section two hundred eighteen point seventy-four  
2 (218.74), Code 1958, is amended by striking the period in line seven  
3 (7) thereof and inserting in lieu thereof the following words: "and  
4 to whom may be delegated all or such part of the authority and duties  
5 vested by statute in the board of control as may be desired or deter-  
6 mined by the board of control as recorded in their minutes."

1 SEC. 17. Section two hundred eighteen point seventy-eight  
2 (218.78), Code 1958, is amended by striking all of subsection one (1)  
3 and inserting in lieu thereof the following:

4 "Establish under the board of control the division of corrections  
5 and serve as its chief executive officer; to administer, under policies  
6 established by the board of control, the powers and duties given under  
7 law to the board of control relating to the training school for boys,

8 the training school for girls, the men's reformatory, the women's re-  
 9 formatory, the state penitentiary, and any other institution or institu-  
 10 tions placed by the board of control under the division of corrections  
 11 for administration or relating to care and treatment of persons com-  
 12 mitted thereto."

1 SEC. 18. Section two hundred eighteen point eighty-two (218.82),  
 2 Code 1958, is hereby amended as follows:

3 1. Strike from line two (2) thereof the words "board of control"  
 4 and insert in lieu thereof the words "director of corrective institu-  
 5 tions".

6 2. Insert immediately after the word "control" in line one (1) of  
 7 subsection one (1) the words "and director of corrective institutions".

8 3. Strike from line two (2) subsection one (1) the word "its" and  
 9 insert in lieu thereof the word "their".

10 4. Strike from line four (4) of subsection one (1) the word "its"  
 11 and insert in lieu thereof the word "their".

1 SEC. 19. Section two hundred eighteen point eighty-five (218.85),  
 2 Code 1958, is hereby amended as follows:

3 1. Strike from line two (2) thereof the words "prescribe and".

4 2. Strike from line six (6) thereof the comma immediately follow-  
 5 ing the word "system" and insert in lieu thereof the following: "shall  
 6 be prescribed by the state comptroller as authorized in subsection  
 7 four (4) of section eight point six (8.6) of the Code and,".

1 SEC. 20. Section two hundred eighteen point eighty-six (218.86),  
 2 Code 1958, is hereby repealed and the following enacted in lieu  
 3 thereof:

4 "When vouchers for expenditures other than salaries have been  
 5 duly audited as provided for in section 8.6 of the Code, said audited  
 6 vouchers shall be submitted to the state comptroller who shall there-  
 7 from prepare in triplicate an abstract of claims submitted showing  
 8 the name of the claimant, the institutions and fund thereof on account  
 9 of which the payment is made. Said claims and abstracts of claims  
 10 shall then be returned to the board of control where the correctness  
 11 of said abstracts shall, under the seal of the board, then be certified  
 12 by one member of the board of control. The original abstract shall  
 13 then be delivered to the state comptroller, the duplicate to be retained  
 14 in the office of the board of control and the triplicate forwarded to the  
 15 proper institution to be retained there as a record of claims paid."

1 SEC. 21. Section two hundred eighteen point eighty-nine (218.89),  
 2 Code 1958, is hereby repealed and the following enacted in lieu  
 3 thereof:

4 "After said payroll has been audited as provided for in section  
 5 eight point six (8.6) of the Code, audited payroll vouchers shall be  
 6 submitted to the state comptroller who shall therefrom prepare in  
 7 triplicate an abstract, and shall draw one warrant for the sum total  
 8 of said payroll in favor of the institution having submitted said  
 9 payroll voucher."

1 SEC. 22. 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 provide facilities and per-  
 4 sonnel for a diagnostic clinic. The work of the clinic shall include

5 a scientific study of each prisoner, his career and life history, the  
 6 causes of his criminal acts and recommendations for his custody, care,  
 7 training, employment and counseling with a view to his rehabilitation  
 8 and to the protection of society."

1 SEC. 23. Chapter two hundred eighteen (218), Code 1958, is  
 2 further amended by adding thereto the following section:

3 "The board of control may maintain a canteen at any institution  
 4 under its jurisdiction and control for the sale to persons confined  
 5 therein of toilet articles, candy, tobacco products, notions, and other  
 6 sundries, and may provide the necessary facilities, equipment, per-  
 7 sonnel, and merchandise therefor. The board shall specify what  
 8 commodities will be sold therein. The sale prices of the articles of-  
 9 fered for sale shall be fixed by the board of control at such amounts  
 10 as will, as far as possible, render each such canteen self-supporting."

Approved May 2, 1961.

## CHAPTER 128

### DIRECTOR OF INDUSTRIES

S. F. 420

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. Chapter one hundred fifty-seven (157), Acts of the  
 2 Fifty-eighth General Assembly is hereby amended as follows:

- 3 1. Strike from line sixteen (16) the words, "and notarized".
- 4 2. Strike from line seventeen (17) the words, "the secretary of".
- 5 3. By adding after the period (.) in line eighteen (18) the follow-  
 6 ing: "Abstracts shall be prepared by the state comptroller from the  
 7 itemized and certified vouchers submitted by the board of control  
 8 upon receipt of such equipment by prison industries."

Approved April 18, 1961.

## CHAPTER 129

### BOARD OF CONTROL CONSULTANTS

S. F. 316

AN ACT relating to consultants for the board of control of state institutions.

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

1 SECTION 1. Chapter one hundred sixty-two (162), Acts of the  
 2 Fifty-eighth General Assembly, is hereby amended by striking from  
 3 line nine (9) thereof the words, "under the control of the board of"  
 4 and inserting in lieu thereof the words, "appropriated to the board  
 5 of control or to".

Approved May 4, 1961.

## CHAPTER 130

## SALE OF REAL ESTATE BY BOARD OF CONTROL

H. F. 597

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. Chapter one hundred sixty (160), Acts of the Fifty-  
2 eighth General Assembly, is hereby amended as follows:

3 1. By inserting immediately following the word "to" in line four  
4 (4) of section one (1) the words "secure options to purchase real  
5 estate and to".

6 2. By adding at the end of section one (1) the following new  
7 paragraph:

8 "The costs incident to securing of options, acquisition and sale of  
9 real estate including, but not limited to, appraisals, invitations for  
10 offers, abstracts, and other necessary costs, may be paid from moneys  
11 appropriated for support and maintenance to the institution at which  
12 such real estate is located. Such fund shall be reimbursed from the  
13 proceeds of the sale."

Approved May 2, 1961.

## CHAPTER 131

## SOLDIERS' HOME EMPLOYEES

S. F. 478

AN ACT relating to the officers, employees and members of the Iowa soldiers' home.

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

1 SECTION 1. Section two hundred nineteen point ten (219.10),  
2 Code 1958, is hereby repealed.

1 SEC. 2. Section two hundred nineteen point eleven (219.11), Code  
2 1958, is hereby amended by striking from lines one (1) to three (3)  
3 inclusive thereof the following: "The board shall determine the  
4 number and fix the compensation of all subordinate officers and em-  
5 ployees." and inserting in lieu thereof the following: "The com-  
6 mandant, subject to the board's approval, shall appoint all subordi-  
7 nate officers."

1 SEC. 3. Section two hundred nineteen point twelve (219.12), Code  
2 1958, is hereby repealed.

1 SEC. 4. Section two hundred nineteen point fourteen (219.14), Code  
2 1958, is hereby repealed and the following enacted in lieu thereof:  
3 "Contributing to own support. Every member of the home who re-  
4 ceives pension, compensation or gratuity from the United States  
5 government, or income from any source of more than twenty (20)  
6 dollars per month, shall contribute to his or her maintenance or  
7 support while a member of the home. The wages, salaries or pay-  
8 ments for services rendered to the home by a member as an employee  
9 thereof shall not be included in computing the amount of member

10 contribution. Payments for maintenance or support shall be made  
 11 first, and to the fullest extent possible, from sources of income other  
 12 than pension or compensation paid by the veterans administration  
 13 of the United States Government. The amount of such contribution  
 14 and method of collection shall be determined by the board of control  
 15 but in no case to exceed the actual cost of keeping and maintaining  
 16 such person in said home. The board may require and compensate,  
 17 at rates established by the board by resolution, members of the home  
 18 to render such assistance in the care of the home and grounds as  
 19 their physical condition will permit."

1 SEC. 5. Section two hundred nineteen point sixteen (219.16),  
 2 Code 1958, is hereby amended by inserting immediately after the  
 3 word "cost" in line eight (8) the words, "and method of collection".

1 SEC. 6. Section two hundred nineteen point seventeen (219.17),  
 2 Code 1958, is hereby repealed and the following enacted in lieu there-  
 3 of: "All sums paid to and received by the business manager or the  
 4 commandant, under this chapter, for the support of members in the  
 5 home, shall be paid monthly by him to the treasurer of state and  
 6 credited to the various appropriated funds of the institution on the  
 7 basis of the ratio of expenditure each fund has to the total expendi-  
 8 ture for the month in which said sums were received."

Approved May 2, 1961.

## CHAPTER 132

### CRIMINAL SEXUAL PSYCHOPATHS

S. F. 313

AN ACT relating to application for release of criminal sexual psychopaths.

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

1 SECTION 1. Section two hundred twenty-five A point twelve  
 2 (225A.12), Code 1958, is hereby amended by striking from lines three  
 3 (3) to seven (7) inclusive thereof the following: "setting forth  
 4 facts showing that such criminal psychopath has improved to the ex-  
 5 tent that his release will not be incompatible with the welfare of  
 6 society may be filed with the committing court." and inserting in lieu  
 7 thereof the following: "may be filed with the committing court, set-  
 8 ting forth facts showing that such criminal psychopath has, in the  
 9 opinion of three qualified psychiatrists designated by the superin-  
 10 tendent to examine said person, attained maximum hospital benefit  
 11 and that in their opinion his release will not be incompatible with the  
 12 welfare of society."

Approved April 18, 1961.



## CHAPTER 133

## NONRESIDENT MENTALLY ILL PERSONS

S. F. 502

AN ACT relating to the costs of commitment of mentally ill persons who have no legal settlement in this state or whose legal settlement is unknown.

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

1 SECTION 1. Section two hundred thirty point eleven (230.11),  
2 Code 1958, as amended by chapter one hundred fifty-two (152), sec-  
3 tion one hundred thirty-four (134), Acts of the Fifty-eighth General  
4 Assembly, is hereby amended as follows:

5 1. By striking from line two (2) the word "arrest" and inserting  
6 in lieu thereof the words "taking into custody".

7 2. By inserting in line three (3) after the word "been" the words  
8 "admitted or".

9 3. By inserting in line four (4) after the word "hospital" the words  
10 ", veterans administration hospital or other agency of the United  
11 States Government,".

12 4. By striking from line twelve (12) the period (.) and inserting  
13 in lieu thereof the words "or director of mental health."

Approved May 10, 1961.

## CHAPTER 134

## INTERSTATE COMPACT ON JUVENILES

H. F. 544

AN ACT authorizing the governor to enter into the interstate compact on juveniles and grant the juvenile courts of the state jurisdiction to carry out its provisions.

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

1 SECTION 1. The governor of the state of Iowa is hereby author-  
2 ized to enter into the interstate compact on juveniles as approved by  
3 the council of state governments on January 21, 1955 with any other  
4 state or states legally joining therein.

1 SEC. 2. The juvenile courts of the state shall have jurisdiction to  
2 hold such hearings and to make such orders and requisitions as are  
3 necessary and appropriate to carry out the provisions of said compact.

Approved April 18, 1961.

## CHAPTER 135

## TRANSFERS OF PERSONS BETWEEN INSTITUTIONS

S. F. 315

AN ACT relating to the transfer of persons from one institution to other institutions.

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

- 1 SECTION 1. Section two hundred thirty-two point twenty-nine  
 2 (232.29), Code 1958, is hereby amended as follows:  
 3 1. By striking from line four (4) the words "an inmate of" and  
 4 inserting in lieu thereof the words "a person admitted to".  
 5 2. By striking from line five (5) the word "three".  
 6 3. By striking from line seven (7) the words "feeble-minded child"  
 7 and inserting in lieu thereof the words "mentally retarded or mentally  
 8 ill person".  
 9 4. By striking from lines eight (8), nine (9) and ten (10) the  
 10 words "the institution for feeble-minded or to the hospital for epilep-  
 11 tics and school for feeble-minded." and inserting in lieu thereof the  
 12 words "an institution for the mentally retarded or mentally ill or  
 13 from an institution for the mentally retarded or mentally ill to said  
 14 institutions."

Approved May 5, 1961.

## CHAPTER 136

## AID TO THE BLIND

H. F. 203

AN ACT relating to the determination of eligibility and amount of assistance of aid to the blind.

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

- 1 SECTION 1. Section two hundred forty-one point three (241.3),  
 2 Code 1958, is hereby amended by striking all after the word "first"  
 3 in line thirteen (13) and inserting in lieu thereof the following:  
 4 "eighty-five (85) dollars per month of earned income, plus one-half  
 5 of earned income in excess of eighty-five (85) dollars, of such  
 6 individual shall be disregarded."

Approved May 6, 1961.

## CHAPTER 137

## AID TO BLIND APPEALS

S. F. 196

AN ACT relating to appeals to the state board of social welfare under aid for the blind.

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

- 1 SECTION 1. Section two hundred forty-one point eleven (241.11),  
 2 Code 1958, is hereby amended by adding after "representatives." in

3 line thirteen (13) the following:

4 "Following such hearing the state board shall take its final action  
5 and notify the appellant in writing.

6 "An applicant or recipient after a review hearing hereinabove pro-  
7 vided, within thirty (30) days after notice of such action is given,  
8 may appeal from the decision of the state board to the district court  
9 of the county in which the applicant or recipient resides, by serving a  
10 ten (10) days notice of such appeal upon any member of the state  
11 board, in the manner required for the service of an original notice in  
12 any civil action. Upon the service of such notice, the state board shall  
13 furnish the applicant with a copy of the application and all supporting  
14 papers, a transcript of the testimony taken in a hearing, if any, and  
15 a copy of its decision. The district court shall act as an appellate  
16 court to review the decision of the state board to determine whether  
17 or not it has therein committed fraud or abused its discretion. The  
18 costs may be taxed to appellant where the appeal is affirmed or may  
19 be remitted."

Approved March 21, 1961.

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## CHAPTER 138

### AID TO BLIND

S. F. 187

AN ACT relating to grants when recipient removes himself from county in which he was receiving aid.

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

1 SECTION 1. Section two hundred forty-one point twenty-two  
2 (241.22), Code 1958, is hereby amended by striking all after the  
3 word "removed" on line five (5) and inserting in lieu thereof the  
4 following words:

5 "until such recipient has resided in another county in the state  
6 for a period of six (6) consecutive months, at which time assistance  
7 shall be charged to the county in which he then resides."

Approved March 22, 1961.

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## CHAPTER 139

### BUDGET FISCAL DIRECTOR

H. F. 579

AN ACT relating to the budget and financial control committee, creating therein the office of legislative fiscal director, prescribing his compensation, and fixing his duties.

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

1 SECTION 1. There is hereby created in the budget and financial  
2 control committee the office of legislative fiscal director, who shall be

3 its chief administrative officer and shall be qualified to perform, and  
4 shall perform the duties hereinafter specified.

5 Such legislative fiscal director shall be appointed by and serve  
6 at the pleasure of the budget and financial control committee; his  
7 compensation shall be fixed by the budget and financial control com-  
8 mittee, which compensation, together with any expenses incurred,  
9 shall be paid from the contingent fund provided for the budget and  
10 financial control committee.

1 SEC. 2. The duties of such legislative fiscal director to be per-  
2 formed for the budget and financial control committee and for the  
3 general assembly when in session, in addition to performing the  
4 usual administrative duties pertaining to such office, shall be the  
5 following:

6 1. Make by continuous review of state expenditures, revenues and  
7 analysis of budget through an audit and pre-audit, if necessary, or  
8 such other means deemed necessary to ascertain the facts, compare  
9 cost, work-load and other data, and make recommendations to the  
10 general assembly concerning the state's budget and revenue of the  
11 departments, boards, commissions and agencies of the state, and such  
12 other duties as shall be assigned to him by the budget and financial  
13 control committee, or by the general assembly, by statute or other  
14 method during its sessions.

15 2. Make biennial report to the budget and financial control com-  
16 mittee and to the general assembly within five (5) days after the con-  
17 vening of the 60th general assembly, and of each general assembly  
18 thereafter convened, and to make such other reports as may be re-  
19 quired of him by either the budget and financial control committee,  
20 or the general assembly.

21 3. Such director or his designated agents and employees shall at-  
22 tend the biennial budget hearings required by section eight point  
23 twenty-six (8.26) of the Code and may offer explanations or sug-  
24 gestions and make inquiries with respect to such budget hearings  
25 within the purview of this Act. The fiscal director and his staff shall  
26 furnish information and act in an advisory capacity to the commit-  
27 tees on appropriations, tax revision and ways and means of the gen-  
28 eral assembly and their several subcommittees when so requested.

1 SEC. 3. Such director or his designated agents and employees shall  
2 at all times have access to all state offices, departments, agencies,  
3 boards, bureaus and commissions, and to the books, records, and other  
4 instrumentalities and property used in the performance of their statu-  
5 tory duties, and all state offices, departments, agencies, boards, bureaus  
6 and commissions shall cooperate with the director in the performance  
7 of the foregoing duty, and shall make available to him such books,  
8 records, instrumentalities, and property.

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 Sibley  
3 Gazette-Tribune, a newspaper published at Sibley, Iowa, and the  
4 Charles City Press, a newspaper published at Charles City, Iowa.

Approved May 1, 1961.

I hereby certify that the foregoing Act, House File 579, was published in the Sibley Gazette-Tribune, Sibley, Iowa, May 4, 1961, and in the Charles City Press, Charles City, Iowa, May 4, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 140

## PENITENTIARY AND REFORMATORY

S. F. 314

AN ACT relating to the employment and discharge money of prisoners in the men's reformatory and state penitentiary and to the visitor's admission fee.

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

1 SECTION 1. Section two hundred forty-six point eighteen (246.18),  
2 Code 1958, is hereby amended by adding after the period (.) in line  
3 seventeen (17) the following: "All such employment, including but  
4 not limited to that provided in this section, shall have as its primary  
5 purpose, and shall provide for, inculcation or the reactivation of atti-  
6 tudes, skills, and habit patterns which will be conducive to prisoner  
7 rehabilitation."

1 SEC. 2. Section two hundred forty-six point forty-four (246.44),  
2 Code 1958, is hereby amended as follows:

3 1. Insert in line three (3) after the word, "railroad" the words, "or  
4 bus".

5 2. Strike from lines six (6) and seven (7) the following: "twenty-  
6 five dollars," and insert in lieu thereof the following: "fifty (50)  
7 dollars, the exact amount to be based on individual need as deter-  
8 mined by the warden and".

1 SEC. 3. Section two hundred forty-six point forty-five (246.45),  
2 Code 1958, is hereby repealed.

Approved April 18, 1961.

## CHAPTER 141

## SUPPLEMENTAL AID FOR OLD-AGE ASSISTANCE

S. F. 489

AN ACT relating to supplemental aid to recipients of old-age assistance.

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

1 SECTION 1. Chapter two hundred forty-nine (249), Code 1958, as  
2 amended by chapter one hundred seventy-nine (179), Acts of the  
3 Fifty-eighth General Assembly, is hereby amended by adding thereto  
4 the following new section:

5 "The old-age assistance granted to a person under this chapter may  
6 be supplemented by another person, association, society, corporation,  
7 or agency of county government, other than as specified in subsec-  
8 tion seven (7) of section two hundred forty-nine point six (249.6)  
9 of the Code 1958."

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 Atlantic News-Telegraph, Atlantic, Iowa, and The Anthon Her-  
4 ald, Anthon, Iowa.

Approved May 2, 1961.

I hereby certify that the foregoing Act, Senate File 489, was published in the Atlantic News-Telegraph, Atlantic, Iowa, May 5, 1961, and in The Anthon Herald, Anthon, Iowa, May 10, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 142

### OLD-AGE ASSISTANCE

#### S. F. 399

AN ACT pertaining to residents in an institution under old-age assistance.

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

1 SECTION 1. Section two hundred forty-nine point thirty-one  
2 (249.31), Code 1958, is hereby repealed and the following enacted in  
3 lieu thereof:

4 "A patient in a private medical institution for tuberculosis or  
5 mental diseases or as a result of a diagnosis of tuberculosis or psy-  
6 chosis is not eligible to receive assistance."

1 SEC. 2. Section two hundred forty-nine point six (249.6), Code  
2 1958, is hereby amended by striking subsection nine (9) and insert-  
3 ing in lieu thereof the following:

4 "Is not an inmate of a public institution, except as a patient in a  
5 medical institution for treatment for other than tuberculosis or men-  
6 tal diseases or who has been diagnosed as having tuberculosis or  
7 psychosis\* and is a patient in a public medical institution as a result  
8 thereof. However, an inmate of such institution may make applica-  
9 tion for assistance, but the assistance, if granted, shall not begin until  
10 he has ceased to be an inmate."

Approved April 18, 1961.

\*According to enrolled Act.

## CHAPTER 143

### MEDICAL ASSISTANCE FOR THE AGED

#### H. F. 470

AN ACT relating to medical assistance for the aged.

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

1 SECTION 1. This chapter may be cited as the Medical Assistance  
2 for the Aged Act of 1961.

1 SEC. 2. The terms "state board" and "county board" are used  
2 in this chapter as they are defined in section two hundred thirty-  
3 four point one (234.1) of the Code, and as used in this chapter.

4 "Recipient" means a person who receives assistance under this  
5 chapter.

6 "Assistance" means money payments to, or for medical care and  
7 services on behalf of, a recipient.

8 "Residence" shall mean the place where a person lives for other  
9 than a temporary purpose.

1 SEC. 3. Assistance may be granted under the provisions of this  
2 chapter to any person who:

3 1. Is sixty-five (65) years of age or over.

4 2. Is a resident of the state of Iowa including those residents who  
5 are temporarily absent from the state.

6 3. Is not an inmate of a public institution (except as a patient  
7 in a medical institution) or who is not a patient in an institution for  
8 tuberculosis or mental diseases.

9 4. Is not a recipient of old age assistance.

10 5. Is in need of medical care and services available under this  
11 chapter, such need having been determined by an attending licensed  
12 practitioner of the healing arts acting within the scope of his license.

13 6. Has not sufficient income or other resources, of his own or  
14 available to him, to provide himself with such needed medical care  
15 and services. However, the provisions of this Act shall not apply  
16 to any one applicant until after he has paid, or obligated himself  
17 to pay, the sum of fifty dollars (\$50.00) for medical assistance  
18 during the twelve month period prior to the date of his application.

19 7. Has no spouse, child, other person, agency or political subdivision  
20 of state or federal government, association, society or corporation  
21 legally or contractually responsible under the law of this state and  
22 found by the county board able to provide him with such needed  
23 medical care and services.

24 For the purpose of determining whether a child is responsible to  
25 provide such medical care and services, such child shall not in any  
26 event be deemed responsible therefor if such child is not receiving  
27 a net income sufficient to require him to make an income tax  
28 payment to the state.

1 SEC. 4. The amount of assistance shall be fixed with due regard  
2 to income and resources of the recipient or available to him in con-  
3 formance to the rules, regulations and standards of the state board.

4 No assistance shall be granted to:

5 1. Any unmarried applicant whose income, after deduction of medi-  
6 cal expenses incurred by the applicant, exceeds one thousand five  
7 hundred dollars (\$1,500.00) annually, or to any married applicant  
8 and spouse living together whose combined income, after deduction  
9 of medical expenses incurred by the applicant and his spouse, exceeds  
10 two thousand two hundred dollars (\$2,200.00). Income shall not  
11 include the shelter value of a residence occupied by the applicant  
12 nor the value of gifts or services contributed in kind to the applicant.

13 2. Any unmarried applicant whose resources exceed two thousand  
14 dollars (\$2,000.00), or any married applicant and spouse living to-  
15 gether whose combined resources exceed three thousand dollars  
16 (\$3,000.00). The value of resources shall be the current market value  
17 minus any encumbrances against such resource or resources. In deter-

18 mining the foregoing, the following resources shall be excluded: real  
19 property occupied as a residence, household goods and furnishings, an  
20 automobile, personal effects and tools necessary for the pursuit of  
21 a trade, occupation or profession, and the cash surrender value of  
22 life insurance.

1 SEC. 5. The state board shall:

2 1. Be the responsible authority for the effective and impartial  
3 administration of this chapter. To this end the state board shall  
4 formulate and establish such rules and regulations, outline such  
5 policies and prescribe such procedures as may be necessary or desir-  
6 able to carry out the provisions of this chapter. The state board may  
7 contract with other state agencies or private organizations whereby  
8 such agency or organization may handle the processing of and the pay-  
9 ment of claims for services rendered under the provisions of this Act  
10 and under such rules and regulations as shall be promulgated by said  
11 board.

12 2. Adopt by appropriate rules and regulations the definition of  
13 medical assistance for the aged by specifying the items for which  
14 assistance may be granted, provided, however, that such definition  
15 may not include any item or service which is not listed and provided  
16 for in Title I, Section 6 (b) of the Social Security Act as amended.

17 3. Adopt appropriate rules and regulations governing the payment  
18 of medical assistance for the aged rendered to any applicant prior  
19 to the date his application is filed.

20 4. Co-operate with any agency of the federal government in any  
21 manner as may be necessary to qualify for federal aid and assistance  
22 for medical assistance for the aged in conformity with the provisions  
23 of this chapter, including the making of such reports in such form  
24 and containing such information as any agency of the federal govern-  
25 ment may formulate and find necessary to insure qualification and  
26 verification of such reports.

27 5. Provide for the professional freedom of those licensed prac-  
28 titioners who determine the need for or provide medical care and  
29 services, the optimum freedom of choice to recipients to select the  
30 provider of such care and services and for medical direction and  
31 supervision as needed.

32 6. Advise and consult at least semiannually with a council com-  
33 posed of the president, or his or her representative,\* who is a  
34 member of the professional organization represented by the presi-  
35 dent, of the Iowa State Medical Society, the Iowa Society of Osteo-  
36 pathic Physicians and Surgeons, the Iowa State Dental Society,  
37 the Iowa State Nurses Association, the Iowa Pharmaceutical Associ-  
38 ation, the Iowa Chiropody Association, the Iowa Optometric Associ-  
39 ation, the Iowa Hospital Association, the Iowa Osteopathic Hospital  
40 Association, and the Iowa Nursing Home Association, together with  
41 one person designated by the Iowa State Board of Chiropractic Ex-  
42 aminers, one state representative (or his alternate) appointed by  
43 the speaker of the house, one state senator (or his alternate) ap-  
44 pointed by the lieutenant governor, and one public representative  
45 (or his alternate) appointed by the governor.

\*According to enrolled Act.



1 SEC. 6. The county board shall:

2 1. Perform all services and duties as are prescribed by this  
3 chapter and the rules and regulations of the state board.

4 2. Report to the state board at such time and in such manner  
5 and form as the state board may from time to time direct.

1 SEC. 7. Applications for assistance under this chapter shall be  
2 filed with the county board of the county in which the applicant  
3 resides, in the manner prescribed by the state board. A certification  
4 of medical need shall be required in all but exceptional cases, as  
5 determined by rules and regulations of the state board, and shall  
6 be made by an attending licensed practitioner of the healing arts,  
7 acting within the scope of his license, as to the item or items of  
8 medical assistance for which the applicant has need. The county  
9 board shall make investigation as may be required by the rules of  
10 the state board and shall determine whether the applicant is eligible  
11 for assistance under this chapter. The applicant shall be notified  
12 promptly of this decision.

1 SEC. 8. Any assistance granted under the provisions of this  
2 chapter may include any service within the definition of medical  
3 assistance for the aged rendered prior to the date of application;  
4 provided, however, that the applicant was eligible at the time said  
5 service was rendered.

1 SEC. 9. Assistance granted under this chapter shall not be trans-  
2 ferable or assignable at law or in equity, and none of the money  
3 payable under this chapter shall be subject to execution, levy,  
4 attachment, garnishment or other legal process, or to the operation  
5 of any bankruptcy or insolvency law.

1 SEC. 10. If any application is not acted upon by the county  
2 board within a reasonable time after the filing of the application,  
3 or if the application or assistance is denied in the whole or in  
4 part, modified or cancelled under any provision of this chapter,  
5 the applicant or recipient, or his personal representative, may appeal  
6 to the state board in the manner or form prescribed by the state  
7 board. The state board shall, upon receipt of such appeal, give the  
8 applicant or recipient, or his personal representative, reasonable notice  
9 and opportunity for a fair hearing before the state board or its  
10 duly prescribed representative or representatives. An applicant  
11 whose application for assistance has been rejected or a recipient  
12 whose assistance has been modified or cancelled in whole or in part,  
13 or his personal representative, after a review hearing hereinabove  
14 provided, within thirty (30) days after notice of such action is  
15 given, may appeal from the decision of the state board to the district  
16 court of the county in which the applicant or recipient resides, by  
17 serving ten (10) days notice of such appeal upon the state depart-  
18 ment of social welfare or upon any member of the state board in  
19 the manner required by the service of an original notice in any  
20 civil action. Upon the service of such notice, the state board shall  
21 furnish the appellant with a copy of the application and all supporting  
22 papers, a transcript of the testimony taken at the hearing, if any,  
23 and a copy of its decision. The district court shall act as an appellate

24 court to review the decision of the state board to determine whether  
25 or not it has therein committed fraud or abused its discretion. The  
26 costs may be taxed to the appellant or may be remitted where the  
27 appeal is affirmed.

1 SEC. 11. For the purpose of any such hearing, the state board  
2 or county board shall have the power to compel, by subpoena, the  
3 attendance and testimony of any witness and the production of all  
4 books and papers. All witnesses shall be examined on oath, and any  
5 member of the state board or its duly prescribed representative may  
6 administer said oath. The cost incurred in connection with any such  
7 hearing or examination shall be paid by the state board or county,  
8 whichever issues the subpoenas; and the witnesses shall be entitled  
9 to claim a two-dollar (\$2.00) fee and mileage expense of seven  
10 cents (7c) per mile.

1 SEC. 12. All eligibility determinations under this chapter shall  
2 be reviewed by the county board as frequently as may be required  
3 by the rules of the state board.

1 SEC. 13. If, while receiving assistance, the recipient becomes  
2 possessed of any resource or income in excess of the amount stated  
3 in the application provided for in this chapter, it shall be the duty  
4 of the recipient immediately to notify the county board of the  
5 receipt or possession of such resource or income. When it is  
6 found that any person has failed so to notify the board that he is  
7 or was possessed of any resource or income in excess of the amount  
8 allowed, or when it is found that, within five (5) years prior to  
9 the date of his application, a recipient made an assignment or trans-  
10 fer of property for the purpose of rendering himself eligible for  
11 assistance under this chapter, any amount of assistance paid in  
12 excess of the amount to which the recipient was entitled may be  
13 recovered from him while living as a debt due the state and upon  
14 his death as a claim of the second class against his estate. The  
15 amount so received shall be transferred to the fund for medical  
16 assistance for the aged.

1 SEC. 14. On the death of a person receiving or who has received  
2 assistance under this chapter and of the survivor of a married  
3 couple, either or both of whom were so assisted, the total amount  
4 paid as assistance shall be allowed as a claim of the second class  
5 against the estate of such decedent in the event the estate is  
6 admitted to probate. An action may be brought in the name of  
7 the state to recover the same at any time within five (5) years  
8 after the death of the person receiving aid and after the death  
9 of the survivor of a married couple, either or both of whom have  
10 received assistance under the provisions of this chapter.

1 SEC. 15. Any person who shall obtain assistance or payments  
2 for medical assistance to the aged under this chapter by misrepresen-  
3 tation or failure with fraudulent intent to bring forth all the  
4 facts required of an applicant for aid under the provisions of this  
5 chapter and any person who shall knowingly make false statements  
6 concerning the applicant's eligibility for aid under this chapter shall  
7 be guilty of a misdemeanor, punishable as such.

1 SEC. 16. There is hereby established in the state treasury a  
 2 fund to be known as the "Fund for Medical Assistance for the Aged"  
 3 to which shall be credited all funds appropriated by the state for  
 4 the payment of administrative expenses, assistance and benefits  
 5 under this chapter and all moneys received from the federal govern-  
 6 ment for such purposes. All assistance and benefits under this  
 7 chapter and the administrative expenses incidental thereto, so far  
 8 as the same are payable by the state board, shall be paid from  
 9 such funds. Any unexpended balance which remains in the fund  
 10 for medical assistance for the aged at the end of each biennium shall  
 11 revert to the general fund of the state.

1 SEC. 17. This chapter is not to be so construed as to exclude  
 2 a recipient under the provisions of this chapter, his spouse, minor  
 3 children, or other dependents from receiving other forms of relief,  
 4 aid or assistance paid through any agency of the state or any of  
 5 its political subdivisions, provided, however, that the recipient may  
 6 not receive old age assistance.

1 SEC. 18. All applications, information, and records concerning  
 2 any applicant or recipient of medical assistance for the aged under  
 3 the provisions of this chapter shall be confidential and shall not be  
 4 disclosed nor used for any purpose not directly connected with the  
 5 administration of medical assistance for the aged. The violation  
 6 of this provision is hereby made a misdemeanor and is punishable  
 7 as such.

1 SEC. 19. In the event that any provision or provisions of this  
 2 Act shall be in conflict with Title VI - Medical Services for the Aged,  
 3 being amendments of Title 1 of the Social Security Act, being Public  
 4 Law 86-778, 86th Congress, H.R. 12580, dated September 13, 1960,  
 5 providing a state plan for medical assistance for the aged; under  
 6 which, if this Act were not in conflict, the state would be entitled  
 7 to receive contributions from the United States for medical aid to  
 8 the aged, such provision or provisions of this Act so in conflict with  
 9 such law of the United States shall be considered as suspended and  
 10 noneffective until fifty days after convening of the legislative as-  
 11 sembly in the year 1963 so as to enable the state to qualify and  
 12 participate in such contributions for medical assistance to the aged  
 13 from the United States.

Approved May 6, 1961.

## CHAPTER 144

### GRAVE MARKERS FOR VETERANS

H. F. 43

AN ACT relating to the maximum cost of markers on graves of war veterans.

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

1 SECTION 1. Section two hundred fifty point sixteen (250.16),  
 2 Code 1958, is amended by striking from line seven (7) the words,

3 "two and one-half" and inserting in lieu thereof the words "three and  
4 one-half".

Approved March 13, 1961.

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CHAPTER 145

SUPPORT OF THE POOR

S. F. 244

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 subsection three (3), Code 1958, is amended as follows: By striking  
3 from lines five (5) and six (6) the following: "or any person who  
4 is being supported by public funds".

Approved May 3, 1961.

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CHAPTER 146

BOARD OF REGENTS EASEMENTS

S. F. 171

AN ACT relating to authority of the state board of regents to grant easements in public lands under its jurisdiction.

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

1 SECTION 1. Chapter two hundred sixty-two (262), Code 1958, is  
2 hereby amended by adding thereto the following:  
3 "With the approval of the executive council, the board is hereby  
4 authorized to grant easements for rights of way over, across, and  
5 under the surface of public lands under its jurisdiction when in its  
6 judgment such easements are desirable and will benefit the state of  
7 Iowa."

Approved April 7, 1961.

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CHAPTER 147

BOARD OF REGENTS

S. F. 56

AN ACT to remove the restriction on alumni members of the state board of regents.

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

1 SECTION 1. Section two hundred sixty-two point one (262.1),  
2 Code 1958, is amended by striking from said section the last sentence  
3 as amended by section twenty-four (24) of chapter seventy-four (74),  
4 Acts of the Fifty-eighth General Assembly.

Approved February 10, 1961.

## CHAPTER 148

## REGENTS SALE OF REAL ESTATE

S. F. 181

AN ACT relating to the use of the proceeds of sale of real estate by the state board of regents.

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

1 SECTION 1. Section one (1) of chapter one hundred eighty-four  
2 (184), Acts of the Fifty-eighth General Assembly, is hereby amended  
3 by striking the period in line eleven (11) thereof and inserting the  
4 following: "and buildings, and for the construction and alteration of  
5 buildings and other capital improvements."

Approved April 11, 1961.

## CHAPTER 149

## STUDENTS RESIDING ON STATE-OWNED LAND

S. F. 128

AN ACT to amend section two hundred sixty-two point forty-three (262.43), Code 1958, relating to the payment of transportation costs for the elementary or high school education of students residing on land owned by the state under the control of the state board of regents.

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

1 SECTION 1. Amend section two hundred sixty-two point forty-  
2 three (262.43), Code 1958, by inserting after the word "payments" in  
3 line two (2) the words "and transportation costs, as otherwise author-  
4 ized by statutes".

Approved April 3, 1961.

## CHAPTER 150

## TUITION PAYMENTS TO LOCAL SCHOOLS

S. F. 297

AN ACT relating to the payment of tuition to local school boards by the state board of regents at certain institutions under the control of said board.

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

1 SECTION 1. Section two hundred sixty-two point forty-three  
2 (262.43), Code 1958, is hereby amended by striking all of the last  
3 sentence thereof and inserting in lieu thereof the following:  
4 "Such payments for the three institutions of higher learning, the  
5 state university of Iowa, the Iowa state university of science and  
6 technology and the Iowa state teachers college\*, shall be made from the  
7 funds of the respective institutions other than state appropriations,  
8 and for the three non-collegiate institutions, the Iowa braille and  
9 sight-saving school, the state school for the deaf and the state sana-

\*See chapter 153

10 torium, there is hereby appropriated out of any funds in the state  
11 treasury not otherwise appropriated a sum sufficient to make such  
12 payments.”

Approved April 26, 1961.

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## CHAPTER 151

### STATE APIARIST

H. F. 228

AN ACT relating to the state apiarist.

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

1 SECTION 1. Sections two hundred sixty-six point eight (266.8)  
2 and two hundred sixty-six point nine (266.9), Code 1958, as amended  
3 by Chapter seventy-four (74), Acts of the Fifty-eighth General  
4 Assembly, are hereby repealed and the following substituted in lieu  
5 thereof:

6 “There is hereby created and established within the department  
7 of agriculture the office of state apiarist. The state apiarist shall  
8 be appointed by and be responsible to and under the authority of the  
9 secretary of agriculture in the issuance of all rules, regulations, the  
10 establishment of quarantines and other official acts.”

Approved April 18, 1961.

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## CHAPTER 152

### NURSERY STOCK

H. F. 347

AN ACT relating to nursery stock.

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

1 SECTION 1. Section two hundred sixty-seven point six (267.6),  
2 Code 1958, is hereby amended by adding after subsection three (3)  
3 the following: No nursery stock dealer shall sell, offer for sale, or  
4 distribute nursery products by any method, or under any circum-  
5 stances or condition, which have the capacity and tendency or effect  
6 of deceiving purchasers or prospective customers as to quantity, size,  
7 grade, kind, species, age, maturity, viability condition, vigor, hardi-  
8 ness, number of times transplanted, growth ability, growth character-  
9 istics, rate of growth or time required before flowering or fruiting,  
10 price, origin or place where grown, or in any other material respect.

11 When under the provisions of this act it becomes necessary for the  
12 state entomologist to verify sizes and grades of nursery stock, or  
13 either of them, he shall use as his guide the “American Standard for  
14 Nursery Stock” as revised and approved by the American Standards  
15 Association, Inc.

Approved May 1, 1961.

## CHAPTER 153

## STATE COLLEGE OF IOWA

H. F. 185

AN ACT relating to the Iowa State Teachers College changing its name to State College of Iowa.

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

1 SECTION 1. Section two hundred sixty-eight point one (268.1),  
2 Code 1958, is hereby amended by striking from line five (5) "Iowa  
3 State Teachers College", and substituting in lieu thereof the words  
4 "State College of Iowa".

1 SEC. 2. Wherever in the Code or in the Acts of the Fifty-eighth  
2 General Assembly or the Fifty-ninth General Assembly reference is  
3 made to the Iowa State Teachers College, other than in this Act, said  
4 reference shall be construed to mean the State College of Iowa and  
5 shall be changed to conform to the purposes of this Act and the code  
6 editor is directed to make the change.

This bill, (House File 185), having remained with the Governor three days (Sunday excepted), the General Assembly being in session, has become a law this 22nd day of February, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 154

## STATE COLLEGE PROGRAM

H. F. 231

AN ACT relating to the education program of the Iowa state teachers college\* and to amend sections two hundred sixty-eight point one (268.1) and two hundred sixty-eight point two (268.2), Code 1958.

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

1 SECTION 1. Section two hundred sixty-eight point one (268.1),  
2 Code 1958, is hereby amended by striking from line one (1) thereof  
3 the word, "normal" and substituting therefor the word "state", and  
4 by striking from lines two (2) and three (3) thereof the words,  
5 "for the special instruction and training of teachers for the common  
6 schools,".

1 SEC. 2. Section two hundred sixty-eight point two (268.2), Code  
2 1958, is hereby amended by striking the entire section and inserting  
3 in lieu thereof the following:

4 "The primary responsibility of the college shall be the preparation  
5 of teachers and other educational personnel for schools, colleges, and  
6 universities, and the provision of consultative and other services, in-  
7 cluding experimentation with instructional content, method, and  
8 materials, for the improvement of the educational programs of schools  
9 of the state.

10 "The college may also offer programs of instruction in the liberal  
11 and vocational arts and such other educational programs as the state  
12 board of regents may from time to time approve."

Approved February 17, 1961.

\*See chapter 153.

## CHAPTER 155

## ELECTION OF SCHOOL BOARDS

H. F. 90

AN ACT relating to the time of election and term of school boards.

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

1 SECTION 1. Section two hundred seventy-three point seven  
2 (273.7), Code 1958, is amended by striking from the next to the last  
3 line the word "March" and inserting in lieu thereof the word "Sep-  
4 tember".

1 SEC. 2. Section two hundred seventy-nine point six (279.6), Code  
2 1958, is amended by striking from line six (6) the word "March" and  
3 inserting in lieu thereof the word "September".

1 SEC. 3. Section two hundred seventy-nine point thirty (279.30),  
2 Code 1958, is amended by striking from lines three (3) and four (4)  
3 the words "and with it the members of the board who retired in the  
4 preceding March,".

Approved April 5, 1961.

## CHAPTER 156

## SCHOOL BOUNDARIES

S. F. 469

AN ACT to amend chapter two hundred seventy-four (274), Code 1958, relative to school districts.

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

1 SECTION 1. Chapter two hundred seventy-four (274), Code 1958,  
2 is hereby amended by adding the following new sections:  
3 1. "The boundary lines of contiguous school corporations may be  
4 changed by the concurrent action of the respective boards of directors  
5 at their regular meetings in July, or at special meetings called for  
6 that purpose. Such concurrent action shall be subject to the approval  
7 of the county board or boards of education involved but such concur-  
8 rent action shall stand approved if the county board or boards of  
9 education do not disapprove such concurrent action within thirty (30)  
10 days following receipt of notice thereof. The corporation from which  
11 territory is detached shall, after the change, contain not less than  
12 four (4) government sections of land."

13 2. "Any school board may request a study and recommendations of  
14 the department of public instruction relative to the adjustment of  
15 boundary lines and the recommendations of the department of public  
16 instruction shall be submitted to those districts involved within sixty  
17 (60) days after the request for such study and recommendations is  
18 made but such recommendations shall be advisory only and shall not  
19 be binding on the local districts."

1 SEC. 2. Section two hundred seventy-four point four (274.4), Code  
2 1958, is amended by inserting after the word "education," in line



3 eight (8), the following:

4 "or the boundary lines of contiguous school corporations are changed  
5 by the concurrent action of the respective boards of directors,".

1 SEC. 3. This Act being deemed of immediate importance shall take  
2 effect and be in force from and after its passage and publication in  
3 The Clinton Herald, a newspaper published in Clinton, Iowa and The  
4 Cedar Rapids Gazette, a newspaper published in Cedar Rapids, Iowa.

Approved April 25, 1961.

I hereby certify that the foregoing Act, Senate File 469, was published in The Clinton Herald, Clinton, Iowa, May 4, 1961, and in The Cedar Rapids Gazette, Cedar Rapids, Iowa, May 3, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 157

### SCHOOL DISTRICT REORGANIZATION

H. F. 82

AN ACT to permit the voters in an existing school district or in a proposed reorganized district to authorize seven (7) members of the board of directors and the establishment or change of boundaries of director districts by amending chapters two hundred seventy-five (275), two hundred seventy-seven (277), and two hundred seventy-eight (278), Code 1958, relating thereto.

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

1 SECTION 1. Section two hundred seventy-five point twelve  
2 (275.12), Code 1958, is amended by inserting after the word "state"  
3 in line one (1), subsection two (2), the words "the number of direc-  
4 tors which may be either five (5) or seven (7) and".

1 SEC. 2. Section two hundred seventy-five point eighteen (275.18),  
2 Code 1958, is amended by inserting after the word "the" in line three  
3 (3) the words "number and".

1 SEC. 3. Section two hundred seventy-five point twenty-five  
2 (275.25), Code 1958, is amended by inserting after the word "popula-  
3 tion" in line fourteen (14) the words "and in districts in which the  
4 proposition to establish a new corporation provides for seven (7)  
5 directors".

6 Said section is further amended by striking lines twenty-nine (29)  
7 through thirty-two (32) inclusive and the word "districts" in line  
8 thirty-three (33) and inserting in lieu thereof the following: "two  
9 directors shall be added according to the procedure described in sec-  
10 tion two hundred seventy-seven point twenty-three (277.23) of the  
11 Code".

1 SEC. 4. Section two hundred seventy-five point thirty-five  
2 (275.35), Code 1958, is amended by inserting after the word "change"  
3 in line three (3) the words "the number of directors from five (5) to  
4 seven (7) and may also change".

5 Said section is further amended by inserting after the word "reg-  
6 ular" in line nine (9) the words "or special".

1 SEC. 5. Section two hundred seventy-five point thirty-six  
2 (275.36), Code 1958, is amended by inserting after the word "change"

3 in line one (1) the words "in the number of directors or".

4 Said section is further amended by inserting after the word "reg-  
5 ular" in line nine (9) the words "or special".

1 SEC. 6. Section two hundred seventy-five point thirty-seven  
2 (275.37), Code 1958, is amended by inserting after the word "the" in  
3 line one (1) the words "number or".

4 Said section is further amended by inserting after the word "reg-  
5 ular" in line three (3) the words "or special".

1 SEC. 7. Section two hundred seventy-seven point two (277.2),  
2 Code 1958, is amended by inserting after the comma following the  
3 word "proceeds" in line seven (7) the words "the authorization of  
4 seven (7) members on the board of directors, the authorization to  
5 establish or change the boundaries of director districts,".

1 SEC. 8. Section two hundred seventy-seven point twenty-three  
2 (277.23), Code 1958, is amended by inserting after the word "popula-  
3 tion" in line three (3) the words "and in any district in which the  
4 voters have authorized seven (7) directors,".

5 Said section is further amended by adding a new paragraph as  
6 follows:

7 "A change from five (5) to seven (7) directors shall be effected  
8 in a district at the first regular election after authorization by the  
9 voters or when a district becomes wholly or in part within a city of  
10 fifteen thousand (15,000) population or more in the following man-  
11 ner: If the term of one (1) director of the five-member board expires  
12 at the time of said regular election, three (3) directors shall be  
13 elected to serve until the third regular election thereafter; if the  
14 terms of two (2) directors expire at the time of said regular election,  
15 three (3) directors shall be elected to serve until the third regular  
16 election thereafter and one (1) director shall be elected to serve a  
17 term the expiration of which coincides with the expiration of the  
18 term of the director heretofore singly elected."

1 SEC. 9. Section two hundred seventy-eight point one (278.1),  
2 Code 1958, is amended by adding two subsections as follows:

3 "Authorize a change from five (5) to seven (7) directors."

4 "Authorize the establishment of director districts or a change of  
5 boundaries of director districts."

Approved February 16, 1961.

## CHAPTER 158

### SCHOOL REORGANIZATION

#### H. F. 97

AN ACT relating to a reference to a repealed section in the school reorganization law.

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

1 SECTION 1. Section two hundred seventy-five point twelve  
2 (275.12), Code 1958, is amended by striking from lines three (3) and

3 fifteen (15) of subsection four (4) the following, "275.15, 275.16,  
4 and 275.17" and inserting in each instance the following, "275.15 and  
5 275.16".

Approved April 5, 1961.

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### CHAPTER 159

#### SCHOOL ELECTIONS

H. F. 291

AN ACT to amend section two hundred seventy-seven point three (277.3), Code 1958, relating to the publication of notices of school elections.

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

1 SECTION 1. Section two hundred seventy-seven point three  
2 (277.3), Code 1958, is hereby amended by striking from lines four  
3 (4) and five (5) of the third paragraph the words "post the notice  
4 in each precinct, and also".

Approved April 18, 1961.

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### CHAPTER 160

#### RESIDENCE REQUIREMENT FOR SCHOOL ELECTIONS

S. F. 5

AN ACT to amend section two hundred seventy-seven point twelve (277.12), Code 1958, relating to electors' right to vote in school elections.

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

1 SECTION 1. Section two hundred seventy-seven point twelve  
2 (277.12), Code 1958, is amended by adding thereto the following:  
3 "In school districts embracing areas in more than one (1) county,  
4 the county residence requirement respecting electors' qualification  
5 shall be considered to have been met if the elector or electors have  
6 resided in the school district for a period of sixty (60) days next pre-  
7 ceding the election, even though such sixty (60) days of residence  
8 may not have been established in the county where such elector or  
9 electors reside at the time of the election."

Approved May 15, 1961.

## CHAPTER 161

## SALE OF SCHOOL HOUSES AND SITES

S. F. 137

AN ACT to amend chapter two hundred seventy-nine (279), Code 1958, by adding thereto a new section relating to the use of funds received from the condemnation, sale, or other disposition for public purposes of school houses or school sites without a vote of the electorate.

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

1 SECTION 1. Chapter two hundred seventy-nine (279), Code 1958,  
2 is amended by adding thereto the following new section:  
3 "Any fund received from the condemnation, sale, or other disposi-  
4 tion for public purposes of school houses, school sites or both school  
5 houses and school sites may be deposited in the school house fund  
6 and may without a vote of the electorate be used for the purchase of  
7 school sites and/or the erection or repair of school houses as ordered  
8 by the board of directors of such school district, provided, however,  
9 that the board shall comply with section two hundred ninety-seven  
10 point seven (297.7), Code 1958."

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 New Hampton Tribune, New Hampton, Iowa, May 11, 1961, and in The North English  
4 Iowa, and The North English Record, a newspaper published at North  
5 English, Iowa.

Approved May 1, 1961.

I hereby certify that the foregoing Act, Senate File 137, was published in the New Hampton Tribune, New Hampton, Iowa, May 11, 1961, and in The North English Record, North English, Iowa, May 4, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 162

## SCHOOL BOARD MEETINGS

H. F. 104

AN ACT changing the date of the annual meeting of school boards, and changing the date for publication of the annual financial statement of the school.

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

1 SECTION 1. Section two hundred seventy-nine point thirty  
2 (279.30), Code 1958, is hereby amended by inserting in line two (2)  
3 after the word "day", the following "after the seventh day".

1 SEC. 2. Section two hundred seventy-nine point thirty two  
2 (279.32), Code 1958, is hereby amended by striking out the word  
3 "first" in line four (4) and inserting in lieu thereof the word  
4 "second".

1 SEC. 3. Section two hundred seventy-nine point three (279.3),  
2 Code 1958, is hereby amended by inserting in lines two (2) and nine  
3 (9) after the word "day" in each line the following: "after the  
4 seventh day".

1 SEC. 4. Section two hundred seventy-nine point thirty (279.30),  
 2 Code 1958, is hereby further amended by striking all of line three  
 3 (3) following the word "township" and all of line four (4).

Approved March 20, 1961.

## CHAPTER 163

### SCHOOL AGE

H. F. 19

AN ACT to amend chapter two hundred eighty-two (282), Code 1958, relating to the age of children starting to school.

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

1 SECTION 1. Section two hundred eighty-two point three (282.3),  
 2 Code 1958, is hereby amended by adding, following subsection four  
 3 (4), the following new subsections:

4 5. On and after July 1, 1962, the conditions of admission to public  
 5 schools for work in the school year immediately preceding the first  
 6 grade and in the first grade shall be as follows:

7 "No child under the age of six years on the fifteenth of October  
 8 of the current school year shall be admitted to any public school un-  
 9 less the board of directors of the school (or the county board of  
 10 education) shall have adopted and put into effect courses of study  
 11 for the school year immediately preceding the first grade, approved  
 12 by the department of public instruction and shall have employed a  
 13 teacher or teachers for this work with standards of training approved  
 14 by the department of public instruction.

15 No child shall be admitted to school work for the year immediately  
 16 preceding the first grade unless he is five years of age on or before  
 17 the fifteenth of October of the current school year.

18 No child shall be admitted to the first grade unless he is six years of  
 19 age on or before the fifteenth of October of the current school year;  
 20 except that a child under six years of age who has been admitted to  
 21 school work for the year immediately preceding the first grade under  
 22 conditions approved by the department of public instruction, or who  
 23 has demonstrated the possession of sufficient ability to profit by  
 24 first-grade work on the basis of tests or other means of evaluation  
 25 recommended or approved by the department of public instruction,  
 26 may be admitted to first grade at any time before December 31."

27 6. On and after July 1, 1963, the conditions of admission to public  
 28 schools for work in the school year immediately preceding the first  
 29 grade and in the first grade shall be as follows:

30 "No child under the age of six years on the fifteenth of September  
 31 of the current school year shall be admitted to any public school un-  
 32 less the board of directors of the school (or the county board of edu-  
 33 cation) shall have adopted and put into effect courses of study for the  
 34 school year immediately preceding the first grade, approved by the  
 35 department of public instruction and shall have employed a teacher  
 36 or teachers for this work with standards of training approved by the  
 37 department of public instruction.

38 No child shall be admitted to school work for the year immediately

39 preceding the first grade unless he is five years of age on or before  
40 the fifteenth of September of the current school year.

41 No child shall be admitted to the first grade unless he is six years  
42 of age on or before the fifteenth of September of the current school  
43 year; except that a child under six years of age who has been admitted  
44 to school work for the year immediately preceding the first grade  
45 under conditions approved by the department of public instruction,  
46 or who has demonstrated the possession of sufficient ability to profit  
47 by first-grade work on the basis of tests or other means of evaluation  
48 recommended or approved by the department of public instruction,  
49 may be admitted to first grade at any time before December 31."

1 SEC. 2. Section two hundred eighty-two point three (282.3), Code  
2 1958, is further amended by changing subsection five (5) to subsec-  
3 tion seven (7), and deleting in line one (1) of said subsection the  
4 word and figure "or 4" and inserting in lieu thereof the following:  
5 "4, 5, or 6".

Approved February 16, 1961.

## CHAPTER 164

### TUITION STUDENT TO VOCATIONAL HIGH SCHOOL

#### S. F. 470

AN ACT permitting tuition students to attend school in districts which have an area vocational technical high school or program.

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

1 SECTION 1. Section two hundred eighty-two point seven (282.7),  
2 Code 1958, is hereby amended by adding the following paragraph:  
3 "Any school district which does not have an area vocational tech-  
4 nical high school or program, established and approved under the  
5 provisions of chapter two hundred fifty-eight (258), may permit a  
6 resident child to attend school in another district which has such a  
7 school or program. Said child shall meet the entrance requirements  
8 of the school district which has such an area school or program. Tu-  
9 ition, but not transportation, for such a child shall be paid by the resi-  
10 dent district as required in section two hundred eighty-two point  
11 twenty (282.20)."

1 SEC. 2. Section two hundred fifty-eight point four (258.4), Code  
2 1958, is hereby amended by inserting in line three (3) of subsection  
3 seven (7) after the word "classes" the words ", area vocational tech-  
4 nical high schools and programs,".

1 SEC. 3. Section two hundred eighty-six A point three (286A.3),  
2 Code 1958, is hereby amended by striking the first paragraph and in-  
3 serting in lieu thereof the following:

4 "General school aid shall be distributed under this chapter on the  
5 basis provided in section two hundred eighty-six A point four  
6 (286A.4)."

1 SEC. 4. Section two hundred eighty-six A point four (286A.4),  
2 Code 1958, is hereby amended by adding to subsection three (3) the

3 following:

4 "Multiply one (1) dollar and thirty (30) cents by the number of  
5 students for which the district pays tuition for such students to at-  
6 tend an area vocational technical high school or program which has  
7 been established and approved under the provisions of chapter two  
8 hundred fifty-eight (258). Multiply this product by the actual num-  
9 ber of days that the vocational technical school was officially in session,  
10 not to exceed one hundred eighty (180) days. For any district which  
11 has an area vocational technical high school or program established  
12 and approved under the provisions of chapter two hundred fifty-eight  
13 (258), multiply one (1) dollar and fifty (50) cents by the number  
14 of full-time day students who have graduated from high school or who  
15 are beyond twenty-one (21) years of age and are tuition students.  
16 Multiply this product by the actual number of days that the school  
17 was officially in session, not to exceed one hundred eighty (180) days.  
18 A school district, in computing the tuition to charge such a student,  
19 shall deduct the amount of general aid received for such student from  
20 the regular tuition for such student."

1 SEC. 5. Section two hundred eighty-six A point five (286A.5),  
2 Code 1958, is hereby amended by inserting after the period in line  
3 five (5) the following:

4 "For any day student who has been enrolled on a less than a full  
5 school-day basis, the reimbursement shall be calculated proportion-  
6 ately to the portion for which he is enrolled as shall be determined  
7 by the state department of public instruction."

Approved May 4, 1961.

## CHAPTER 165

### TEACHERS' RETIREMENT ALLOWANCE

H. F. 65

AN ACT relating to the appropriation for teachers' retirement allowance and the amount of such allowance.

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

1 SECTION 1. Chapter one hundred ninety-nine (199), Acts of the  
2 Fifty-eighth General Assembly, is amended by striking from lines  
3 seven (7), eight (8) and nine (9) of section one (1) the following:  
4 ", provided, however, that the total claims paid for each year of any  
5 biennium shall not exceed four hundred fifty thousand (450,000)  
6 dollars".

1 SEC. 2. Section two hundred ninety-four point fifteen (294.15),  
2 Code 1958, is amended by striking from line twelve (12) the words  
3 "not less than".

4 Said section is further amended by striking from line fourteen (14)  
5 the word "minimum".

6 Said section is further amended by adding at the end of the first  
7 paragraph the following:

8 "No such person shall receive retirement benefits from the state of  
9 more than seventy-five dollars (\$75.00) per month."

1 SEC. 3. This Act being deemed of immediate importance shall be  
2 in full force and effect from and after its publication in The Sac Sun,  
3 a newspaper published at Sac City, Iowa, and in the Bremer County  
4 Independent, a newspaper published at Waverly, Iowa.

Approved March 27, 1961.

I hereby certify that the foregoing Act, House File 65, was published in The Sac Sun, Sac City, Iowa, April 6, 1961, and in the Bremer County Independent, Waverly, Iowa, April 5, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 166

### INSTITUTIONAL ROADS

S. F. 341

AN ACT relating to institutional roads.

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

1 SECTION 1. Amend subsection two (2) of section three hundred  
2 six point two (306.2), Code 1958, by striking in lines three (3) and  
3 four (4) the words "or adjacent to".

Approved May 3, 1961.

## CHAPTER 167

### ESTABLISHMENT OF HIGHWAYS

S. F. 464

AN ACT relating to the establishment of highways by enacting a substitute for section three hundred six point fifteen (306.15), Code 1958.

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

1 SECTION 1. Section three hundred six point fifteen (306.15), Code  
2 1958, is hereby repealed and the following enacted in lieu thereof:  
3 "All road plans, plats and field notes for rural subdivisions shall be  
4 filed with and recorded by the county auditor and approved by the  
5 board of supervisors and the county engineer before the subdivision  
6 is laid out and platted, and if any proposed rural subdivision is within  
7 one mile of the corporate limits of any city or town such road plans  
8 shall also be approved by the city engineer or council of the adjoining  
9 municipality. In the event such road plans are not approved as herein  
10 provided such roads shall not become the part of any road system as  
11 defined in chapter three hundred six (306), Code 1958."

Approved May 3, 1961.



## CHAPTER 168

## ROAD USE TAX FUND

S. F. 466

AN ACT relating to allocations from the road use tax fund and to the apportionment thereof.

*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 striking subsections one (1), two (2),  
3 three (3), and four (4) and inserting in lieu thereof the following:

- 4 1. To the primary road fund, forty-seven percent.  
5 2. To the secondary road fund of the counties thirty percent.  
6 3. To the farm-to-market road fund, ten percent.  
7 4. To the street construction fund of the cities and towns, thirteen  
8 percent.

9 5. The treasurer of state shall before making the above allotments  
10 credit annually to the highway grade crossing safety fund the sum  
11 of \$120,000.00, credit annually to the primary road fund the sum of  
12 \$500,000.00 for carrying out chapter two hundred seven (207), Acts  
13 of the Fifty-eighth General Assembly, and credit annually to the  
14 primary road fund the sum of \$500,000.00 to be used for paying ex-  
15 penses incurred by the secondary and urban road departments of the  
16 commission other than expenses incurred for extensions of primary  
17 roads in cities and towns. All unobligated funds provided by this  
18 subsection at the end of each year shall revert to the road use tax fund.

19 6. The treasurer of state shall before making the above allotments  
20 credit annually to the primary road fund the sum of \$2,500,000.00 or  
21 an amount equal to one-ninth of the federal allotment which ever is  
22 the smaller, said sum to be used for matching the federal allotment to  
23 the state of Iowa for the use of the interstate and national defense  
24 highways in the state of Iowa.

1 SEC. 2. Section three hundred twelve point three (312.3), Code  
2 1958, is hereby amended by striking subsection one (1) and inserting  
3 in lieu thereof the following:

4 "1. Apportion among the counties in the ratio that the needs of the  
5 secondary roads of each county bear to the total needs of the secondary  
6 roads of the state for the twenty-year improvement program de-  
7 veloped by the automotive safety foundation and filed with the Iowa  
8 highway study committee created by chapter four hundred twenty-six  
9 (426), Acts of the Fifty-eighth General Assembly, and which is on  
10 record at the state highway commission, sixty percent of the allocation  
11 from road use tax funds which he has credited to the secondary road  
12 fund of the counties, and apportion among the counties in the ratio  
13 that the area of such county bears to the total area of the state, forty  
14 percent of the allocation from road use tax funds which he has credit-  
15 ed to the secondary road fund of the counties."

1 SEC. 3. Section three hundred twelve point three (312.3), Code  
2 1958, is hereby amended by striking from line six (6) of subsection  
3 two (2) the word "eight" and inserting in lieu thereof the word  
4 "thirteen".

1 SEC. 4. Section three hundred twelve point five (312.5), Code  
2 1958, is hereby repealed, and the following inserted in lieu thereof:

3 "The road use tax funds credited to the farm-to-market road fund  
4 by the treasurer of state, are hereby divided as follows, and are to be  
5 known respectively as:

6 1. Need allotment farm-to-market road funds, sixty percent; and

7 2. Area allotment farm-to-market road funds, forty percent.

8 All farm-to-market road funds, except funds which under section  
9 310.20 come from any county's allotment of the road use tax funds,  
10 shall be allotted among the counties by the state highway commission.  
11 Area allotment farm-to-market road funds and federal aid secondary  
12 road funds received by the state, shall be allotted among all the coun-  
13 ties of the state in the ratio that the area of each county bears to the  
14 total area of the whole state.

15 Need allotment farm-to-market road funds shall be allotted among  
16 the counties in the ratio that the needs of the farm-to-market roads  
17 in each county bear to the total needs of the farm-to-market roads in  
18 the state for the twenty-year program developed by the automotive  
19 safety foundation and filed with the Iowa Highway study committee  
20 created by chapter four hundred twenty-six (426), Acts of the Fifty-  
21 eighth General Assembly, and which is on record at the state high-  
22 way commission."

1 SEC. 5. Chapter three hundred twelve (312), Code 1958, is hereby  
2 amended by adding thereto the following new section:

3 "To maintain eligibility for the receipt of road use tax funds on  
4 and after January 1, 1963, each city or town in the state shall have  
5 on file with the state highway commission a map showing the arterial  
6 street system and the local street system of such city or town as ap-  
7 proved by the state highway commission."

1 SEC. 6. Chapter three hundred twelve (312), Code 1958, is hereby  
2 amended by adding thereto the following new section:

3 "On and after January 1, 1963, at least seventy-five percent of the  
4 funds received by each city or town from road use tax funds shall be  
5 used on its arterial streets solely for the purposes authorized in sec-  
6 tion three hundred twelve point six (312.6) of the Code, and the re-  
7 mainder of the funds received by each city or town from road use tax  
8 funds shall be used on its local streets solely for the purposes author-  
9 ized by such section; provided, however, that if any city or town  
10 council by resolution declares that the seventy-five percent is not  
11 needed on its arterial streets, then it may be used on any other streets  
12 in the city or town."

1 SEC. 7. Chapter three hundred twelve (312), Code 1958, is hereby  
2 amended by adding thereto the following new section:

3 "Cities and towns which receive allotments of funds from road use  
4 tax funds and which have a population of at least five thousand shall  
5 prepare and submit annually by the first day of December in each  
6 year to the state highway commission for examination and review, a  
7 program of proposed road and street improvements on both the ar-  
8 terial street system and the local street system of such city or town  
9 for a period of three years subsequent to the year in which the pro-  
10 gram is submitted. Cities and towns which receive allotments of  
11 funds from road use tax funds and which have a population less  
12 than five thousand shall prepare and submit by December 1 each year

13 to the state highway commission for examination and review, a pro-  
 14 gram of proposed road and street improvements on both the arterial  
 15 street system and the local street system of such city or town for a  
 16 period one year subsequent to the year in which the program is sub-  
 17 mitted."

1 SEC. 8. Chapter three hundred twelve (312), Code 1958, is hereby  
 2 amended by adding thereto the following new section:

3 "Cities and towns which receive allotments of funds from road use  
 4 tax funds shall prepare and submit by December 1 each year to the  
 5 state highway commission for examination and review, a budget show-  
 6 ing proposed projects, location of projects and proposed expenditures  
 7 from funds from all sources on roads and streets in the arterial street  
 8 system and in the local street system during the ensuing calendar  
 9 year."

1 SEC. 9. Chapter three hundred twelve (312), Code 1958, is hereby  
 2 amended by adding thereto the following new section:

3 "Cities and towns in the state which receive allotments of funds  
 4 from road use tax funds shall prepare and submit by February 1 each  
 5 year to the state highway commission an annual report showing the  
 6 nature of work and expenditure of funds from all sources for roads  
 7 and streets in the arterial street system and in the local street system  
 8 during the preceding calendar year."

1 SEC. 10. No funds shall be allocated to any city or town until such  
 2 city or town shall have complied with the provisions of sections seven  
 3 (7) through nine (9) of this Act.

4 The state highway commission shall notify the treasurer of state if  
 5 any city or town fails to comply with the provisions of this Act.

1 SEC. 11. Section three hundred nine point seven (309.7), Code  
 2 1958, is hereby amended in subsection two (2) by striking the re-  
 3 mainder of the subsection after the word "towns" in line four (4)  
 4 and inserting in lieu thereof a period (.)

1 SEC. 12. Section three hundred ten point nine (310.9), Code 1958,  
 2 is hereby amended by striking the remainder of the section after the  
 3 word "required." in line six (6).

1 SEC. 13. The provisions of this Act shall become effective on  
 2 January 1, 1962.

Approved May 15, 1961.

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## CHAPTER 169

### ROAD USE TAX PAYMENTS

#### H. F. 127

AN ACT to amend chapter three hundred (312), Code 1958, in relation to the payment  
 and use of the road use tax fund for certain unincorporated villages.

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

1 SECTION 1. Section three hundred twelve point eight (312.8),  
 2 Code 1958, is hereby amended as follows:

3 1. By striking from lines four (4), five (5), six (6), and seven  
4 (7) thereof the words "and owned by individuals owning not more  
5 than one share each of the voting stock of the corporation".

6 2. By adding at the end thereof the following:

7 "All payments made under this section prior to July 4, 1961, are  
8 hereby legalized."

Approved March 20, 1961.

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CHAPTER 170

NOXIOUS WEEDS

H. F. 98

AN ACT relating to noxious weeds in secondary roads.

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

1 SECTION 1. Section three hundred seventeen point eleven  
2 (317.11), Code 1958, is amended by striking from lines three (3) and  
3 four (4) the words "county, trunk and local county" and inserting  
4 in lieu thereof the word "secondary".

Approved February 16, 1961.

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CHAPTER 171

S. F. 71

AN ACT relating to motor vehicle registration and certificate of title applications.

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

1 SECTION 1. Section three hundred twenty-one point twenty-five  
2 (321.25), Code 1958, is hereby amended as follows:

3 1. By striking from line three (3) of such section the words "at  
4 once" and inserting in lieu thereof the words "within five (5) days".

5 2. By striking from line eight (8) of such section the words "five  
6 days," and inserting in lieu thereof the words "ten (10) days after  
7 the purchase date of the vehicle,".

1 SEC. 2. Section three hundred twenty-one point twenty-six  
2 (321.26), Code 1958, is hereby amended by striking from line three  
3 (3) of such section the word "until" and inserting in lieu thereof the  
4 word "unless".

Approved February 10, 1961.

CHAPTER 172  
ANTIQUATED VEHICLES  
S. F. 177

AN ACT relating to antiquated vehicles.

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

- 1 SECTION 1. Section three hundred twenty-one point one hundred  
2 fifteen (321.115), Code 1958, is hereby amended as follows:  
3 1. By striking from line two (2) of such section the word, "fifteen"  
4 and inserting in lieu thereof the word, "twenty-five".

Approved March 21, 1961.

CHAPTER 173  
MOTOR VEHICLE ACCIDENT REPORT  
S. F. 152

AN ACT to amend section three hundred twenty-one point two hundred sixty-six (321.266) and section three hundred twenty-one A point five (321A.5), Code 1958, to provide that a motor vehicle accident involving property damage of one hundred dollars shall be reported.

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

- 1 SECTION 1. Section three hundred twenty-one point two hundred  
2 sixty-six (321.266), Code 1958, is hereby amended by striking from  
3 line fourteen (14) the word "fifty" and inserting in lieu thereof the  
4 words "one hundred".
- 1 SEC. 2. Section three hundred twenty-one A point five (321A.5),  
2 Code 1958, is hereby amended by striking from line six (6) the word  
3 "fifty" and inserting in lieu thereof the words "one hundred".

Approved April 26, 1961.

CHAPTER 174  
MUNICIPAL SPEED LIMITS  
S. F. 154

AN ACT relating to increasing or decreasing speed limits on primary highways or extensions of primary highways in 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 ninety (321.290), Code 1958, is hereby amended by inserting in line  
3 five (5) of said section immediately following the word, "greater"  
4 the words, "or less".  
5 Further amend said section by striking from line eight (8) the  
6 words, "of a highway" and inserting in lieu thereof the words, "of  
7 the primary road system or upon any part of a primary road ex-  
8 tension".

1 SEC. 2. Section three hundred twenty-one point two hundred  
 2 ninety-three (321.293), Code 1958, is hereby amended by inserting  
 3 in line two (2) of said section immediately following the word,  
 4 "discretion" the words, "subject to the approval of the state highway  
 5 commission".

6 Further amend said section by inserting after, "hour." in line ten  
 7 (10) the following: "If local authorities fail to authorize by ordi-  
 8 nance higher speeds than those stated in section three hundred twenty-  
 9 one point two hundred eighty-five (321.285) upon through highways  
 10 or upon highways or portions thereof where stop signs have been  
 11 erected at the entrances thereto, the state highway commission may  
 12 recommend, upon the basis of an engineering and traffic investigation,  
 13 to the local authorities that the speed limit be increased. If local  
 14 authorities fail to increase the speed limit upon said recommendation  
 15 of the state highway commission, said commission shall declare a  
 16 reasonable and safe speed limit which shall be effective when appropri-  
 17 ate signs are erected giving notice thereof."

Approved March 21, 1961.

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## CHAPTER 175

### RIGHT OF WAY

H. F. 381

AN ACT to define the legal right of way in traffic emerging from slow-moving lanes.

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

1 SECTION 1. Section three hundred twenty-one point three hundred  
 2 six (321.306), Code 1958, is hereby amended by adding thereto the  
 3 following:

4 "Vehicles moving in a lane designated for slow-moving traffic shall  
 5 yield the right of way to vehicles moving in the same direction in a  
 6 lane not so designated when such lanes merge to form a single lane."

Approved April 26, 1961.

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## CHAPTER 176

### TOWING FOUR-WHEEL TRAILERS

H. F. 452

AN ACT relating to the towing of four-wheel trailers and registration fees thereon.

*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, as amended by chapter two hundred thirty  
 3 (230), Acts of the Fifty-eighth General Assembly, is hereby repealed  
 4 and the following is enacted in lieu thereof:

5 "No motor vehicle shall tow any four-wheeled trailer with a steer-  
 6 ing axle, or more than one trailer or semitrailer, or both in combina-

7 tion, with the exception that this section shall not apply to any motor  
8 truck, truck tractor or road tractor registered at a combined gross  
9 weight of ten (10) tons or more nor to a farm tractor towing a four-  
10 wheeled trailer, or to any farm tractor or motor vehicle towing im-  
11 plements of husbandry, or a wagon box trailer used by a farmer in  
12 transporting produce, farm products or supplies hauled to and from  
13 market when registered under the provisions of section three hundred  
14 twenty-one point one hundred twenty-three (321.123)."

1 SEC. 2. Section three hundred twenty-one point one hundred twenty-  
2 ty-three (321.123), Code 1958, is amended by striking the word  
3 "defined" in line two (2) and by inserting in lieu thereof the word  
4 "registered" and by inserting after the word "semitrailers" in line  
5 two (2) of said section, the following: "under the provisions of  
6 section three hundred twenty-one point one hundred twenty-two  
7 (321.122)".

1 SEC. 3. Chapter three hundred twenty-one (321), Code 1958, is  
2 hereby amended by adding thereto the following:  
3 "Any four-wheeled trailer towed by a truck tractor or road tractor  
4 shall be registered under the semitrailer provisions of section three  
5 hundred twenty-one point one hundred twenty-two (321.122), pro-  
6 vided, however, that the provisions of this section shall not be appli-  
7 cable to motor vehicles drawing wagon box trailers used by a farmer  
8 in transporting produce, farm products or supplies hauled to and  
9 from market when registered under the provisions of section three  
10 hundred twenty-one point one hundred twenty-three (321.123)."

Approved May 15, 1961.

## CHAPTER 177

### PUPILS ENTERING OR LEAVING BUSES

S. F. 207

AN ACT relating to the safety of pupils while entering or leaving public or private school busses in cities and towns.

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

1 SECTION 1. Section three hundred twenty-one point three hundred  
2 seventy-two (321.372), Code 1958, is amended by inserting immedi-  
3 ately following the word "districts" in line two (2) of the last para-  
4 graph of said section the words ", unless so provided by ordinance,".

Approved April 12, 1961.

## CHAPTER 178

## DRIVERS OF EMERGENCY VEHICLES

H. F. 134

AN ACT relating to amounts of indemnification of drivers of emergency 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 ninety-six (321.496), Code 1958, is hereby amended as follows:  
 3 1. By striking from line five (5) the word "one" and inserting in  
 4 lieu thereof the word "ten".  
 5 2. By striking from line six (6) the word "five" and inserting in  
 6 lieu thereof the word "fifty".  
 7 3. By striking from line seven (7) the word "ten" and inserting  
 8 in lieu thereof the words "one hundred".  
 9 4. By adding after the word "person" in line twenty-one (21), the  
 10 following: "or such greater amounts of coverage as may be deemed  
 11 reasonable and proper."

Approved March 21, 1961.

## CHAPTER 179

## MOTOR VEHICLE FUEL TAX

H. F. 613

AN ACT to continue and make permanent the present motor vehicle fuel taxes after July 1, 1961.

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

- 1 SECTION 1. Section three hundred twenty-four point three  
 2 (324.3), Code 1958, is amended by striking from line two (2) the  
 3 word "four" and inserting in lieu thereof the word "six".
- 1 SEC. 2. Section three hundred twenty-four point seventy-eight  
 2 (324.78), Code 1958, is amended by striking from line three (3) the  
 3 word "four" and inserting in lieu thereof the word "six".
- 1 SEC. 3. Section three hundred twenty-four point seventy-eight  
 2 (324.78), Code 1958, is hereby amended by adding thereto the fol-  
 3 lowing:  
 4 "(a) The net proceeds of one cent per gallon of the excise tax  
 5 collected under the provisions of this chapter shall, for the period  
 6 beginning July 1, 1961, and ending December 31, 1961, be credited  
 7 by the treasurer of state to the primary road fund, to be used for  
 8 construction of such primary roads as are presently surfaced with  
 9 gravel or crushed rock only, on the basis of need as determined by  
 10 the state highway commission.  
 11 "(b) The net proceeds of one cent per gallon of the excise tax  
 12 collected under the provisions of this chapter shall, for the period  
 13 beginning July 1, 1961, and ending December 31, 1961, be credited by  
 14 the treasurer of state to the primary road fund for the purpose of  
 15 widening and modernization of highways and bridges."



1 SEC. 4. This Act shall be effective July 1, 1961, after publication  
 2 in The Brooklyn Chronicle, a newspaper published at Brooklyn, Iowa,  
 3 and in The Anamosa Eureka, a newspaper published at Anamosa,  
 4 Iowa.

Approved April 6, 1961.

I hereby certify that the foregoing Act, House File 613, was published in The Brooklyn Chronicle, Brooklyn, Iowa, April 13, 1961, and in The Anamosa Eureka, Anamosa, Iowa, April 20, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 180

### MOTOR VEHICLE FUEL TAX CREDIT

H. F. 330

AN ACT to authorize the treasurer of state to issue memoranda of credit and refunds of excess payments of motor vehicle fuel tax to operators of motor vehicles.

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

1 SECTION 1. Section three hundred twenty-four point fifty-four  
 2 (324.54), Code 1958, is hereby amended by striking all of the first  
 3 paragraph thereof following the word "division" in line thirteen (13)  
 4 thereof and substituting in lieu thereof the following:  
 5 " Notwithstanding any provision in this chapter to the contrary,  
 6 the treasurer, upon application, supported by such proof as the treas-  
 7 urer may reasonably require, shall issue a memorandum of credit  
 8 for the amount of fuel tax paid on fuel in excess of the amount of  
 9 fuel consumed by such vehicles in Iowa which may be applied against  
 10 subsequent fuel tax liability under this chapter, or, if the applicant is  
 11 no longer engaged in the operation of vehicles for which his permit  
 12 was issued, or, has built up an excess of motor vehicle fuel tax credit  
 13 with the state, the treasurer may make proper refund to the permit  
 14 holder."

Approved April 4, 1961.

## CHAPTER 181

### MOTOR VEHICLE TRUCK OPERATORS

S. F. 52

AN ACT to amend section three hundred twenty-seven point one (327.1), Code 1958, relating to motor vehicle truck operators.

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

1 SECTION 1. Section three hundred twenty-seven point one (327.1)  
 2 is amended by adding thereto the following: "Provided, however, a  
 3 self-propelled vehicle used exclusively for towing of disabled vehicles  
 4 shall not be subject to subsections one (1) and three (3) of section  
 5 three hundred twenty-seven point two (327.2), Code 1958, or rules  
 6 made under said subsections, and shall not be required to carry cargo  
 7 insurance."

Approved February 10, 1961.

## CHAPTER 182

## EXEMPTED TRUCK OPERATORS

S. F. 366

AN ACT relating to the control of motor vehicle truck operators by the commerce commission.

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

1 SECTION 1. Subsection three (3) of section three hundred twenty-  
2 seven point two (327.2) is hereby amended by inserting following the  
3 word "necessary" in line two (2) of the said subsection the words  
4 " , provided however, that this subsection shall not apply to truck  
5 operators operating not more than two (2) motor vehicles and who  
6 are not engaged in interstate commerce".

Approved May 2, 1961.

## CHAPTER 183

## MOTOR VEHICLE COMMON AND CONTRACT CARRIERS

H. F. 565

AN ACT relating to commerce commission fees of motor vehicle common and contract carriers.

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

1 SECTION 1. Section three hundred twenty-seven point nine (327.9),  
2 Code 1958, as amended, is hereby amended by striking the first five  
3 (5) lines thereof and inserting in lieu thereof the following:  
4 "No motor truck engaged in the transportation of property under  
5 a truck operator or contract carrier permit issued under the provi-  
6 sions of this chapter shall be operated on the highways of this state  
7 unless there shall have been paid to the commission for the adminis-  
8 tration of this chapter an annual fee".

1 SEC. 2. Section three hundred twenty-seven point nine (327.9),  
2 Code 1958, as amended, is hereby further amended by adding thereto  
3 the following:

4 "It shall be a misdemeanor for any truck operator or contract car-  
5 rier to operate any motor truck for which the annual fee has not been  
6 paid and the commission may revoke the truck operator and/or con-  
7 tract carrier permit of any such violator."

1 SEC. 3. Section three hundred twenty-five point thirty-five (325.35),  
2 Code 1958, as amended, is hereby amended by striking all of the sec-  
3 tion preceding the word "in" in line seven (7) thereof and inserting  
4 in lieu thereof the following:

5 "No motor vehicle engaged in the transportation of property under  
6 a certificate of convenience and necessity issued under the provisions  
7 of this chapter shall be operated on the highways of this state unless  
8 there shall have been paid to the commission for the administration  
9 of this chapter an annual fee".

1 SEC. 4. Section three hundred twenty-five point thirty-five (325.35),  
2 Code 1958, as amended, is hereby further amended by adding thereto

3 the following:

4 "It shall be a misdemeanor, punishable by a fine of not to exceed  
5 one hundred dollars or by imprisonment in the county jail not to  
6 exceed thirty days, for any motor carrier to operate any motor vehicle  
7 for which the annual fee has not been paid and the commission may  
8 revoke the certificate of convenience and necessity of any such vi-  
9 olator."

1 SEC. 5. Section three hundred twenty-five point thirty-five (325.35),  
2 Code 1958, is hereby amended by adding the following: "provided,  
3 however, that the fee herein provided for each semitrailer shall be in  
4 the amount of six dollars."

1 SEC. 6. Section three hundred twenty-seven point nine (327.9),  
2 Code 1958, is hereby amended by adding the following: "provided,  
3 however, that the fee herein provided for each semitrailer shall be in  
4 the amount of six dollars."

1 SEC. 7. Chapter two hundred fifty-one (251), Acts of the Fifty-  
2 eighth General Assembly, section six (6) is hereby amended by adding  
3 the following: "provided, however, that the fee herein provided for  
4 each semitrailer shall be in the amount of six dollars."

Approved May 24, 1961.

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#### CHAPTER 184

##### COUNTY SUPERVISORS

S. F. 265

AN ACT to amend chapter two hundred fifty-two (252), Acts of the Fifty-eighth General Assembly, relating to election of county supervisors.

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

1 SECTION 1. Section one (1) of chapter two hundred fifty-two  
2 (252), Acts of the Fifty-eighth General Assembly, is hereby amended  
3 by striking the period at the end of line eight (8) and adding the  
4 following: ", except that in counties having a special charter city of  
5 over 75,000 population, two supervisors may be residents of the same  
6 township in which the city is located."

Approved April 7, 1961.

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#### CHAPTER 185

##### COUNTY INSURANCE

H. F. 415

AN ACT to amend section three hundred thirty-two point three (332.3), Code 1958, relating to county insurance coverage.

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

1 SECTION 1. Section three hundred thirty-two point three (332.3),  
2 Code 1958, is hereby amended by striking all after the word "exceed"

3 in line eleven (11), subsection twenty (20), and inserting in lieu  
4 thereof the following:

5 "ten thousand dollars for property damage or fifty thousand dollars  
6 for personal injury or death of one person or one hundred thousand  
7 dollars for personal injury or death of more than one person arising  
8 out of a single accident."

Approved April 4, 1961.

## CHAPTER 186

### COUNTY DISPOSAL GROUNDS

#### H. F. 6

AN ACT to permit the county boards of supervisors to establish under certain circumstances, public disposal grounds and to operate and maintain them and to levy a tax therefor.

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

1 SECTION 1. The board of supervisors of any county may determine  
2 that a public disposal ground is needed in their county and may make  
3 a finding as to where such disposal ground shall be located.

1 SEC. 2. Said boards may within their respective jurisdictions  
2 make a determination of which townships of the county will be best  
3 served by such disposal ground and levy a tax of not to exceed one-  
4 fourth mill on all the property in said townships outside the incorpo-  
5 rated limits of any city or town for the purpose of acquiring and  
6 maintaining such disposal grounds. Such funds shall be placed in a  
7 township dump fund.

1 SEC. 3. The board of supervisors may make such rules and regu-  
2 lations for the use of such disposal grounds as it shall deem necessary,  
3 and may adopt and enter into contractual agreements with cities and  
4 towns for the use of such disposal grounds. Any funds derived from  
5 such agreements shall be placed in the township dump fund estab-  
6 lished for that purpose and none other.

Approved April 26, 1961.

## CHAPTER 187

### REMITTANCE OF STATE FUNDS

#### H. F. 150

AN ACT relating to the statement and remittance of state funds by county treasurers.

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

1 SECTION 1. Section three hundred thirty-four point eleven  
2 (334.11), Code 1958, is amended by striking from lines three (3),  
3 four (4) and five (5) the following: "; or shall fail to promptly honor  
4 any draft by the treasurer of state as provided in section 12.8," and  
5 inserting in lieu thereof the words "and remittance".

Approved February 16, 1961.

## CHAPTER 188

## RECORDING OF INSTRUMENTS

## S. F. 43

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 fourteen  
2 (335.14), Code 1958, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) of subsection one  
4 (1) the words "containing four hundred words or less, one dollar"  
5 and inserting in lieu thereof, the words "one dollar and fifty cents  
6 for the first page or fraction thereof".

7 2. By striking all of subsection two (2) and the amendment by  
8 section two (2) of Chapter two hundred fifty-five (255), Acts of the  
9 Fifty-eighth General Assembly, and inserting in lieu thereof the fol-  
10 lowing, "For each additional page or fraction thereof, one dollar."

11 3. By adding a subsection as follows: "The minimum fee for all  
12 deeds and real property mortgages shall be one dollar and fifty cents."

1 SEC. 2. Section five hundred fifty-six point twenty (556.20), Code  
2 1958, is amended by deleting in subsection two (2) the words, "one  
3 dollar for the first four hundred words and twenty cents for each one  
4 hundred additional words or fraction thereof." and inserting in lieu  
5 thereof the words "one dollar and fifty cents for the first page or  
6 fraction thereof and one dollar for each additional page or fraction  
7 thereof."

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

Approved April 18, 1961.

I hereby certify that the foregoing Act, Senate File 43, was published in The Daily Times, Davenport, Iowa, April 30, 1961, and in the Waterloo Daily Courier, Waterloo, Iowa, April 30, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 189

## COMPENSATION OF COUNTY OFFICERS AND COURT REPORTERS

## H. F. 461

AN ACT relating to compensation of county officers and court reporters.

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

1 SECTION 1. Sections three hundred forty point one (340.1), three  
2 hundred forty point three (340.3), three hundred forty point five  
3 (340.5) and three hundred forty point eleven (340.11), Code 1958,  
4 are hereby amended by striking therefrom subsections one (1) to  
5 thirteen (13), inclusive, in each section and inserting in lieu thereof  
6 the following:

- 7 "1. Less than ten thousand, four thousand four hundred dollars.  
 8 2. Ten thousand and less than fifteen thousand, four thousand five  
 9 hundred fifty dollars.  
 10 3. Fifteen thousand and less than twenty thousand, four thousand  
 11 seven hundred dollars.  
 12 4. Twenty thousand and less than twenty-five thousand, four thou-  
 13 sand eight hundred fifty dollars.  
 14 5. Twenty-five thousand and less than thirty thousand, five thou-  
 15 sand dollars.  
 16 6. Thirty thousand and less than thirty-five thousand, five thousand  
 17 one hundred fifty dollars.  
 18 7. Thirty-five thousand and less than forty thousand, five thousand  
 19 three hundred dollars.  
 20 8. Forty thousand and less than forty-five thousand, five thousand  
 21 four hundred fifty dollars.  
 22 9. Forty-five thousand and less than fifty thousand, five thousand  
 23 six hundred dollars.  
 24 10. Fifty thousand and less than sixty thousand, five thousand nine  
 25 hundred dollars.  
 26 11. Sixty thousand and less than seventy thousand, six thousand  
 27 two hundred dollars.  
 28 12. Seventy thousand and less than eighty thousand, six thousand  
 29 five hundred dollars.  
 30 13. Eighty thousand and over, six thousand eight hundred dollars."

- 1 SEC. 2. Section three hundred forty point seven (340.7), Code  
 2 1958, is hereby amended by striking therefrom subsections one (1)  
 3 to fourteen (14) inclusive, and inserting in lieu thereof the following:  
 4 "1. Less than ten thousand, four thousand four hundred dollars.  
 5 2. Ten thousand and less than fifteen thousand, four thousand five  
 6 hundred fifty dollars.  
 7 3. Fifteen thousand and less than twenty thousand, four thousand  
 8 seven hundred dollars.  
 9 4. Twenty thousand and less than twenty-five thousand, four thou-  
 10 sand eight hundred fifty dollars.  
 11 5. Twenty-five thousand and less than thirty thousand, five thou-  
 12 sand dollars.  
 13 6. Thirty thousand and less than thirty-five thousand, five thousand  
 14 one hundred fifty dollars.  
 15 7. Thirty-five thousand and less than forty thousand, five thousand  
 16 three hundred dollars.  
 17 8. Forty thousand and less than forty-five thousand, five thousand  
 18 four hundred fifty dollars.  
 19 9. Forty-five thousand and less than fifty thousand, five thousand  
 20 six hundred dollars.  
 21 10. Fifty thousand and less than sixty thousand, five thousand nine  
 22 hundred dollars.  
 23 11. Sixty thousand and less than seventy thousand, six thousand  
 24 two hundred dollars.  
 25 12. Seventy thousand and less than eighty thousand, six thousand  
 26 five hundred dollars.  
 27 13. Eighty thousand and less than one hundred twenty-five thou-  
 28 sand, seven thousand dollars.

29 14. One hundred twenty-five thousand and over, eight thousand  
30 dollars."

1 SEC. 3. Section three hundred forty point nine (340.9), as amended  
2 by sections one (1) and two (2), chapter two hundred sixty (260),  
3 Acts of the Fifty-eighth General Assembly, is hereby amended by  
4 striking therefrom subsections one (1) to fourteen (14), inclusive,  
5 and also subsection fifteen (15) and inserting in lieu thereof the  
6 following:

- 7 "1. Less than ten thousand, three thousand six hundred dollars.  
8 2. Ten thousand and less than fifteen thousand, three thousand  
9 seven hundred fifty dollars.  
10 3. Fifteen thousand and less than twenty thousand, three thousand  
11 nine hundred dollars.  
12 4. Twenty thousand and less than twenty-five thousand, four thou-  
13 sand fifty dollars.  
14 5. Twenty-five thousand and less than thirty thousand, four thou-  
15 sand two hundred dollars.  
16 6. Thirty thousand and less than thirty-five thousand, four thou-  
17 sand three hundred fifty dollars.  
18 7. Thirty-five thousand and less than forty thousand, four thousand  
19 five hundred dollars.  
20 8. Forty thousand and less than forty-five thousand, four thousand  
21 five hundred fifty dollars.  
22 9. Forty-five thousand and less than fifty thousand, four thousand  
23 eight hundred dollars.  
24 10. Fifty thousand and less than sixty thousand, five thousand one  
25 hundred dollars.  
26 11. Sixty thousand and less than seventy thousand, six thousand  
27 two hundred dollars.  
28 12. Seventy thousand and less than eighty thousand, six thousand  
29 five hundred dollars.  
30 13. Eighty thousand and less than one hundred thousand, seven  
31 thousand dollars.  
32 14. One hundred thousand and less than one hundred fifty thousand,  
33 eight thousand four hundred dollars.  
34 15. One hundred fifty thousand and over, ten thousand dollars."

1 SEC. 4. Section three hundred forty point ten (340.10), Code 1958,  
2 is hereby amended by striking from subsection four (4), line eleven  
3 (11), the words "two thousand" and inserting in lieu thereof the  
4 words "two thousand three hundred".

1 SEC. 5. Section three hundred thirty-one point twenty-two (331.22),  
2 Code 1958, is hereby amended as follows:

- 3 1. By striking from line three (3) the words "twelve dollars and  
4 fifty cents" and inserting in lieu thereof the words "fourteen dollars".  
5 2. By striking from lines four (4) and five (5) the words "twelve  
6 dollars and fifty cents" and inserting in lieu thereof the words "four-  
7 teen dollars".  
8 3. By striking from line twenty (20) the words "four thousand"  
9 and inserting in lieu thereof the words "four thousand four hundred".  
10 4. By striking from line twenty-five (25) the words "four thousand  
11 four" and inserting in lieu thereof the words "four thousand eight".  
12 5. By striking from line thirty-one (31) the words "five thousand

13 four" and inserting in lieu thereof the words "five thousand eight".  
14 6. By striking from lines thirty-five (35) and thirty-six (36) the  
15 words "six thousand two" and inserting in lieu thereof the words "six  
16 thousand six".

17 7. By striking from line forty-one (41) the words "fifty-six hun-  
18 dred" and inserting in lieu thereof the words "six thousand".

1 SEC. 6. If any county offices or positions are combined, the salary  
2 thereof shall be 30% greater than the salary otherwise established  
3 for such office. The salary for deputy county officers shall, nonethe-  
4 less, continue to be based on that salary which would be drawn by  
5 the principal officer if combination of offices had not been effected.

1 SEC. 7. Section six hundred five point seven (605.7), Code 1958,  
2 is amended by inserting after the word "court" in line five (5) thereof,  
3 the words, "and perform such other reporting and related duties in  
4 aid of the court".

1 SEC. 8. Section six hundred five point eight (605.8), Code 1958,  
2 is amended as follows:

3 1. By striking from line two (2) thereof the words, "twenty-five  
4 dollars" and inserting in lieu thereof the words, "twenty-seven dollars  
5 and fifty cents".

6 2. By inserting after the first comma (,) in line four (4) thereof  
7 the words, "or employment,".

8 3. By inserting after the first comma (,) in line seven (7) thereof  
9 the words, "or directing the employment,".

10 4. By inserting at the end of said section the words, "Payment shall  
11 be made at least once each month."

1 SEC. 9. Section six hundred five point nine (605.9), Code 1958,  
2 is amended by striking from line three (3) thereof the words, "fifty-  
3 four" and inserting in lieu thereof the words, "seventy-two".

1 SEC. 10. Section six hundred five point ten (605.10), Code 1958,  
2 is amended by striking from line seven (7) thereof the word "six"  
3 and inserting in lieu thereof the word, "nine".

1 SEC. 11. Section six hundred two point forty-six (602.46), Code  
2 1958, is amended as follows:

3 1. By striking from line seven (7) thereof the word, "seventeen"  
4 and inserting in lieu thereof the words, "twenty-two".

5 2. By striking from line ten (10) thereof the word, "twenty" and  
6 inserting in lieu thereof the words, "twenty-five".

Approved May 12, 1961.



## CHAPTER 190

## ASSISTANT COUNTY ATTORNEYS IN CERTAIN COUNTIES

H. F. 408

AN ACT relating to assistant 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 ten (340.10), Code  
2 1958, is hereby amended by adding the following at the end of  
3 subsection one (1):

4 "However, in any county which has a population of more than  
5 thirty-three thousand (33,000) and less than thirty-six thousand  
6 (36,000) and which borders on the Mississippi River or the Missouri  
7 River, an assistant county attorney shall receive seventy-five (75)  
8 per cent of the amount of the salary of the county attorney."

Approved May 6, 1961.

## CHAPTER 191

## COUNTY HOSPITALS

S. F. 148

AN ACT to amend chapter three hundred forty-seven (347), Code 1958, and chapter two hundred sixty-two (262) and chapter two hundred eighty-four (284), Acts of the 58th General Assembly, 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 two (347.2),  
2 Code 1958, is hereby amended by inserting after the word, "cast" in  
3 line six (6) the words, "for governor".

1 SEC. 2. Section three hundred forty-seven point five (347.5),  
2 Code 1958, is hereby amended by striking in line thirteen (13) the  
3 word, "five" and inserting in lieu thereof the word, "ten".

1 SEC. 3. Section three hundred forty-seven point seven (347.7),  
2 Code 1958, is hereby amended by striking the words, "one mill" in  
3 line four (4) thereof and inserting in lieu thereof the words, "two  
4 (2) mills"; further amend section three hundred forty-seven point  
5 seven (347.7), Code 1958, as the same has been amended by chapter  
6 two hundred sixty-three (263), Acts of the 58th General Assembly,  
7 by striking from lines four (4), five (5) and six (6) of said section  
8 the following: "; and may levy one (1) additional mill in counties of  
9 seventeen thousand (17,000) population or less".

1 SEC. 4. The election of hospital trustees shall take place at the  
2 general election on ballots which shall not reflect a nominee's political  
3 affiliation. Nomination shall be made by petition in accordance with  
4 chapter forty-five (45), Code 1958. The petition form shall be fur-  
5 nished by the county auditor, signed by qualified electors of the county  
6 equal in number to one percent of the vote cast for governor by both  
7 political parties in the last previous general election, which nomina-  
8 tion petition shall be filed at least fifty-five (55) days with the county  
9 auditor prior to the date of said general election. A plurality shall

10 be sufficient to elect hospital trustees, it being the intent that there  
11 be no primary election.

12 If any of the provisions of this Act shall be in conflict with any of  
13 the laws of this state, then the provisions of this Act shall prevail.

1 SEC. 5. Section three hundred forty-seven point thirteen (347.13),  
2 Code 1958, is hereby amended by adding thereto the following new  
3 subsection:

4 "There shall be published quarterly in each of the official news-  
5 papers of the county as selected by the board of supervisors pursuant  
6 to section three hundred forty-nine point one (349.1) the schedule  
7 of bills allowed and there shall be published annually in such news-  
8 papers the schedule of salaries paid by job classification and category,  
9 but not by listing names of individual employees."

1 SEC. 6. Section three hundred forty-seven point fourteen  
2 (347.14), Code 1958, is hereby amended by adding the following new  
3 subsection thereto:

4 "Operate a nursing home in conjunction with the hospital."

1 SEC. 7. Chapter three hundred forty-seven (347), Code 1958, is  
2 hereby amended by adding the following new section thereto:

3 "In any county where there is a county hospital in existence, a  
4 nursing home may be established to be operated in conjunction there-  
5 with, and all of the provisions of this chapter and all of the proceed-  
6 ings authorized thereby relating to hospital buildings and additions  
7 thereto, shall apply to erecting, equipping and procuring sites for  
8 nursing homes and additions thereto, as well as for improvements,  
9 maintenance and replacements of such nursing homes."

1 SEC. 8. Section seven (7) of chapter two hundred sixty-two (262),  
2 Acts of the 58th General Assembly, is hereby amended by adding the  
3 following thereto:

4 "In no event shall any such contract provide that the hospital re-  
5 ceive less than its cost of rendering such care to the recipient thereof  
6 as such cost may be determined by sound hospital accounting prin-  
7 ciples."

1 SEC. 9. Section eight (8) of chapter two hundred sixty-two  
2 (262) and section two (2) of chapter two hundred eighty-four (284),  
3 Acts of the 58th General Assembly, are hereby amended by inserting  
4 after the word, "purpose" in line ten (10) of each of said sections, the  
5 following: ", said proposition shall be placed upon the ballot by the  
6 board of supervisors when the said board of supervisors is requested  
7 by a petition therefor signed by qualified electors of the county equal  
8 in number to five per cent (5%) of the votes cast for governor at the  
9 last general election; said proposition may be submitted at the next  
10 general election or at a special election called therefor"; and by adding  
11 at the end of each of said sections the following:

12 "For the purpose of computing whether or not said proposition is  
13 carried, the votes of the residents of the town or city in which said  
14 hospital is located shall be counted both for the purpose of ascertain-  
15 ing whether or not the proposition is carried within the city or town  
16 and also for the purpose of ascertaining whether or not the proposi-  
17 tion is carried within the county."

Approved April 4, 1961.

CHAPTER 192  
COUNTY HOSPITALS

H. F. 703

AN ACT to amend chapter three hundred forty-seven A (347A), Code 1958, relating to county hospitals in counties having a population of less than one hundred fifty thousand (150,000) so as to authorize and provide for the issuance of general obligation bonds of such counties to pay the cost of enlarging and improving such county hospitals.

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

1 SECTION 1. Chapter three hundred forty-seven A (347A), Code  
2 1958, is hereby amended by adding thereto the following section:  
3 For the purpose of enlarging and improving any county hospital or  
4 hospitals theretofore acquired and being operated under the pro-  
5 visions of this chapter, any such county, upon petition and recom-  
6 mendation of the board of hospital trustees, and pursuant to resolu-  
7 tion of the board of supervisors of such county, may from time to time  
8 incur indebtedness and issue and sell the negotiable interest-bearing  
9 general obligation bonds of said county, provided that the principal  
10 amount of all such bonds which may be issued and outstanding under  
11 this section shall not be in excess of two (2) percent of the assessed  
12 value of the taxable property in such county as shown by the latest  
13 state and county tax lists. All such bonds may bear such date or dates,  
14 may mature at such time or times not exceeding twenty years from  
15 their respective dates, may bear interest at such rate or rates not ex-  
16 ceeding five percent per annum payable semiannually, may be in such  
17 form and payable at such place or places, and may be made subject  
18 to such privileges of redemption prior to maturity and upon such  
19 terms of redemption as are stated on the face of such bonds and as  
20 may be provided in such resolution.  
21 For the purpose of paying such bonds and interest thereon, the  
22 board of supervisors of such county shall in and by the resolution  
23 authorizing the issuance thereof provide for the levy of an annual  
24 tax sufficient for that purpose on all of the taxable property in such  
25 county, in addition to all other taxes.  
26 After the resolution authorizing any such bonds has been adopted  
27 the county auditor shall publish notice of such adoption in at least  
28 one newspaper of general circulation in the county at least once each  
29 week for two consecutive weeks. Such notice shall identify the reso-  
30 lution by the date of its adoption and shall specify the amount of bonds  
31 proposed to be issued, and if, within twenty days following the date  
32 of the first publication of such notice, a petition is filed with the  
33 county auditor signed by qualified voters of said county in number  
34 equal to or exceeding twenty percent of the total number of votes  
35 cast in such county for governor at the last preceding regular election  
36 whereat a governor was elected, then the bonds authorized by such  
37 resolution shall not be issued unless and until the proposition to issue  
38 same shall have been submitted at an election throughout the county  
39 and approved by not less than sixty percent of the votes cast for and  
40 against the proposition. When any such petition is filed, it shall be  
41 referred to the board of supervisors at its next meeting and thereupon  
42 the board of supervisors may either repeal the bond resolution or  
43 order an election which shall be called and conducted substantially

44 in the manner provided by chapter thirty-seven (37) of the Code. If  
 45 no petition is filed within the time hereinbefore provided or if a peti-  
 46 tion is filed and the proposition of issuing such bonds is approved at  
 47 such election, then the board of supervisors may proceed with the  
 48 enlargement and improvement of such county hospital and the issu-  
 49 ance of bonds in connection therewith, all as in this section permitted  
 50 and provided.

51 This section shall be construed as providing an alternative and in-  
 52 dependent method for the enlargement and improvement of such  
 53 county hospital; shall not be construed as limiting or superseding  
 54 any other method of enlargement and improvement of such county  
 55 hospital; and shall not be construed as an amendment of or subject to  
 56 the provisions of any other law.

1 SEC. 2. Section three hundred forty-seven A point one (347A.1),  
 2 Code 1958, is hereby amended by inserting the word "revenue" before  
 3 the word "bonds" in line sixty-seven (67).

1 SEC. 3. Section three hundred forty-seven A point two (347A.2),  
 2 Code 1958, is hereby amended by inserting the word "revenue" before  
 3 the word "bonds" in line fifty-seven (57).

1 SEC. 4. Section three hundred forty-seven A point three (347A.3),  
 2 Code 1958, is hereby amended by inserting the word "revenue" be-  
 3 fore the word "bonds" in line twenty-two (22).

1 SEC. 5. This Act being deemed of immediate importance shall take  
 2 effect and be in force from and after its publication without expense  
 3 to the state in The Muscatine Journal, a newspaper published in Mus-  
 4 catine, Iowa, and in The Wilton Advocate, a newspaper published in  
 5 Wilton Junction, Iowa.

Approved May 2, 1961.

I hereby certify that the foregoing Act, House File 703, was published in The  
 Muscatine Journal, Muscatine, Iowa, May 16, 1961, and in The Wilton Advocate, Wilton  
 Junction, Iowa, May 18, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 193

### DOGS FOR RESEARCH

S. F. 210

AN ACT to make available for scientific research unclaimed and unwanted dogs and  
 to amend various sections of the code relating to dogs.

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

1 SECTION 1. For the purposes of this Act, the following definitions  
 2 shall apply:

3 1. "Institution" shall mean any school or college of medicine, vet-  
 4 erinary medicine, pharmacy, dentistry, and osteopathy, or hospital,  
 5 diagnostic or research laboratories, or other educational or scientific  
 6 establishment situated in this state properly concerned with the in-  
 7 vestigation of, or instruction concerning the structure or function of  
 8 living organisms, the cause, prevention, control or cure of diseases or

9 abnormal conditions of human beings or animals.  
10 2. "Pound" shall mean any public or private agency, person, soci-  
11 ety, or corporation having custody of dogs seized or held under the  
12 authority of the state or any municipality or any political subdivision  
13 of the state.

1 SEC. 2. An institution may apply annually to the state depart-  
2 ment of health for authority to obtain animals from a pound. If the  
3 state department of health shall find that such institution, by reason  
4 of its ethical standards, its personnel, its facilities and the use it pro-  
5 poses to make of dogs is a fit and proper institution to be authorized  
6 to obtain dogs from a pound, and that the public interest would be  
7 served by such authority, then the state department of health shall  
8 authorize such institution to obtain dogs from a pound.

1 SEC. 3. An institution so authorized by the state department of  
2 health may request dogs from a pound. The pound shall tender to  
3 such institution all dogs in its custody seized or held by authority of  
4 the state, municipality or other political subdivision, except that no  
5 dog shall be so tendered unless it has been held for redemption by its  
6 owner or sale for a period of not less than three nor more than  
7 fifteen days and no dog lawfully licensed at the time of its seizure  
8 shall be so tendered unless its owner shall so consent in writing. No  
9 dogs, except those actually sick or injured or those lawfully licensed  
10 at the time of seizure, shall be destroyed by a pound while a request  
11 to that pound of an authorized institution is unfulfilled unless first  
12 tendered to such institution and refused by it.

1 SEC. 4. An institution obtaining dogs from a pound shall pay to  
2 the municipality or other political subdivision under whose authority  
3 each dog is held or was seized a reasonable fee not to exceed five dol-  
4 lars for each dog so obtained, and shall provide for the transportation  
5 of the dogs so obtained from the pound.

1 SEC. 5. Animals used in any institution authorized by this Act  
2 shall receive every consideration for their bodily comfort; they shall  
3 be kindly treated, properly fed and their surroundings kept in a sani-  
4 tary condition. All major operative procedures may be done under  
5 local infiltration anesthesia. If the nature of the study is such that  
6 the animal may survive, acceptable techniques shall be followed  
7 throughout the operation. If the study does not require survival, the  
8 animal shall be killed in a humane manner at the conclusion of the  
9 observations. The post-operative care of experimental animals shall  
10 be such as to minimize discomfort during convalescence. All condi-  
11 tions shall be maintained for the animal's comfort in accordance with  
12 the best practices followed in human medicine and surgery.

1 SEC. 6. It shall be a misdemeanor for any person or corporation  
2 to violate any provision of this Act. Every person convicted here-  
3 under shall be punished by imprisonment for a period not more than  
4 thirty (30) days, or by a fine not to exceed one hundred dollars  
5 (\$100.00). Any pound failing or refusing to comply with the pro-  
6 visions of this Act shall become immediately ineligible for any public  
7 monies notwithstanding the provisions of any contract, and it shall  
8 be unlawful for any public body to pay any public monies to a pound  
9 after receipt by it of a notice of such noncompliance or refusal from

10 any institution authorized by the state department of health to ob-  
 11 tain dogs until such time as such institution shall have withdrawn its  
 12 notice or the state department of health shall have notified such public  
 13 body that such notice was without foundation.

1 SEC. 7. This Act shall be so construed and interpreted as to effec-  
 2 tuate its purpose of making available for scientific, educational and  
 3 research purposes unclaimed, unwanted and unlicensed dogs.

1 SEC. 8. Section three hundred sixty-eight point eight (368.8),  
 2 subsection four (4), Code 1958, is hereby amended by inserting in  
 3 line three (3) after the word "thereof" the words "as provided by  
 4 law".

5 Further amend said subsection by striking from line thirty (30)  
 6 the word "may" and inserting in lieu thereof the word "shall".

1 SEC. 9. Section three hundred fifty-one point twenty-six, (351.26),  
 2 Code 1958, is hereby amended by inserting in line three (3) after the  
 3 word "jurisdictions" the words "unless such jurisdiction shall have  
 4 otherwise provided for the seizure and impoundment of dogs".

1 SEC. 10. Section three hundred thirty-two point three, (332.3),  
 2 Code 1958, is hereby amended by adding thereto the following sub-  
 3 section: "To provide, by contract or otherwise, for the seizure, im-  
 4 poundment and disposition in accordance with law of dogs for which  
 5 licenses are required, when such dogs are not wearing a collar with  
 6 license tag attached as provided in chapter three hundred fifty-one  
 7 (351) of the Code."

Approved April 11, 1961.

## CHAPTER 194

### FIRE DISTRICTS WITHIN OR WITHOUT STATE

#### H. F. 50

AN ACT to allow benefited fire districts, townships, and cities and towns to provide for or furnish services outside of the territorial jurisdiction and boundary limits of the state of Iowa.

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

1 SECTION 1. Section three hundred fifty-seven A point eleven  
 2 (357A.11), Code 1958, is hereby amended as follows:

3 1. By inserting in line three (3) of such section after the word,  
 4 "equipment" the following:

5 "within the state or outside of the territorial jurisdiction and  
 6 boundary limits of the state of Iowa".

7 2. By striking from line five (5) of such section the words, "in said  
 8 benefited fire district" and inserting in lieu thereof the following:

9 "within the state or outside of the territorial jurisdiction and  
 10 boundary limits of the state of Iowa".

1 SEC. 2. Section three hundred sixty-eight point eleven (368.11),  
 2 Code 1958, is hereby amended by inserting after the word, "limits" in  
 3 line fourteen (14) of such section the following:

4 "and outside of the territorial jurisdiction and boundary limits of  
5 the state of Iowa,".

1 SEC. 3. Section three hundred fifty-nine point forty-two (359.42),  
2 Code 1958, is hereby amended as follows:

3 1. By striking from line five (5) of such section the words, "in said  
4 township" and inserting in lieu thereof the following:

5 "within the state or outside of the territorial jurisdiction and  
6 boundary limits of the state of Iowa,"

7 2. By adding after the word "town" at the end of such section the  
8 following:

9 "or benefited fire districts, within the state or outside of the terri-  
10 torial jurisdiction and boundary limits of the state of Iowa,".

Approved March 28, 1961.

## CHAPTER 195

### TOWNSHIP BUILDINGS

H. F. 87

AN ACT to raise the maximum tax for repairs and furnishing of township buildings.

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

1 SECTION 1. Section three hundred sixty point eight (360.8), Code  
2 1958, is hereby amended by adding after the period in line ten (10)  
3 the following: "Provided, that in counties with a population of seven-  
4 teen thousand (17,000) to seventeen thousand two hundred fifty  
5 (17,250) census 1960, where such buildings are of brick construction  
6 with at least one hundred thousand cubic feet of space, such tax may  
7 be one mill on the dollar."

Approved April 10, 1961.

## CHAPTER 196

### POPULATION OF CONSOLIDATED CITIES OR TOWNS

H. F. 158

AN ACT relating to the population of consolidated cities or towns.

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

1 SECTION 1. Chapter three hundred sixty-two (362), Code 1958,  
2 is hereby amended by adding thereto the following new section:

3 "When two cities or towns consolidate, the population of the city  
4 or town formed by such consolidation, for the purpose of distribution  
5 of funds, shall be the total population in accordance with the last  
6 decennial census of the combined cities or towns."

1 SEC. 2. This Act shall be retroactive and be effective from Janu-  
2 ary 1, 1960, except that it shall not apply to funds distributed before  
3 the effective date of this Act.

Approved March 30, 1961.

## CHAPTER 197

## ELECTIONS IN NEW TOWNS

H. F. 181

AN ACT relating to the terms of municipal officers in newly incorporated towns.

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

- 1 SECTION 1. Section three hundred sixty-two point ten (362.10),
- 2 Code 1958, is amended by striking from lines two (2), three (3) and
- 3 four (4) the words "their successors are elected at the general city
- 4 election held in the second March thereafter, and have qualified." and
- 5 inserting in lieu thereof the words "noon of the second secular day
- 6 in January of the next even-numbered year thereafter."

Approved March 28, 1961.

## CHAPTER 198

## CIVIL SERVICE IN CERTAIN CITIES

H. F. 156

AN ACT relating to civil service preferred lists in cities of fifty thousand or more population and to amend section three hundred sixty-five point eleven (365.11), Code 1958.

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

- 1 SECTION 1. Section three hundred sixty-five point eleven (365.11),
- 2 Code 1958, is amended by inserting, immediately following the first
- 3 paragraph thereof, the following new paragraph:
- 4 "In cities of fifty thousand or more population, the commission
- 5 shall hold in reserve a second list of the ten persons next highest in
- 6 standing, in order of their grade, or such number as may qualify and,
- 7 thereafter, if the list of ten persons provided in the first paragraph
- 8 hereof be exhausted within one year, may certify such second list of
- 9 persons to the council as eligible for appointment to fill such vacancies
- 10 as may exist."

Approved April 10, 1961.

## CHAPTER 199

## PUBLICATION OF MUNICIPAL ORDINANCES

H. F. 260

AN ACT relating to the frequency of publication by municipal corporations of ordinances in the form of a municipal code.

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

- 1 SECTION 1. Section three hundred sixty-six point seven (366.7),
- 2 Code 1958, is amended by striking from line four (4), subsection five
- 3 (5) the word "ten" and inserting in lieu thereof the word "five".



4 Further amend said section by adding at the end of subsection six  
5 (6) the following:

6 "When any municipal corporation has published its ordinances in  
7 the form of a loose-leaf municipal code and has published subse-  
8 quently-passed, revised, or amended ordinances in the manner pro-  
9 vided in this subsection, it shall have power to issue, from time to  
10 time, additional or replacement pages for insertion in such codes for  
11 the purpose of keeping the same current. Such additional or replace-  
12 ment pages shall be distributed or sold at cost in the same manner as  
13 is hereinabove provided with respect to sale and distribution of the  
14 Code."

15 Further amend said section by adding to subsection five (5) the  
16 following paragraph after the third line of paragraph "b":

17 "c. The ordinances, sections and subsections proposed to be amended  
18 and containing an explanation of the changes proposed. When a  
19 new ordinance is proposed for adoption as part of a municipal code,  
20 it shall be published as provided in subsection one (1)."

Approved May 12, 1961.

## CHAPTER 200

### MUNICIPAL BUILDINGS AND PROPERTY

S. F. 539

AN ACT to amend chapter three hundred sixty-eight (368), Code 1958, relating to municipal buildings and property.

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

1 SECTION 1. Section three hundred sixty-eight point eighteen  
2 (368.18), Code 1958, is hereby amended by adding a new subsection  
3 thereto as follows:

4 "3. In any municipal corporation having a population of fifty thou-  
5 sand (50,000) or more they shall have power by a three-fourths ( $\frac{3}{4}$ )  
6 majority vote of the council to lease a building and grounds for a  
7 municipal auditorium. The term of any lease for auditorium pur-  
8 poses shall not exceed twenty (20) years."

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 Waterloo  
3 Daily Courier, a newspaper published at Waterloo, Iowa, and in the  
4 Daily Record, a newspaper published at Cedar Falls, Iowa, at no ex-  
5 pense to the state.

Approved May 5, 1961.

I hereby certify that the foregoing Act, Senate File 539, was published in the Waterloo Daily Courier, Waterloo, Iowa, May 22, 1961, and in the Daily Record, Cedar Falls, Iowa, May 22, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 201

## JOINT CITY AND COUNTY BUILDINGS

## H. F. 486

AN ACT relating to the power of cities and counties to jointly undertake the erection of government buildings and to lease a portion thereof to the general public and to finance such undertaking by the issuance of revenue bonds.

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

1 SECTION 1. In addition to the provisions of sections three hundred  
2 sixty-eight point nineteen (368.19) to three hundred sixty-eight point  
3 twenty-three (368.23), inclusive, Code 1958, relating to the authority  
4 of, and prescribing the procedure to be followed by, a county and city  
5 or town in connection with the establishment of joint city and county  
6 buildings, any city or town in which a county seat is located and such  
7 county are authorized and empowered to erect, construct and main-  
8 tain a building or buildings for their joint use and occupancy and to  
9 meet the cost of the same in accordance with the following provisions.

1 SEC. 2. Any such building or buildings may contain such addi-  
2 tional space available for lease to the general public as may be agreed  
3 upon by the said city or town and county and may also include off-  
4 street parking facilities in accordance with the authorization con-  
5 tained in chapter three hundred ninety (390) of the Code.

1 SEC. 3. The cost of constructing and maintaining such joint build-  
2 ing or buildings as herein authorized shall be borne by the issuance  
3 of revenue bonds payable solely and only from the revenues derived  
4 from the operation and lease of such portions of the joint building  
5 or buildings not devoted to use and occupancy of such county and  
6 city or town. Such bonds may be issued in such amounts as may be  
7 necessary to provide sufficient funds to pay all costs of construction  
8 and operation of such joint building or buildings, and the additional  
9 facilities in connection therewith, including engineering and other  
10 expenses. Bonds issued under the provisions of this section are de-  
11 clared to be negotiable instruments. The principal and interest of  
12 said bonds shall be payable solely and only from the special fund here-  
13 in provided for, such payments and said bonds shall not in any respect  
14 be a general obligation of such county and city or town, nor shall  
15 they be payable in any manner by taxation. All details pertaining to  
16 the issuance of such bonds and the terms and conditions thereof shall  
17 be determined by resolution of the board of supervisors of the county  
18 and by ordinance adopted by the council or other governing body of  
19 the city or town. Said county and city or town may pledge the  
20 property constructed, and the net earnings thereof, to the payment of  
21 said bonds and the interest thereon, and provide that the net earnings  
22 thereof shall be set apart as a sinking fund for that purpose. Such  
23 county and city or town are authorized and directed to charge such  
24 fees and rentals at rates which at all times shall be sufficient to pay  
25 the principal and interest on the bonds issued under the provisions  
26 of this Act and the cost of operation and maintenance and to provide  
27 an adequate depreciation fund.

28 This section shall be construed as granting additional power, with-  
29 out limiting the power already existing in counties and cities or towns.

1 SEC. 4. Any joint building or buildings acquired, owned, erected,  
 2 constructed, controlled or occupied in accordance with the authoriza-  
 3 tion contained in this Act shall be and are hereby declared to be ac-  
 4 quired, owned, erected, constructed, controlled or occupied for a  
 5 public purpose and as a matter of public need.

1 SEC. 5. This Act being deemed of immediate importance shall be  
 2 in full force and effect immediately upon its publication in the  
 3 Marshalltown Times-Republican, a newspaper published at Marshall-  
 4 town, Iowa, and in The Cedar Rapids Gazette, a newspaper published  
 5 at Cedar Rapids, Iowa.

Approved April 18, 1961.

I hereby certify that the foregoing Act, House File 486, was published in the  
 Marshalltown Times-Republican, Marshalltown, Iowa, April 21, 1961, and in The Cedar  
 Rapids Gazette, Cedar Rapids, Iowa, April 21, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 202

### BONDS FOR CITY OR TOWN EMPLOYEES

H. F. 138

AN ACT relating to blanket bonds for city and town employees.

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

1 SECTION 1. Section three hundred sixty-eight A point one  
 2 (368A.1), Code 1958, is amended by striking lines six (6) and seven  
 3 (7) of subsection thirteen (13) and inserting in lieu thereof the  
 4 following:

5 "occasioned through the failure of such officers and employees to  
 6 faithfully perform their duties, or, in the alternative may purchase  
 7 a surety bond indemnifying it against any loss due to any fraudulent  
 8 or dishonest act of such officers and employees."

Approved April 26, 1961.

## CHAPTER 203

### COUNCIL PROCEEDINGS IN TOWNS

S. F. 164

AN ACT relating to public notice of council proceedings in towns.

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

1 SECTION 1. Section three hundred sixty-eight A point three  
 2 (368A.3), Code 1958, is amended by adding at the end of subsection  
 3 three (3) the following: "The provisions of this subsection shall be  
 4 fully applicable in towns in which a newspaper is published or in  
 5 towns of two hundred (200) population or over but in all other towns  
 6 the posting of such statement in three (3) public places shall be suffi-  
 7 cient compliance herewith."

1 SEC. 2. Amend section three hundred sixty-eight A point three  
 2 (368A.3), Code 1958, by adding after the first comma in line 20  
 3 thereof the following: "and said statement shall show the gross  
 4 amount of the claim,".

Approved May 4, 1961.

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## CHAPTER 204

### MUNICIPAL HOSPITALS

S. F. 327

AN ACT to amend chapter three hundred eighty (380), Code 1958, relating to municipal hospitals.

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

1 SECTION 1. Chapter three hundred eighty (380), Code 1958, is  
 2 hereby amended by adding thereto the following new section:  
 3 "In those cities and towns where there is a hospital presently in  
 4 existence under the terms and provisions of this chapter, the board  
 5 of trustees shall have the authority to establish and operate a nursing  
 6 home in conjunction with such hospital."

1 SEC. 2. Amend section three hundred eighty point six (380.6),  
 2 Code 1958, by adding after the word "thereof" in line six (6) the  
 3 following: "and shall annually prepare a condensed statement of the  
 4 total receipts and expenditures for said hospital and cause the same  
 5 to be published in a newspaper of general circulation in the city or  
 6 town in which said hospital is located".

Approved April 5, 1961.

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## CHAPTER 205

### BRIDGE COMMISSIONERS

H. F. 241

AN ACT relating to the terms of office of bridge commissioners.

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

1 SECTION 1. Section three hundred eighty-three point fourteen  
 2 (383.14), Code 1958, is hereby amended by striking from lines  
 3 twenty-one (21), twenty-two (22), twenty-three (23), and twenty-  
 4 four (24) the words "Such appointees shall be originally appointed  
 5 for terms of four years. Upon the expiration of such terms, appoint-  
 6 ments shall be made in like manner for terms of four years.", and  
 7 inserting in lieu thereof the following:  
 8 "The terms of commissioners shall be staggered. On appointments  
 9 made after July 4, 1961, two commissioners shall be appointed for a  
 10 term of two years, and two commissioners shall be appointed for a  
 11 term of four years. All future appointments shall be for a term of  
 12 four years."

Approved April 5, 1961.

## CHAPTER 206

## SIDEWALK IMPROVEMENTS

S. F. 160

AN ACT to provide a method for the construction, reconstruction and repair of sidewalks alternate to that provided in chapter two hundred eighty-six (286), Acts of the Fifty-eighth General Assembly, by reenacting certain sections of the 1958 Code of Iowa which were therein repealed.

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

1 SECTION 1. Chapter three hundred eighty-nine (389), Code 1958,  
2 is amended by adding the following section:

3 "Permanent sidewalks. Cities and towns shall have power to pro-  
4 vide for the construction, reconstruction, and repair of permanent  
5 sidewalks upon any street, highway, avenue, public ground, wharf,  
6 landing, or market place within the limits of such city or town; and  
7 to assess the cost thereof on the lots or parcels of land in front of  
8 which the same shall be constructed; but the construction of perma-  
9 nent sidewalks shall not be made until the bed of the same shall have  
10 been graded so that, when completed, such sidewalks will be at the  
11 established grade.

12 "Unless the owners of a majority of the linear feet of the property  
13 fronting on said improvements petition the council therefor, the same  
14 shall not be made unless three-fourths of all the members of the coun-  
15 cil shall by vote order the making thereof."

1 SEC. 2. Chapter three hundred eighty-nine (389), Code 1958, is  
2 amended by adding the following section:

3 "Objections. All objections to the cost of construction of perma-  
4 nent sidewalks, as provided by the Code, against the lots or parcels  
5 of land in front of which the same are constructed, and all objections  
6 to the prior proceedings, on account of errors, irregularities, or in-  
7 equalities, must be made in writing and filed with the city clerk prior  
8 to the date fixed for said assessment; and all objections not so made  
9 shall be deemed waived, except where fraud is shown."

1 SEC. 3. Chapter three hundred eighty-nine (389), Code 1958, is  
2 amended by adding the following section:

3 "Payment under waiver. Unless the owner of any lot or parcel of  
4 land against which an assessment for permanent sidewalk is made  
5 shall within thirty (30) days from the date of assessment file  
6 written objections to the legality or regularity of the assessment or  
7 levy of such tax upon and against his property, such owner shall be  
8 deemed to have waived objections on these grounds, and shall have the  
9 right to pay said assessment with interest thereon not exceeding six  
10 (6) percent per annum in seven (7) equal annual installments, the  
11 first of which shall mature and be payable on the date of said assess-  
12 ment and the others, with interest on the whole amount unpaid, annu-  
13 ally thereafter, at the same time and in the same manner as the March  
14 semi-annual payment of ordinary taxes, provided that if the aggregate  
15 of all assessments against the property of an owner is twenty-five (25)  
16 dollars or less, such assessments shall be paid in one (1) installment  
17 and within thirty (30) days following the levy."

1 SEC. 4. Chapter three hundred eighty-nine (389), Code 1958, is  
2 amended by adding the following section:

3 "Delinquent tax. Each installment of such taxes, with interest,  
4 shall become delinquent on the first day of March next after its ma-  
5 turity and shall bear the same rate of interest, with the same penalties  
6 as ordinary taxes."

1 SEC. 5. Chapter three hundred eighty-nine (389), Code 1958, is  
2 amended by adding the following section:

3 "Certificates of levy—lien. A certificate of levy of such special  
4 assessment, fixing the number of installments and the time when pay-  
5 able, certified as correct by the city clerk, shall be filed with the audi-  
6 tor of the county, or each of the counties, in which the city is situated  
7 and thereupon said special assessment, as shown therein, shall be  
8 placed on the tax list of the proper county and said taxes and special  
9 assessment, with all interest and penalties thereon, shall become and  
10 remain a lien upon such lot or parcel of land until the same is paid;  
11 and said lien shall have precedence over all other liens, except ordinary  
12 taxes."

1 SEC. 6. Chapter three hundred eighty-nine (389), Code 1958,  
2 is amended by adding the following section:

3 "Certificates—effect. Such certificate shall be the same as certifi-  
4 cates of the levy of special assessments for street improvements, and  
5 shall create the same rights and liabilities and the same procedure  
6 shall apply thereto."

Approved March 14, 1961.

## CHAPTER 207

### PARKING FACILITIES

#### S. F. 290

AN ACT to amend chapter three hundred ninety (390), Code 1958, relating to erection of privately owned parking facilities upon public land in cities of seventy-five thousand (75,000) or more population.

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

1 SECTION 1. Section three hundred ninety point five (390.5), Code  
2 1958, is amended by adding the following:

3 "However, in cities of seventy-five thousand (75,000) or more popu-  
4 lation such land may be leased and rented to other persons, firms or  
5 corporations for a period not to exceed seventy-five (75) years upon  
6 the condition that the lessee erect thereon a parking facility of design  
7 and function first approved by said city and that such parking facility  
8 become the property of the city upon the expiration or termination  
9 of such lease. Such facility shall be and remain taxable until it be-  
10 comes the property of the city."

1 SEC. 2. Section three hundred ninety point eleven (390.11), Code  
2 1958, is amended by adding the following:

3 "This section shall not be construed as prohibiting the lessee of a  
4 city of seventy-five thousand (75,000) or more population from in-

5 cluding shop, office space or space for other uses permitted by the  
 6 zoning ordinance of the city within the design of any multi-story  
 7 parking facility erected by such lessee pursuant to the terms of a lease  
 8 authorized by section three hundred ninety point five (390.5) and sub-  
 9 leasing such space subject to approval by the said city, and the same  
 10 is hereby expressly authorized."

Approved May 3, 1961.

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## CHAPTER 208

### PARKING FACILITIES

H. F. 537

AN ACT relating to financing of parking facilities in cities and towns.

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

1 SECTION 1. Sections three hundred ninety point thirteen (390.13)  
 2 to three hundred ninety point fifteen (390.15), inclusive, Code 1958,  
 3 are hereby repealed and the following enacted in lieu thereof:

4 "Cities and towns, when authorized by an election, are hereby auth-  
 5 orized to contract indebtedness and to issue general obligation bonds  
 6 to provide funds to pay the cost of acquiring real estate for off-street  
 7 parking areas and the erection or improvement of parking facilities  
 8 as provided in section three hundred ninety point one (390.1). Said  
 9 election shall be conducted as provided for in chapter four hundred  
 10 seven (407) of the Code and may be called on motion of the council  
 11 without a petition.

12 "Taxes for the payment of said bonds shall be levied in accordance  
 13 with chapter seventy-six (76) of the Code, and said bonds shall be  
 14 payable through the debt service fund in not more than twenty years,  
 15 and bear interest at a rate not exceeding five percent per annum, and  
 16 shall be of such form as the city or town council shall by resolution  
 17 provide, but no city or town shall become indebted in excess of five  
 18 percent of the actual value of the taxable property within said city  
 19 or town, as shown by the last preceding state and county tax lists.  
 20 The indebtedness incurred for the purpose provided in this section  
 21 shall not be considered an indebtedness incurred for general or ordi-  
 22 nary purposes.

23 This section shall be construed as granting additional power with-  
 24 out limiting the power already existing in cities and towns.

25 The provisions of this section shall be applicable to all municipal  
 26 corporations regardless of form of government or manner of incorpo-  
 27 ration."

Approved April 26, 1961.

## CHAPTER 209

## STREET IMPROVEMENTS

S. F. 463

AN ACT relating to street improvements.

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

1 SECTION 1. Amend subsection one (1) of section three hundred  
 2 ninety-one point two (391.2), Code 1958, by adding after the word  
 3 "improvements" in line seven (7) the following: ", and cities of less  
 4 than 5000 population may contract with adjoining cities or with  
 5 counties in which they are located for such street construction and  
 6 maintenance, at cost to be paid by the municipalities for which the  
 7 work is done."

Approved May 15, 1961.

## CHAPTER 210

## JOINT MUNICIPAL SEWERS

S. F. 357

AN ACT relating to joint use of municipal sewers.

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

1 SECTION 1. Section three hundred ninety-two point one (392.1),  
 2 Code 1958, is hereby repealed and the following enacted in lieu  
 3 thereof:  
 4 "When the governing bodies of two (2) or more cities or towns shall  
 5 determine that it would be beneficial to the health, safety, or welfare  
 6 of the inhabitants of such cities or towns to make joint use of all  
 7 or any part of the sanitary sewer system and/or sewage disposal  
 8 facilities of any or all of such cities or towns, or to construct a sani-  
 9 tary sewer system and/or sanitary sewage disposal facilities to be  
 10 used jointly by said cities or towns, they are authorized to contract  
 11 with each other for such joint use, including an annual charge for the  
 12 same, and to finance the construction, acquisition and maintenance  
 13 of said sanitary sewer system and/or sewage disposal facilities by  
 14 any or all of the methods outlined in section three hundred ninety-two  
 15 point eleven (392.11), Code 1958, as amended, or by any other method  
 16 legally available to them under any other provision of the Code."

1 SEC. 2. Section three hundred ninety-two point eleven (392.11),  
 2 Code 1958, is amended by striking all of said section after the word  
 3 "herein" in line seven (7) and inserting in lieu thereof the following:  
 4 "and such bonds and certificates shall be payable in not more than  
 5 twenty (20) annual installments and at interest not exceeding five  
 6 (5) per cent per annum, and shall be payable in such place and be in  
 7 such form as the governing body shall designate by resolution or  
 8 ordinance. Such bonds and certificates may be sold to meet the project  
 9 cost in whole or in part. Project construction cost may also be met  
 10 by any or all of the following methods:



11 1. Issuing general obligation sewer bonds authorized by section  
 12 three hundred ninety-six point twenty-two (396.22), Code 1958, or  
 13 any other applicable provision of the Code now or hereafter adopted;  
 14 2. Issuing revenue bonds in accordance with chapter three hundred  
 15 ninety-four (394) of the Code;  
 16 3. Establishing rates or charges for the maintenance and for the  
 17 use of and the service rendered by the sanitary sewer system and/or  
 18 sewage disposal facility in accordance with the provisions of chapters  
 19 three hundred ninety-three (393) and three hundred ninety-four  
 20 (394) of the Code."

1 SEC. 3. This Act being deemed of immediate importance shall  
 2 take effect and be in force from and after its passage and publication  
 3 in *The Marion Sentinel & Linn County Farmer*, a newspaper published  
 4 at Marion, Iowa, and in *The Cedar Rapids Gazette*, a newspaper  
 5 published at Cedar Rapids, Iowa.

Approved March 30, 1961.

I hereby certify that the foregoing Act, Senate File 357, was published in *The Marion Sentinel & Linn County Farmer*, Marion, Iowa, April 13, 1961, and in *The Cedar Rapids Gazette*, Cedar Rapids, Iowa, April 6, 1961.

MELVIN D. SYNHORST, *Secretary of State*.

## CHAPTER 211

### MUNICIPAL SEWER BONDS

H. F. 148\*

AN ACT relating to the issuance of joint municipal sewer bonds.

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

1 SECTION 1. Section three hundred ninety-two point eleven  
 2 (392.11), Code 1958, is amended by striking from line nine (9) the  
 3 figures "408.10" and inserting in lieu thereof the figures "408.17".

Approved March 6, 1961.

\*This Act cannot be applied. See chapter 210, §2.

## CHAPTER 212

### SEWERS AND WATERWORKS

S. F. 191

AN ACT to amend, clarify, broaden and improve the laws of the state of Iowa concerning municipal sanitary sewer and waterworks systems.

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

1 SECTION 1. Section three hundred ninety-three point one (393.1),  
 2 Code 1958, is amended by inserting immediately following the word  
 3 "works" in line five (5) of said section the words, "or is contracting  
 4 with an adjoining or nearby municipality for the use of all or part of  
 5 the sanitary sewer system of said other municipality,".

1 SEC. 2. Section three hundred ninety-three point seven (393.7),  
2 Code 1958, is hereby repealed and the following enacted in lieu  
3 thereof:

4 "Said sewer rentals, charges or rates may supplant or replace, in  
5 whole or in part, any millage levy taxes which may be, or have been,  
6 authorized by resolution of the council of the municipality for any  
7 of the following purposes:

8 "1. To meet interest and principal payments on bonds legally au-  
9 thorized for the financing of such sanitary utilities in any manner;

10 "2. To pay any costs of the construction, maintenance or repair  
11 of such sanitary facilities or utilities, including payments to be made  
12 under any contract between municipalities for either the joint use of  
13 sewerage or sewage facilities, or for the use by one municipality of  
14 all or a part of the sewerage or sewer system of another municipality.

15 "And when such sewer rental ordinance has been passed and put  
16 into effect, prior ordinances or resolutions providing for millage taxes  
17 against real and personal property for such purposes, or the portion  
18 thereof replaced, may be rescinded, repealed or rendered inactive."

1 SEC. 3. Section three hundred ninety-three point eight (393.8),  
2 Code 1958 is hereby repealed and the following enacted in lieu thereof:

3 "Any and all funds, rentals, charges or rates collected under the  
4 provisions of this chapter shall be remitted or turned over to the city  
5 treasurer, at regularly established intervals by the officer charged  
6 with their collection and all such collections shall be kept in a separate  
7 and distinct part of the Sanitation Fund, to be known as the 'Sewer  
8 Rentals Fund' and disbursed only for the purposes set forth, either  
9 expressly or by reference, in this chapter, as such purposes may be  
10 further limited by the town or city council pursuant to ordinance  
11 duly adopted thereby."

1 SEC. 4. Any municipality in which is located a state institution  
2 of higher learning under the control of the board of regents may  
3 purchase a privately owned waterworks and its entire distribution  
4 system, including such portions of the system which are located in  
5 nearby or adjacent municipalities and areas. Any such municipality  
6 shall finance, maintain and operate such waterworks under the pro-  
7 visions of chapters three hundred ninety-seven (397), three hundred  
8 ninety-eight (398) and three hundred ninety-nine (399), where appli-  
9 cable, except as otherwise provided in sections five (5) through eight  
10 (8) of this Act.

1 SEC. 5. When any such municipality described in section four (4)  
2 of this Act purchases a waterworks, any right, title or interest in the  
3 waterworks property may be transferred to such municipality in-  
4 cluding property located in nearby or adjacent municipalities and  
5 areas. Such municipality is hereby authorized to acquire any right,  
6 title or interest of such waterworks property.

1 SEC. 6. Any such municipality described in section four (4) of  
2 this Act which purchases a privately owned waterworks may contract  
3 with persons, corporations and municipalities located in nearby or  
4 adjacent areas to provide water services and extensions of water  
5 services to such areas. The provisions of section three hundred

6 ninety-seven point twenty-seven (397.27) of the Code shall not apply  
7 to such municipalities.

1 SEC. 7. Any contract for water services between the municipali-  
2 ties described in section six (6) of this Act shall not become effective  
3 until the following procedures have been followed:

4 1. The proposed contract shall be adopted by the council of both  
5 municipalities.

6 2. Notice of the adoption of such contract shall be published in at  
7 least one newspaper of general circulation in the county where the  
8 municipalities are located at least once each week for two consecutive  
9 weeks. Such notice shall set forth the terms of the proposed contract.

10 3. If within twenty days of the first publication of the notice, a  
11 petition is filed with the clerk of either municipality requesting that  
12 the question of whether to approve such proposed contract be sub-  
13 mitted to an election, such election shall be held in the municipality  
14 whose qualified voters make such petition. The petition must be  
15 signed by a number of qualified voters of such municipality at least  
16 equal to twenty percent of the votes cast by such municipality for  
17 governor at the last general election. Notice and time of such elec-  
18 tion shall be governed by section three hundred ninety-seven point  
19 seven (397.7) of the Code. The contract shall become effective only  
20 if a majority of the votes cast in such election are in favor of such  
21 contract.

22 4. If a petition is not filed within twenty days as provided in sub-  
23 section three (3) of this section, the contract shall become effective  
24 without a vote of the electors.

1 SEC. 8. Cities and towns which are located nearby or adjacent to  
2 institutions under the control of the state board of regents shall have  
3 power to acquire, own, construct, establish, purchase, maintain, alter  
4 and operate a waterworks plant, distribution lines, or any part there-  
5 of, in cooperation with any institution under the control of the state  
6 board of regents, located nearby or adjacent to said city or town, and  
7 receive from any such state-controlled institution, financial grants and  
8 assistance for the purchase, construction, operation, and maintenance  
9 of such waterworks utility, and to serve said state-controlled institu-  
10 tion as a customer upon such terms and conditions as may be made  
11 between such institution and the city or town, and to do all acts nec-  
12 essary for carrying out the purposes of this section, whether said  
13 state-controlled institution and the waterworks utility or any part  
14 thereof, lies within or without the corporate limits of any such city  
15 or town, and to finance the cost thereof by the issuance of bonds  
16 under the provisions of chapters three hundred ninety-seven (397),  
17 three hundred ninety-eight (398) and three hundred ninety-nine  
18 (399), as the same may be applicable.

Approved May 2, 1961.

## CHAPTER 213

## SEWAGE WORKS BONDS

## S. F. 242

AN ACT to add a new section to chapter three hundred ninety-four (394), Code 1958, to authorize the issuance by cities and towns of refunding bonds payable only out of the net earnings of municipally owned sewage works and facilities and providing for the sale of such refunding bonds or their exchange for the bonds or obligations to be refunded.

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

1 SECTION 1. Chapter three hundred ninety-four (394), Code 1958,  
2 is hereby amended by adding thereto a new section reading as follows:  
3 "Cities and towns are hereby authorized to issue from time to time  
4 negotiable interest bearing refunding bonds to refund at maturity  
5 or pursuant to redemption provisions or at any time before maturity  
6 with the consent of the holders thereof a like principal amount of out-  
7 standing revenue bonds or obligations previously issued by such mu-  
8 nicipalities pursuant to the provisions of this chapter to pay the cost  
9 of acquiring, constructing, equipping, extending or improving works  
10 and facilities useful and convenient for the collection, treatment, puri-  
11 fication and disposal in a sanitary manner of the liquid and solid waste,  
12 sewage and industrial waste of any such city or town. All such refund-  
13 ing bonds shall comply with the pertinent provisions of this chapter  
14 and may be made subject to redemption in such manner and upon such  
15 terms, with or without premium, as is stated on the face thereof.  
16 Such refunding bonds shall be payable only from the net earnings of  
17 such works and facilities and shall not constitute a general obliga-  
18 tion of any such city or town or be payable in any manner by taxation.  
19 Such refunding bonds may be issued in exchange for the outstanding  
20 bonds or obligations to be refunded or such refunding bonds may  
21 be sold and the proceeds thereof applied to the payment of such out-  
22 standing bonds or obligations."

1 SEC. 2. This Act being deemed of immediate importance shall take  
2 effect and be in force from and after its passage and publication in  
3 the Sioux City Journal, a newspaper published in Sioux City, Iowa,  
4 and in The Anthon Herald, a newspaper published in Anthon, Iowa,  
5 without expense to the state.

Approved May 2, 1961.

I hereby certify that the foregoing Act, Senate File 242, was published in the Sioux City Journal, Sioux City, Iowa, May 11, 1961, and in The Anthon Herald, Anthon, Iowa, May 17, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 214

## PUBLIC UTILITY PLANTS

S. F. 143

AN ACT relating to management of public utility plants.

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

1 SECTION 1. Chapter three hundred ninety-seven (397), Code 1958,  
2 is amended by adding the following:  
3 "The council of any city or town, which has placed or may hereaf-  
4 ter place the management and control of its waterworks, sewage dis-  
5 posal plant, heating plant, gasworks, or electric light or electric power  
6 plant in one or more board of trustees, may, and upon the petition of  
7 ten percent of the qualified electors of said city or town shall, at any  
8 general election, or at a special election called for that purpose, sub-  
9 mit the question as to whether the management and control of such  
10 waterworks, sewage disposal plant, heating plant, gasworks, or elec-  
11 tric light or electric power plant shall be consolidated in one board of  
12 trustees."

Approved April 18, 1961.

## CHAPTER 215

## LOW-RENT HOUSING LAW

H. F. 187

AN ACT relating to low-rent housing.

WHEREAS, it is hereby declared: (a) that there exist in municipalities in the state, insanitary, unsafe and overcrowded dwelling accommodations; that in such municipalities within the state there is a shortage of safe or sanitary dwelling accommodations available at rents or prices which persons of low income can afford and that such shortage forces such persons to occupy insanitary, unsafe and overcrowded dwelling accommodations; (b) that the aforesaid conditions cause an increase in and spread of disease and crime and constitute a menace to the health, safety, morals and welfare of the residents of the state; that these conditions necessitate excessive and disproportionate expenditures of public funds for crime prevention and punishment, public health and safety, fire and accident protection, and other public services and facilities; (c) that these slum areas cannot be cleared, nor can the shortage of safe and sanitary dwellings for persons of low income be relieved through the operation of private enterprise, and that the construction of housing projects for persons of low income (as herein defined) would therefore not be competitive with private enterprise; (d) that the construction of such projects would make housing available for persons of low income who are displaced in the rehabilitation, clearance and redevelopment of slums and blighted areas or as the result of other governmental action, and for veterans of low income who are unable to provide themselves with decent housing on the basis of the benefits heretofore made available to them through certain government guarantees of loans to veterans for the purchase of residential property; (e) that the clearance, replanning and preparation for rebuild-

ing of these areas and the providing of safe and sanitary dwelling accommodations for persons of low income are public uses and purposes for which public money may be spent and private property acquired and are governmental functions of state concern; (f) that residential construction activity is closely correlated with general economic activity and that the undertakings authorized by this chapter to aid the production of better housing and more desirable neighborhood and community development at lower costs will make possible a more stable and larger volume of residential construction which will assist materially in maintaining full employment; and that the necessity in the public interest for the provisions hereinafter enacted is hereby declared as a matter of legislative determination; Now Therefore

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

1 SECTION 1. Short title. This chapter shall be known and may  
2 be cited as the Low-Rent Housing Law.

1 SEC. 2. Definitions. The following terms, wherever used or referred to in this chapter, shall have the following respective meanings, unless a different meaning clearly appears from the context:

4 1. "Municipality" shall mean any city, town or county in the state.

5 2. "State public body" means any city, county, township, municipal  
6 corporation, commission, district or other subdivision or public body  
7 of the state.

8 3. "Local governing body" shall mean the council or other legislative  
9 body charged with governing the municipality.

10 4. "Mayor" means the mayor of the municipality or the officer  
11 thereof charged with the duties customarily imposed on the mayor  
12 or executive head of a municipality.

13 5. "Clerk" means the clerk of the municipality or the officer charged  
14 with the duties customarily imposed on such clerk.

15 6. "Area of operation" includes (a) all of a municipality and  
16 (b) any area adjacent to and within one mile of such municipality,  
17 provided that the governing body of such adjacent area approves  
18 and consents.

19 7. "Federal government" includes the United States of America,  
20 the Public Housing Administration, or any other agency or instru-  
21 mentality, corporate or otherwise of the United States of America.

22 8. "Slum" means any area where dwellings predominate which by  
23 reason of dilapidation, overcrowding, faulty arrangement or design,  
24 lack of ventilation, light or sanitary facilities, or any combination of  
25 these factors, are detrimental to safety, health and morals.

26 9. "Housing project" or "project" means any work or undertaking:  
27 (a) to demolish, clear or remove buildings from any slum areas; or  
28 (b) to provide decent, safe and sanitary urban or rural dwellings,  
29 apartments or other living accommodations for persons of low in-  
30 come; or (c) to accomplish a combination of the foregoing. Such  
31 work or undertaking may include buildings, land, equipment, facilities  
32 and other real or personal property for necessary, convenient or des-  
33 irable appurtenances, streets, sewers, water service, utilities, parks,  
34 site preparation, landscaping, administrative, community, health rec-  
35 reational, welfare or other purposes. The term "housing project"  
36 or "project" also may be applied to the planning of the buildings and  
37 improvements, the acquisition of property, the demolition of existing

38 structures, the construction, reconstruction, alteration or repair of  
39 the improvements and all other work in connection therewith, and the  
40 term shall include all other real and personal property and all tangible  
41 or intangible assets held or used in connection with the housing  
42 project.

43 10. (a) "Persons of low income" means persons or families whose  
44 combined gross income does not exceed thirty-six hundred (3,600)  
45 dollars per annum, except that in case of families with one or more  
46 dependents said annual income shall not exceed an additional one  
47 hundred (100) dollars for each such dependent. When the annual  
48 income of the person or family exceeds thirty-six hundred (3,600)  
49 dollars plus one hundred (100) dollars for each such dependent by  
50 the sum of six hundred (600) dollars he shall be required to vacate  
51 within six (6) months.

52 (b) "Gross income" shall mean the adjusted gross income as de-  
53 fined by the Federal Internal Revenue Code increased by the amount  
54 of government or private retirement or disability pensions and pay-  
55 ments received, and excluding the first five hundred (500) dollars  
56 of earnings of students who attended a regular public or private  
57 school for a period of at least five (5) months of the previous calendar  
58 year.

59 (c) "Dependent" means members of the household, other than the  
60 spouse or head of the household, who qualify as dependents under the  
61 Federal Internal Revenue Code.

62 11. "Bonds" means any bonds, notes, interim certificates, debentures  
63 or other obligations issued by a municipality pursuant to this chapter.

64 12. "Real property" includes all lands, including improvements and  
65 fixtures thereon, and property of any nature appurtenant thereto, or  
66 used in connection therewith, and every estate, interest and right,  
67 legal or equitable, therein, including terms for years.

68 13. "Obligee" includes any bondholder, agent or trustee for any  
69 bondholder, or lessor demising to a municipality, property used in  
70 connection with a project, or any assignee or assignees of such lessor's  
71 interest or any part thereof, and the federal government when it  
72 is a party to any contract with the municipality in respect to a hous-  
73 ing project.

74 14. "Persons engaged in national defense activities" means persons  
75 in the armed forces of the United States; employees of the Depart-  
76 ment of Defense; and workers engaged or to be engaged in activities  
77 connected with national defense. The term also includes the families  
78 of the persons, employees and workers who reside with them.

79 15. "Major disaster" means any flood, drought, fire, hurricane,  
80 earthquake, storm or other catastrophe which, in the determination of  
81 the governing body, is of sufficient severity and magnitude to warrant  
82 the use of available resources of the federal, state and local govern-  
83 ments to alleviate the damage, hardship or suffering caused thereby.

84 16. An "Agreement" of any municipality authorized by this chap-  
85 ter with respect to a housing project, means a resolution or resolu-  
86 tions of the governing body of such municipality setting forth the  
87 action to be taken on the matter determined. Such resolutions shall  
88 be deemed to be agreements made for the benefit of the holders of  
89 bonds then outstanding or thereafter issued in connection with such  
90 project and for the benefit of any person, firm, corporation, state  
91 public body or the federal government which has agreed or thereafter

92 agrees to make a grant or annual contribution for or in aid of such  
93 project.

1. SEC. 3. Powers. Every municipality in addition to other powers  
2 conferred by this or any other chapter, shall have power:

3 1. To prepare, carry out, and operate housing projects and to pro-  
4 vide for the construction, reconstruction, improvement, extension, al-  
5 teration or repair of any housing project or any part thereof.

6 2. To undertake and carry out studies and analyses of the housing  
7 needs and of the meeting of such needs (including data with respect  
8 to population and family groups and the distribution thereof accord-  
9 ing to income groups, the amount and quality of available housing and  
10 its distribution according to rentals and sales prices, employment,  
11 wages and other factors affecting the local housing needs and the  
12 meeting thereof) and to make the results of such studies and analyses  
13 available to the public and the building, housing and supply indus-  
14 tries; and to engage in research and disseminate information on hous-  
15 ing and slum clearance.

16 3. To arrange or contract for the furnishing by any person or  
17 agency, public or private, of services, privileges, works or facilities  
18 for, or in connection with, a housing project or the occupants thereof;  
19 and (notwithstanding anything to the contrary contained in this  
20 Act or in any other provision of law) to agree to any conditions at-  
21 tached to federal financial assistance relating to the determination  
22 of prevailing salaries or wages or payment of not less than prevailing  
23 salaries or wages or compliance with labor standards, in the develop-  
24 ment or administration of projects, and to include in any contract  
25 let in connection with a project, stipulations requiring that the con-  
26 tractor and any subcontractor comply with requirements as to mini-  
27 mum salaries or wages and maximum hours of labor, and comply  
28 with any conditions which the federal government may have attached  
29 to its financial aid of the project.

30 4. To lease or rent any dwellings, accommodations, lands, buildings,  
31 structures or facilities embraced in any project and (subject to the  
32 limitations contained in this chapter with respect to the rental of  
33 dwellings in housing projects) to establish and revise the rents or  
34 charges therefor; to own, hold and improve real or personal property;  
35 to purchase, lease, obtain options upon, acquire by gift, grant, be-  
36 quest, devise or otherwise any real or personal property or any inter-  
37 est therein; to acquire by the exercise of the power of eminent do-  
38 main any real property; to sell, lease, exchange, transfer, assign,  
39 pledge or dispose of any real or personal property or any interest  
40 therein; to insure or provide for the insurance, in any stock or mutual  
41 company of any real or personal property or operations of the mu-  
42 nicipality against any risks or hazards; to procure or agree to the  
43 procurement of federal or state government insurance or guarantees  
44 of the payment of any bonds or parts thereof issued by a municipality,  
45 including the power to pay premiums on any such insurance.

46 5. To invest any funds held in connection with a housing project  
47 in reserve or sinking funds, or any fund not required for immediate  
48 disbursement, in property or securities which banks designated as  
49 state depositories may use to secure the deposit of state funds; to  
50 redeem its bonds at the redemption price established therein or to  
51 purchase its bonds at less than such redemption price, all bonds so



52 redeemed or purchased to be cancelled.

53 6. To determine where slum areas exist or where there is unsafe, in-  
54 sanitary or overcrowded housing; to make studies and recommenda-  
55 tions relating to the problem of clearing, replanning and reconstruct-  
56 ing of slum areas and the problem of eliminating unsafe, insanitary or  
57 overcrowded housing and providing dwelling accommodations for  
58 persons of low income; and to co-operate with any state public body  
59 in action taken in connection with these problems.

60 7. To conduct examinations and investigations and to hear testi-  
61 mony and take proof under oath at public or private hearings on any  
62 matter material for its information; to administer oaths, issue sub-  
63 poenas requiring the attendance of witnesses or the production of  
64 books and papers and to issue commissions for the examination of  
65 witnesses who are outside of the state or unable to attend or excused  
66 from attendance; to make available to appropriate agencies (includ-  
67 ing those charged with the duty of abating or requiring the correc-  
68 tion of nuisances or like conditions or of demolishing unsafe or in-  
69 sanitary structures within its area of operation) its findings and  
70 recommendations with regard to any building or property where  
71 conditions exist which are dangerous to the public health, morals,  
72 safety or welfare.

73 8. To, within its area of operation, enter into any building or prop-  
74 erty in any municipal housing area in order to make inspections,  
75 surveys, appraisals, soundings or test borings, and to obtain an order  
76 for this purpose from a court of competent jurisdiction in the event  
77 entry is denied or resisted.

78 9. To exercise all or any part or combination of powers herein  
79 granted. No provision of law with respect to the acquisition, opera-  
80 tion or disposition of property by public bodies shall be applicable to  
81 a municipality in its operations pursuant to this chapter unless the  
82 legislature shall specifically so state.

1 SEC. 4. Aid from federal government. In addition to the powers  
2 conferred upon a municipality by other provisions of this chapter, a  
3 municipality is empowered to borrow money or accept contributions,  
4 grants or other financial assistance from the federal government for  
5 or in aid of any housing project within its area of operation, to take  
6 over, lease or manage any project or undertaking constructed or  
7 owned by the federal government, and to these ends, to comply with  
8 such conditions and enter into such contracts, covenants, mortgages,  
9 trust indentures, leases or agreements as may be necessary, conveni-  
10 ent or desirable. It is the purpose and intent of this chapter to au-  
11 thorize every municipality to do any and all things necessary or de-  
12 sirable to secure the financial aid or co-operation of the federal gov-  
13 ernment in the undertaking, construction, maintenance or operation  
14 of any housing project by such municipality. To accomplish this pur-  
15 pose a municipality, notwithstanding the provisions of any other law,  
16 may include in any contract for financial assistance with the federal  
17 government any provisions, which the federal government may re-  
18 quire as conditions to its financial aid of a housing project, not in-  
19 consistent with the purposes of this chapter.

1 SEC. 5. Exercise of municipal housing powers. A municipality,  
2 acting through its local governing body, may itself exercise all the  
3 powers in connection with municipal housing as defined in this chap-

4 ter, or may, in its discretion, exercise such powers through a board or  
5 commission or through such officers of the municipality as the local  
6 governing body may by resolution determine. In the event a municipi-  
7 pality exercises its urban renewal project powers, as provided in  
8 chapter 403 of the Code of Iowa, through an urban renewal board or  
9 commission, and in its discretion chooses to exercise its municipal  
10 housing powers as defined in this chapter through a board or com-  
11 mission, only one board or commission shall be appointed which shall  
12 act with reference to both urban renewal and municipal housing  
13 projects.

14 No municipality shall exercise the authority herein conferred upon  
15 municipalities by this chapter until after its local governing body  
16 shall have held a public hearing on a housing project under consider-  
17 ation; which public hearing shall be only after public notice thereof  
18 by publication in a newspaper having a general circulation in the  
19 area of operation of the municipality. The notice shall describe the  
20 time, date, place and purpose of the hearing, shall generally identify  
21 the location for the housing project under consideration and shall  
22 outline the general scope of the housing project plan under consider-  
23 ation.

1 **SEC. 6. Operation of housing not for profit.** It is hereby declared  
2 to be the policy of this state that each municipality shall manage and  
3 operate its housing projects in an efficient manner so as to enable it  
4 to fix the rentals or payments for dwelling accommodations at low  
5 rates consistent with its providing decent, safe and sanitary dwelling  
6 accommodations for persons of low income, and that no municipality  
7 shall construct or operate any housing project for profit, or as a source  
8 of revenue to the municipality. To this end the municipality shall fix  
9 the rentals or payments for dwellings in its projects at no higher rates  
10 than it shall find to be necessary in order to produce revenues which  
11 (together with all other available moneys, revenues, income and re-  
12 cepts in connection with or for such projects from whatever sources  
13 derived, including federal financial assistance) will be sufficient (1)  
14 to pay, as the same become due, the principal and interest on the bonds  
15 issued pursuant to this chapter; (2) to create and maintain such re-  
16 serves as may be required to assure the payment of principal and  
17 interest as it becomes due on such bonds; (3) to meet the cost of,  
18 and to provide for, maintaining and operating the projects (including  
19 necessary reserves therefor and the cost of any insurance, and of ad-  
20 ministrative expenses); and (4) to make such payments in lieu of taxes  
21 and, after payment in full of all obligations for which federal annual  
22 contributions are pledged, to make such repayments of federal and  
23 local contributions as it determines are consistent with the main-  
24 tenance of the low-rent character of projects. Rentals or payments  
25 for dwellings shall be established and the projects administered, in so  
26 far as possible, so as to assure that any federal financial assistance  
27 required shall be strictly limited to amounts and periods necessary  
28 to maintain the low-rent character of the projects.

1 **SEC. 7. Housing rentals and tenant admissions.** A municipality  
2 shall (1) rent or lease the dwelling accommodations in a housing  
3 project only to persons or families of low income and at rentals within  
4 their financial reach; (2) rent or lease to a tenant such dwelling

5 accommodations consisting of the number of rooms which it deems  
6 necessary to provide safe and sanitary accommodations to the pro-  
7 posed occupants thereof, without overcrowding; and (3) fix income  
8 limits for occupancy and rents after taking into consideration (a)  
9 the family size, composition, age, physical handicaps, and other fac-  
10 tors which might affect the rent-paying ability of the person or fam-  
11 ily, and (b) the economic factors which affect the financial stability  
12 and solvency of the project. Provided, however, such determination  
13 of eligibility shall be within the limits of the income limits herein-  
14 before set out.

15 Nothing contained in this or the preceding section shall be con-  
16 strued on limiting the power of a municipality with respect to a  
17 housing project, to vest in an obligee the right, in the event of a  
18 default by the municipality, to take possession or cause the appoint-  
19 ment of a receiver thereof, free from all the restrictions imposed by  
20 this or the preceding section.

1 **SEC. 8. Dwellings for disaster victims and defense workers.** Not-  
2 withstanding the provisions of this or any other Act relating to rent-  
3 als of, preferences or eligibility for admission to, or occupancy of  
4 dwellings in housing projects, during the period when a municipality  
5 determines that there is an acute need in its area of operation for  
6 housing to assure the availability of dwellings for persons engaged  
7 in national defense activities or for victims of a major disaster, a  
8 municipality may undertake the development and administration of  
9 housing projects for the federal government, and dwellings in any  
10 housing project under the jurisdiction of the municipality may be  
11 made available to persons engaged in national defense activities or to  
12 victims of a major disaster, as the case may be. A municipality is  
13 authorized to contract with the federal government or the state or a  
14 state public body for advance payment or reimbursement for the  
15 furnishing of housing to victims of a major disaster, including the  
16 furnishing of the housing free of charge to needy disaster victims  
17 during any period covered by a determination of acute need by the  
18 municipality as herein provided.

1 **SEC. 9. Co-operation between municipalities.** Any two or more  
2 municipalities may join or co-operate with one another in the exercise  
3 of any or all of the powers conferred hereby for the purpose of fi-  
4 nancing, planning, undertaking, constructing or operating a housing  
5 project or projects.

1 **SEC. 10. Tax exemption and payments in lieu of taxes.** The  
2 property acquired or held pursuant to this Act is declared to be public  
3 property used exclusively for essential city, or municipal public and  
4 governmental purposes and such property is hereby declared to be  
5 exempt from all taxes and special assessments of the state or of any  
6 state public body. In lieu of taxes on such property a municipality  
7 may agree to make payments to the state or a state public body (in-  
8 cluding itself) as it finds consistent with the maintenance of the low-  
9 rent character of housing projects and the achievement of the pur-  
10 poses of this chapter.

1 **SEC. 11. Planning, zoning and building laws.** All housing proj-  
2 ects of a municipality shall be subject to the planning, zoning, sanitary

3 and building laws, ordinances and regulations applicable to the locality  
4 in which the project is situated.

1 SEC. 12. Bonds. A municipality shall have power to issue bonds  
2 from time to time in its discretion, for any of the purposes of this  
3 chapter. A municipality shall also have power to issue refunding  
4 bonds for the purpose of paying or retiring bonds previously issued  
5 by it. A municipality may issue such types of bonds as it may deter-  
6 mine, including (without limiting the generality of the foregoing)  
7 bonds on which the principal and interest are payable (1) exclusively  
8 from the income and revenues of the project financed with the pro-  
9 ceeds of such bonds, or (2) exclusively from the income and revenues  
10 of certain designated housing projects whether or not they are fi-  
11 nanced in whole or in part with the proceeds of such bonds. Any such  
12 bonds may be additionally secured by a pledge of any loan, grant or  
13 contribution or parts thereof from the federal government or other  
14 source, or a pledge of any income or revenues connected with a hous-  
15 ing project or a mortgage of any housing project or projects.

16 Neither the governing body of a municipality nor any person exe-  
17 cuting the bonds shall be liable personally on the bonds by reason of  
18 the issuance thereof hereunder. The bonds and other obligations  
19 issued under the provisions of this Act (and such bonds and obliga-  
20 tions shall so state on their face) shall be payable solely from the  
21 sources provided in this section and shall not constitute an indebted-  
22 ness within the meaning of any constitutional or statutory debt limi-  
23 tation or restriction. Bonds issued pursuant to this chapter are de-  
24 clared to be issued for an essential public and governmental purpose  
25 and to be public instrumentalities and, together with interest thereon  
26 and income therefrom, shall be exempt from taxes. The tax exemp-  
27 tion provisions of this Act shall be considered part of the security for  
28 the repayment of bonds and shall constitute, by virtue of this act  
29 and without the necessity of the same being restated in said bonds,  
30 a contract between the bondholders and each and every one thereof,  
31 including all transferees of said bonds from time to time on the one  
32 hand and the respective municipalities issuing said bonds and the  
33 state on the other.

1 SEC. 13. Form and sale of bonds. Bonds of a municipality shall  
2 be authorized by its resolution and may be issued in one or more  
3 series and shall bear such date or dates, mature at such time or times,  
4 bear interest at such rate or rates, not exceeding six per centum (6%)  
5 per annum, be in such denomination or denominations, be in such  
6 form either coupon or registered, carry such conversion or registra-  
7 tion privileges, have such rank or priority, be executed in such man-  
8 ner, be payable in such medium of payment, at such place or places,  
9 and be subject to such terms of redemption (with or without premi-  
10 um) as such resolution, its trust indenture or mortgage may provide.

11 The bonds may be sold at public or private sale at not less than par.

12 If the officers of the municipality whose signatures appear on any  
13 bonds or coupons shall cease to be such officers before the delivery of  
14 the bonds, their signatures shall, nevertheless, be valid and sufficient  
15 for all purposes, the same as if the officers had remained in office until  
16 such delivery. Any provision of any law to the contrary notwith-  
17 standing, any bonds issued pursuant to this chapter shall be fully  
18 negotiable.

19 In any suit, action or proceedings involving the validity or enforce-  
20 ment of any bond issued pursuant to this chapter or the security  
21 therefor, any such bond reciting in substance that it has been issued  
22 by the municipality pursuant to this chapter shall be conclusively  
23 deemed to have been issued for such purpose and the housing project  
24 in respect to which such bond was issued shall be conclusively deemed  
25 to have been planned, located and carried out in accordance with the  
26 purposes and provisions of this chapter.

1 **SEC. 14. Provisions of bonds, trust indentures and mortgages.**

2 In connection with the issuance of bonds pursuant to this chapter  
3 or the incurring of obligations under leases made pursuant to this  
4 chapter and in order to secure the payment of the bonds or obligations,  
5 a municipality, in addition to its other powers, shall have power to:

6 1. Pledge all or any part of the gross or net rents, fees or revenues  
7 of a housing project, financed with the proceeds of such bonds, to  
8 which its rights then exist or may thereafter come into existence.

9 2. Mortgage all or any part of its real or personal property, then  
10 owned or thereafter acquired or held pursuant to this chapter.

11 3. Covenant against pledging all or any part of the rents, fees and  
12 revenues or against mortgaging all or any part of its real or personal  
13 property, acquired or held pursuant to this chapter, to which its right  
14 or title then exists or may thereafter come into existence or against  
15 permitting or suffering any lien on such revenues or property;  
16 covenant with respect to limitations on the right to sell, lease or other-  
17 wise dispose of any housing project or any part thereof; and covenant  
18 as to what other, or additional debts or obligations may be incurred  
19 by it.

20 4. Covenant as to the bonds to be issued and as to the issuance of  
21 such bonds in escrow or otherwise, and as to the use and disposition  
22 of the proceeds thereof; provide for the replacement of lost, destroyed  
23 or mutilated bonds; covenant against extending the time for the pay-  
24 ment of its bonds or interest thereon; and covenant for the redemp-  
25 tion of the bonds and to provide the terms and conditions thereof.

26 5. Covenant subject to the limitations contained in this chapter as  
27 to the rents and fees to be charged in the operation of a housing project  
28 or projects, the amount to be raised each year or other period of  
29 time by rents, fees and other revenues, and the use and disposition  
30 to be made thereof; create or authorize the creation of special funds  
31 for moneys held for construction or operating costs, debt service,  
32 reserves, or other purposes, and covenant as to the use and disposi-  
33 tion of the moneys held in such funds.

34 6. Prescribe the procedure, if any, by which the terms of any con-  
35 tract with bond holders may be amended or abrogated, the proportion  
36 of outstanding bonds the holders of which must consent to such ac-  
37 tion, and the manner in which such consent may be given.

38 7. Covenant as to the use, maintenance and replacement of any or  
39 all of its real or personal property acquired pursuant to this chapter,  
40 the insurance to be carried thereon and the use and disposition of  
41 insurance moneys.

42 8. Covenant as to the rights, liabilities, powers and duties arising  
43 upon the breach by it of any covenant, condition, or obligation; and  
44 covenant and prescribe as to events of default and terms and condi-  
45 tions upon which any or all of its bonds or obligations shall become

46 or may be declared due before maturity, and as to the terms and con-  
 47 ditions upon which such declaration and its consequences may be  
 48 waived.

49 9. Vest in any obligees or any specified proportion of them the right  
 50 to enforce the payment of the bonds or any covenants securing or re-  
 51 lating to the bonds; vest in an obligee or obligees the right, in the  
 52 event of a default by the municipality to take possession of and use,  
 53 operate and manage any housing project or any part thereof or any  
 54 funds connected therewith, and to collect the rents and revenues  
 55 arising therefrom and to dispose of such moneys in accordance with  
 56 the agreement between the municipality and such obligees; provide  
 57 for the powers and duties of such obligees and limit the liabilities  
 58 thereof; and provide the terms and conditions upon which such  
 59 obligees may enforce any covenant or rights securing or relating to  
 60 the bonds.

61 10. Exercise all or any part or combination of the powers herein  
 62 granted; make such covenants (other than and in addition to the  
 63 covenants herein expressly authorized) and do any and all such acts  
 64 and things as may be necessary or convenient or desirable in order  
 65 to secure its bonds, or, in the absolute discretion of said municipality,  
 66 as will tend to make the bonds more marketable notwithstanding that  
 67 such covenants, acts or things may not be enumerated herein.

68 This chapter without reference to other statutes of the state, shall  
 69 constitute full authority for the authorization and issuance of bonds  
 70 hereunder. No other act or law with regard to the authorization or  
 71 issuance of obligations that requires a bond election or in any way  
 72 impedes or restricts the carrying out of the acts herein authorized  
 73 to be done shall be construed as applying to any proceedings taken  
 74 hereunder or acts done pursuant hereto.

1 SEC. 15. Remedies of an obligee. An obligee of a municipality  
 2 shall have the right in addition to all other rights which may be con-  
 3 ferred on such obligee, subject only to any contractual restrictions  
 4 binding upon such obligee.

5 1. By mandamus, suit, action or proceeding at law or in equity to  
 6 compel said municipality to perform each and every term, provision  
 7 and covenant contained in any contract of said municipality with or  
 8 for the benefit of such obligee, and to require the carrying out of any  
 9 or all such covenants and agreements of said municipality and the  
 10 fulfillment of all duties imposed by this chapter.

11 2. By suit, action or proceeding in equity, to enjoin any acts or  
 12 things which may be unlawful, or the violation of any of the rights  
 13 of such obligee of said municipality.

1 SEC. 16. Additional remedies conferrable by a municipality. A  
 2 municipality shall have power by its resolution, trust indenture, mort-  
 3 gage, lease or other contract to confer upon any obligee the right (in  
 4 addition to all rights that may otherwise be conferred), upon the  
 5 happening of an event of default as defined in such resolution or  
 6 instrument, by suit, action or proceeding in any court of competent  
 7 jurisdiction to:

8 1. Cause possession of any housing project or any part thereof to  
 9 be surrendered to any such obligee.

10 2. Obtain the appointment of a receiver of any housing project of  
 11 said municipality or any part thereof and of the rents and profits

12 therefrom, and provide that, if a receiver be appointed, he may enter  
13 and take possession of such housing project or any part thereof and  
14 operate and maintain same, and collect and receive all fees, rents,  
15 revenues, or other charges thereafter arising therefrom, and keep  
16 such moneys in a separate account or accounts and apply the same in  
17 accordance with the obligations of the municipality as the court shall  
18 direct.

19 3. Require said municipality and the officers, agents and employees  
20 thereof to account as if it and they were the trustees of an express  
21 trust.

1 SEC. 17. Exemption of property from execution sale. All prop-  
2 erty (including funds) owned or held by a municipality for the pur-  
3 poses of this chapter shall be exempt from levy and sale by virtue of  
4 an execution, and no execution or other judicial process shall issue  
5 against the same nor shall any judgment against the municipality be  
6 a charge or lien upon such property; Provided, however, that the  
7 provisions of this section shall not apply to or limit the right of obli-  
8 gees to foreclose or otherwise enforce any mortgage or other security  
9 executed or issued pursuant to this chapter or the right of obligees  
10 to pursue any remedies for the enforcement of any pledge or lien on  
11 rents, fees or revenues or the right of the federal government to pur-  
12 sue any remedies conferred upon it pursuant to the provisions of this  
13 chapter.

1 SEC. 18. Transfer of possession or title to federal government.  
2 In any contract with the federal government for annual contributions  
3 to a municipality, the municipality may obligate itself (which obliga-  
4 tion shall be specifically enforceable and shall not constitute a mort-  
5 gage, notwithstanding any other law) to convey to the federal govern-  
6 ment possession of or title to the housing project to which such con-  
7 tract relates, upon the occurrence of a substantial default (as defined  
8 in such contract) with respect to the covenant or conditions to which  
9 the municipality is subject; and such contract may further provide  
10 that in case of such conveyance, the federal government may complete,  
11 operate, manage, lease, convey or otherwise deal with the housing  
12 project and funds in accordance with the terms of such contract:  
13 Provided, that the contract requires that, as soon as practicable after  
14 the federal government is satisfied that all defaults with respect to  
15 the housing project have been cured and that the housing project  
16 will thereafter be operated in accordance with the terms of the con-  
17 tract, the federal government shall reconvey to the municipality the  
18 housing project as then constituted.

1 SEC. 19. Certificate of state auditor. The municipality may sub-  
2 mit to the state auditor a certified copy of the proceedings for the  
3 issuance of any bonds hereunder, including the form of such bonds.  
4 Upon the submission of these documents to the state auditor, it shall  
5 be the duty of the state auditor to pass upon the validity of such bonds  
6 and the regularity of all proceedings in connection therewith. If such  
7 proceedings conform to the provisions of this chapter and are other-  
8 wise regular in form and if such bonds when delivered and paid for  
9 will constitute binding and legal obligations enforceable according to  
10 the terms thereof, the state auditor shall so certify in an opinion  
11 addressed to the municipality.

1       **SEC. 20. Condemnation of property.** A municipality shall have  
2 the right to acquire by condemnation any interest in real property,  
3 including a fee simple title thereto, which it may deem necessary for  
4 or in connection with a municipal housing project under this chapter.  
5 A municipality may exercise the power of eminent domain in the  
6 manner provided in chapter 472, and acts amendatory thereof or  
7 supplementary thereto, or it may exercise the power of eminent do-  
8 main in the manner now or which may be hereafter provided by any  
9 other statutory provisions for the exercise of the power of eminent  
10 domain. Property already devoted to a public use may be acquired  
11 in like manner: Provided, that no real property belonging to the  
12 state, or any political subdivision thereof, may be acquired without  
13 its consent, provided further that no real property or any right or  
14 interest therein owned by any public utility company, pipe-line com-  
15 pany, railway or transportation company vested with the right of  
16 eminent domain under the laws of this state, shall be acquired with-  
17 out the consent of such company, or without first securing, after due  
18 notice to such company and after hearing, a certificate authorizing  
19 condemnation of such property from the board, commission or body  
20 having the authority to grant a certificate authorizing condemnation.

1       **SEC. 21. Co-operation in undertaking housing projects.** For the  
2 purpose of aiding and co-operating in the planning, undertaking, con-  
3 struction or operation of housing projects located within the area  
4 in which it is authorized to act, any state public body may upon such  
5 terms, with or without consideration, as it may determine:

6       1. Dedicate, sell, convey or lease any of its interest in any property  
7 or grant easements, licenses or any other rights or privileges therein  
8 to any municipality, or to the federal government.

9       2. Cause parks, playgrounds, recreational community, educational,  
10 water, sewer or drainage facilities or any other works which it is  
11 otherwise empowered to undertake, to be furnished adjacent to or in  
12 connection with housing projects.

13       3. Furnish, dedicate, close, pave, install, grade, regrade, plan or  
14 replan streets, roads, roadways, alleys, sidewalks or other places  
15 which it is otherwise empowered to undertake.

16       4. Cause services to be furnished for housing projects of the char-  
17 acter which such state public body is otherwise empowered to furnish.

18       5. Enter into agreements with respect to the exercise by such state  
19 public body of its powers relating to the repair, elimination or closing  
20 of unsafe, insanitary or unfit dwellings.

21       6. Do any and all things necessary or convenient to aid and co-  
22 operate in the planning, undertaking, construction or operation of  
23 such housing projects.

24       7. Incur the entire expense of any public improvements made by  
25 such state public body in exercising the powers granted in this chapter.

26       8. Enter into agreements (which may extend over any period, not-  
27 withstanding any provision or rule of law to the contrary) with any  
28 municipality respecting action to be taken by such state public body  
29 pursuant to any of the powers granted by this chapter. If at any  
30 time title to, or possession of, any project is held by any public body  
31 or governmental agency authorized by law to engage in the develop-  
32 ment or administration of low-rent housing or slum clearance projects,  
33 including any agency or instrumentality of the United States of



34 America, the provisions of such agreements shall inure to the benefit  
35 of and may be enforced by such public body or governmental agency.

36 9. Any law or statute to the contrary notwithstanding, any sale,  
37 conveyance, lease or agreement provided for in this section may be  
38 made by a state public body without appraisal, public notice, adver-  
39 tisement or public bidding.

1 SEC. 22. **Personal interest prohibited.** No public official or em-  
2 ployee of a municipality or board or commission thereof shall volun-  
3 tarily acquire any personal interest direct or indirect, in any municipi-  
4 pal housing project, or in any property included or planned to be  
5 included in any municipal housing project of such municipality, or in  
6 any contract or proposed contract in connection with such municipal  
7 housing project. Where such acquisition is not voluntary, the interest  
8 acquired shall be immediately disclosed in writing to the local govern-  
9 ing body, and such disclosure shall be entered upon the minutes of the  
10 governing body. If any such official, commissioner or employee pres-  
11 ently owns or controls, or has owned or controlled within the preced-  
12 ing two years, any interest direct or indirect, in any property which  
13 he knows is included or planned to be included in a municipal housing  
14 project, he shall immediately disclose this fact in writing to the local  
15 governing body, and such disclosure shall be entered upon the minutes  
16 of the governing body; and any such official, commissioner or em-  
17 ployee shall not participate in any action by the municipality, or board  
18 or commission thereof affecting such property. Any violation of the  
19 provisions of this Section shall constitute misconduct in office.

1 SEC. 23. **Eligibility of persons receiving public assistance.** Any  
2 statute to the contrary notwithstanding, no person otherwise eligible  
3 to be a tenant in a municipal housing project, shall be declared in-  
4 eligible therefor or denied occupancy therein merely because he is  
5 receiving in some form, public assistance such as old age assistance,  
6 aid to dependent children, blind assistance, welfare assistance, un-  
7 employment compensation, social security payments, etc.

1 SEC. 24. **Chapter controlling.** The provisions of this chapter  
2 shall be controlling, notwithstanding anything to the contrary con-  
3 tained in any other law of this state, or local ordinance. Any action  
4 of a municipality or the governing body thereof in carrying out the  
5 purposes of this chapter, whether by resolution, ordinance or other-  
6 wise, shall be deemed administrative in character, and no public  
7 notice or publication need be made with respect to such action taken.

1 SEC. 25. No municipality shall erect or operate any low-rent  
2 housing authorized under the provisions of this chapter unless the  
3 question of entering into such housing activities shall have been au-  
4 thorized by a vote of at least sixty percent of the electors of such  
5 municipality voting on the proposition at any regular municipal,  
6 primary or general election or by special election called by the govern-  
7 ing body of the municipality.

8 Notice of the time and place of such election shall be given by publi-  
9 cation once each week for three consecutive weeks prior thereto in  
10 some newspaper having a general circulation in such municipality.  
11 Such election may be called by the governing body of the municipality,  
12 and shall be called when a petition asking for such election, signed by

13 at least two percent of the electors of the municipality voting for  
14 governor at the last preceding general election, has been filed with the  
15 clerk of the municipality.

16 The form of the question to be presented for a vote of the electors  
17 shall be in substantially the following form: "Shall the (name of  
18 municipality) engage in low-rent housing activities under the pro-  
19 visions of Chapter (number of this chapter) of the Code?".

1 SEC. 26. Severability. Notwithstanding any other evidence of  
2 legislative intent, it is hereby declared to be the controlling legis-  
3 lative intent that if any provision of this chapter, or the application  
4 thereof to any person or circumstances, is held invalid, the remainder  
5 of the chapter and the application of such provision to persons or  
6 circumstances other than those as to which it is held invalid, shall  
7 not be affected thereby.

1 SEC. 27. Repealing clause. Section four hundred and three point  
2 nineteen (403.19), Code 1958, is hereby repealed.

Approved May 4, 1961.

## CHAPTER 216

### MUNICIPAL PURCHASING REVOLVING FUND

#### H. F. 222

AN ACT to authorize a revolving fund for the central purchasing of city and town stores, supplies, motor vehicles and other equipment.

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

1 SECTION 1. Chapter four hundred four (404), Code 1958, is  
2 amended by adding thereto the following new section:

3 "Municipal corporations shall have power to establish and maintain  
4 a revolving fund to be used for the central purchasing of city or  
5 town stores, supplies, motor vehicles, or other equipment and for the  
6 establishment of such fund may, by resolution, make transfers thereto  
7 from any of the functional funds provided in sections four hundred  
8 four point six (404.6) to four hundred four point twelve (404.12) of  
9 the Code or by transfers of surplus in the manner provided in section  
10 three hundred ninety-seven point thirty-nine (397.39) of the Code  
11 or by allocations of any source of municipal income not designated  
12 by law to be placed in or credited to another existing fund.

13 "When such fund has been so established, purchases of fuel, lubri-  
14 cants, tires, batteries, coolants, repairs and other general expenses  
15 incurred in connection with municipally-owned or operated motor  
16 vehicles or equipment; purchases of stores, supplies or equipment  
17 for municipal offices and departments; purchases of motor vehicles  
18 and equipment and replacements therefor; and administrative costs  
19 incurred in the operation of such fund, may be paid therefrom.

20 "Each municipal corporation which establishes and maintains such  
21 fund shall keep a record of the cost of each item so purchased and  
22 may establish depreciation schedules for items having a probable  
23 useful life in excess of one year for the purpose of establishing rates

24 to be charged back to the using departments in order to spread the  
 25 cost of replacement over the probable useful life of the item. At  
 26 regular intervals a statement shall be rendered to each department  
 27 or office for the actual cost of supplies or equipment purchased for  
 28 any such office or department, the actual cost of operation of and  
 29 depreciation on motor vehicles or equipment used by such department  
 30 and a fair proportion of administrative costs incurred in the operation  
 31 of the fund during the period covered by the statement. Such expense  
 32 shall be reimbursed to the revolving fund from funds allocated for  
 33 the maintenance and operation of such office or department in the  
 34 same manner as other expenses of such offices or departments are  
 35 paid."

Approved May 4, 1961.

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## CHAPTER 217

### TAX EXEMPTION OF CERTAIN PERSONALTY

S. F. 65

AN ACT relating to tax exemption of personal property used for agricultural purposes.

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

1 SECTION 1. Section four hundred four point fifteen (404.15), Code  
 2 1958, is amended by inserting in line six (6) after the word "pur-  
 3 poses" the words "nor the personal property used in connection there-  
 4 with".

Approved April 11, 1961.

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## CHAPTER 218

### REFERENCES TO TOWNS

H. F. 91

AN ACT relating to the certain erroneous references to municipal corporations having a population in excess of 2,000 as "towns".

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

1 SECTION 1. Section four hundred eight A point one (408A.1),  
 2 Code 1958, is amended by striking from lines nineteen (19) and  
 3 twenty-three (23) the words "and towns".

1 SEC. 2. Section one (1) of chapter two hundred eighty-three  
 2 (283), Acts of the Fifty-eighth General Assembly, is amended by  
 3 striking from line one (1) the words "and towns".

Approved February 16, 1961.

## CHAPTER 219

## SUBDIVIDING TRACTS OF LAND

H. F. 109

AN ACT relating to the filing and recording of plats for the laying out or subdividing of tracts of land within cities having a city plan commission.

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

- 1 SECTION 1. Section four hundred nine point fourteen (409.14),
- 2 Code 1958, is amended by inserting immediately following the word
- 3 "over," in line seven (7) the following: "or within a city of any size
- 4 having a plan commission organized under the provisions of chapter
- 5 three hundred seventy-three (373) of the Code".

Approved February 21, 1961.

## CHAPTER 220

## PLATS OUTSIDE CITY

S. F. 162

AN ACT to require all plats located within one (1) mile of city limits to conform to the same requirements as plats within the corporate limits.

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

- 1 SECTION 1. Section four hundred nine point fourteen (409.14),
- 2 Code 1958, is amended by striking from lines fifty-two (52) and fifty-
- 3 three (53) the words "as to plats of land lying within the corporate
- 4 limits".

Approved March 29, 1961.

## CHAPTER 221

## PLATTED LOTS

H. F. 95

AN ACT relating to tax assessment of platted lots.

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

- 1 SECTION 1. Section four hundred nine point forty-eight (409.48),
- 2 Code 1958, is amended by striking from the end of the first paragraph
- 3 the following: "chapters 428 and 441, 405 or 405A" and inserting in
- 4 lieu thereof "chapter 428 of the Code and chapter two hundred ninety-
- 5 one (291), Acts of the Fifty-eighth General Assembly".

Approved February 16, 1961.

## CHAPTER 222

## RETIREMENT SYSTEMS FOR POLICEMEN AND FIREMEN

S. F. 485

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. Section four hundred eleven point six (411.6), sub-  
 2 section nine (9), Code 1958, is hereby amended as follows:  
 3 1. By inserting after the word "member" in line three (3) the  
 4 words "in service or the chief of police or fire departments".  
 5 2. By striking from lines four (4), five (5), six (6) and seven (7)  
 6 the words "accident or exposure occurring at some definite time and  
 7 place while the member was in the actual performance of duty, or  
 8 occurring" and inserting in lieu thereof the words "injury or disease  
 9 incurred in or aggravated by the actual performance of duty at some  
 10 definite time and place, or".  
 11 3. By striking the colon in line seventeen (17) following the word  
 12 "trustees" and inserting in lieu thereof the words "the benefits set  
 13 forth in paragraphs (a), (b) and (c) of this subsection:".   
 14 4. By adding to said subsection the following paragraph: "Dis-  
 15 ease under this subsection shall mean heart disease or any disease of  
 16 the lungs or respiratory tract and shall be presumed to have been con-  
 17 tracted while on active duty as a result of strain or the inhalation of  
 18 noxious fumes, poison, or gases."

- 1 SEC. 2. The provisions of this Act shall be retroactive to July 4,  
 2 1959.

Approved May 25, 1961.

## CHAPTER 223

## SPECIAL ASSESSMENTS FOR PUBLIC IMPROVEMENTS

H. F. 159

AN ACT relating to the special assessment of public improvements in cities of one hundred twenty-five thousand or more population and to amend chapter four hundred seventeen (417), Code 1958, relating thereto.

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

- 1 SECTION 1. Chapter four hundred seventeen (417), Code 1958,  
 2 is amended by adding thereto the following new section:  
 3 "The provisions of sections four hundred twenty point fifty-nine  
 4 (420.59) and four hundred twenty point sixty (420.60) shall be  
 5 applicable to cities constructing and maintaining storm sewers or  
 6 covered drains by the method contained in this chapter and the same  
 7 is hereby authorized."  
 1 SEC. 2. Section four hundred seventeen point forty-one (417.41),  
 2 Code 1958, is amended by striking from line three (3) of said section  
 3 the word "upon" and inserting in lieu thereof the words "thirty  
 4 days after".

1 SEC. 3. Section four hundred seventeen point forty-eight (417.48),  
 2 Code 1958, is hereby repealed and the following enacted in lieu thereof:  
 3 "The provisions of section three hundred ninety-one point sixty  
 4 (391.60) shall be applicable to the payment of special assessments  
 5 under this chapter."

1 SEC. 4. Section four hundred seventeen point twenty-eight  
 2 (417.28), Code 1958, is amended by adding at the end of said section  
 3 the following:  
 4 "Said petition shall have the effect of precipitating and determining  
 5 in a single action matters that might otherwise result in a multiplicity  
 6 of actions and the burden of proof shall remain with the property  
 7 owner in the same manner and to the same extent as would be the  
 8 case were the action initiated by such property owner and determined  
 9 under the provisions of sections three hundred ninety-one point  
 10 eighty-nine (391.89) and three hundred ninety-one point ninety  
 11 (391.90)."

Approved May 4, 1961.

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## CHAPTER 224

### SPECIAL CHARTER CITIES—MAYORS

#### S. F. 369

AN ACT relating to the compensation of mayors in cities under special charter.

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

1 SECTION 1. Section four hundred twenty point fifteen (420.15),  
 2 Code 1958, is hereby amended by striking the words "eight thousand  
 3 five hundred dollars" in lines three (3) and four (4) and inserting in  
 4 lieu thereof the words "ten thousand dollars (\$10,000.00)".

Approved April 18, 1961.

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## CHAPTER 225

### TAX COMMISSION RULES

#### H. F. 112

AN ACT relating to the powers of the state tax commission to adopt rules on standards of value for assessment purposes and to obtain information from local officials relating to assessment levels.

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

1 SECTION 1. Section four hundred twenty-one point seventeen  
 2 (421.17), Code 1958, is hereby amended by adding to subsection two  
 3 (2) the following:  
 4 "For the purpose of bringing about uniformity and equalization of  
 5 assessments throughout the state of Iowa, the state tax commission  
 6 shall prescribe rules and regulations relating to the standards of  
 7 value to be used by assessing authorities in the determination, assess-

8 ment and equalization of actual value for assessment purposes of  
 9 all property subject to taxation in the state, and such rules shall be  
 10 adhered to and followed by all assessing authorities.”

1 SEC. 2. Section four hundred twenty-one point seventeen  
 2 (421.17), Code 1958, is further amended by adding to subsection six  
 3 (6) the following:

4 “The commission shall require all county recorders and city and  
 5 county assessors to prepare a quarterly report in the manner and  
 6 form to be prescribed by the commission showing for each warranty  
 7 deed or contract of sale of real estate, divided between rural and  
 8 urban, during the last completed quarter the amount of revenue  
 9 stamps, sale price or consideration, and the equalized value at which  
 10 that property was assessed that year. This report with such further  
 11 information as may be required by the commission shall be submitted  
 12 to the commission within sixty days after the end of each quarter.  
 13 The commission shall prepare annual summaries of such records of  
 14 the ratio of assessments to actual sales prices for all counties, and  
 15 for cities having city assessors, and such information for the preced-  
 16 ing year shall be available for public inspection by May 1.”

Approved April 21, 1961.

## CHAPTER 226

### STATE INCOME TAX REFERENCES TO INTERNAL REVENUE CODE

S. F. 20

AN ACT to amend chapter two hundred ninety-five (295), Acts of the Fifty-eighth General Assembly relative to state income taxes.

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

1 SECTION 1. Chapter two hundred ninety-five (295), Acts of the  
 2 Fifty-eighth General Assembly, is hereby repealed and the following  
 3 is inserted in lieu thereof:

4 “SECTION 1. Section four hundred twenty-two point four (422.4),  
 5 Code 1958, is hereby amended by striking all in line four (4) subsec-  
 6 tion fourteen (14) thereof and inserting in lieu thereof the following:  
 7 ‘nineteen hundred sixty (1960).’

8 “SEC. 2. Section four hundred twenty-two point thirty-two  
 9 (422.32), Code 1958, is hereby amended by striking “1956” in line  
 10 three (3) of subsection four (4) thereof and inserting in lieu thereof  
 11 the following: ‘nineteen hundred sixty (1960).’

12 “SEC. 3. Where a corporation is not subject to income tax and  
 13 the stockholders of such corporation are taxed on the corporation’s  
 14 income under the provisions of the Internal Revenue Code of 1954,  
 15 the same tax treatment shall apply to such corporation and such  
 16 stockholders for Iowa income tax purposes.

17 “SEC. 4. The provisions of this Act shall have the same retroactive  
 18 effect as the amendments to the Internal Revenue Code of 1954  
 19 adopted hereby have for federal income tax purposes.

20 “SEC. 5. If any provisions of this Act or the application of such  
 21 provision to any person or circumstance shall be held invalid, the re-

22 remainder of this Act or the application of such provision to persons  
 23 or circumstances other than those to which it is held invalid shall  
 24 not be affected thereby."

1 SEC. 2. This Act being deemed of immediate importance shall be  
 2 in force and effect immediately upon its passage and publication in  
 3 The Times Plain Dealer, a newspaper published at Cresco, Iowa, and  
 4 in The Decorah Journal, a newspaper published at Decorah, Iowa.

Approved April 6, 1961.

I hereby certify that the foregoing Act, Senate File 20, was published in The Times Plain Dealer, Cresco, Iowa, April 19, 1961, and in The Decorah Journal, Decorah, Iowa, April 13, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 227

### INSTALLMENT ANNUITY PAYMENTS

H. F. 484

AN ACT relating to the computation of net income for Iowa income tax purposes and authorizing the deduction of certain installment annuity payments.

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

1 SECTION 1. Section four hundred twenty-two point seven (422.7),  
 2 Code 1958, is hereby amended by adding thereto the following sub-  
 3 section:  
 4 "Subtract installment payments received by a beneficiary under  
 5 an annuity which was purchased under an employee's pension or  
 6 retirement plan when the commuted value of said installments has  
 7 been included as a part of the decedent employee's estate for Iowa  
 8 inheritance tax purposes."

Approved May 12, 1961.

## CHAPTER 228

### ALLOCATION OF INTERSTATE INCOME TAX

H. F. 704

AN ACT relating to the allocation of taxable income to Iowa and doing away with reciprocity and establishing a tax credit for income taxes paid to another state.

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

1 SECTION 1. Section four hundred twenty-two point eight (422.8),  
 2 Code 1958, is hereby repealed and the following inserted in lieu there-  
 3 of:  
 4 "Under rules and regulations prescribed by the state tax commis-  
 5 sion, net income of individuals, estates and trusts shall be allocated as  
 6 follows:  
 7 1. The amount of income tax paid to another state or foreign  
 8 country by a resident taxpayer of this state on income derived from



9 sources in another state or foreign country shall be allowed as a  
 10 credit against the tax computed under the provisions of this chapter,  
 11 except that the credit shall not exceed what the amount of the Iowa  
 12 tax would have been on the same income which was taxed by the other  
 13 state or foreign country. The limitation on this credit shall be com-  
 14 puted according to the following formula: Income earned in another  
 15 state or country and taxed by such other state or country shall be  
 16 divided by the total income of the taxpayer resident in Iowa. Said  
 17 quotient multiplied times the net Iowa tax as determined on the total  
 18 income of the taxpayer as if entirely earned in Iowa shall be the maxi-  
 19 mum tax credit against the Iowa net tax.

20 2. In the case of nonresident taxpayers, if any net income is re-  
 21 ceived from a business, trade, profession, or occupation carried on  
 22 partly within and partly without the state of Iowa, only such portion  
 23 of said net income as is fairly and equitably attributable to that part  
 24 of the business, trade, profession, or occupation carried on within the  
 25 state of Iowa shall be allocated to Iowa; income from any property,  
 26 trust, estate or other source within Iowa shall be allocated to Iowa,  
 27 except that annuities, interest on bank deposits and interest-bearing  
 28 obligations, and dividends shall be allocated to Iowa only to the extent  
 29 to which the same are derived from a business, trade, profession, or  
 30 occupation carried on within the state of Iowa.

31 3. Taxable income of resident and nonresident estates and trusts  
 32 shall be allocated in the same manner as individuals."

1 SEC. 2. Section four hundred twenty-two point eighteen (422.18),  
 2 Code 1958, is hereby repealed.

Approved May 1, 1961.

## CHAPTER 229

### DISTRIBUTION OF INCOME, SALES AND CORPORATION TAXES

#### H. F. 305

AN ACT relating to the income, corporation and sales tax including the distribution thereof and making a transfer of funds for the manufacture of registration plates for motor vehicles.

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

1 SECTION 1. Section four hundred twenty-two point sixty-two  
 2 (422.62), Code 1958, is amended by adding after the word "treasurer"  
 3 in line six (6) a new sentence as follows:

4 "On the effective date of this Act, the treasurer of state shall trans-  
 5 fer three hundred fifty thousand (350,000) dollars to the board of  
 6 control for the purpose of purchasing supplies and materials and for  
 7 the cost of manufacture of motor vehicle registration plates at the  
 8 prison industries."

1 SEC. 2. Section four hundred twenty-two point sixty-two (422.62),  
 2 Code 1958, is amended by striking from lines six (6) to fourteen (14),  
 3 inclusive, all beginning with the words "Ten percent" and ending with  
 4 the word "state" and inserting in lieu thereof the following:

5 "The proceeds of the fees, taxes, interest and penalties collected

6 under this chapter shall, for the first three quarters of each fiscal year,  
 7 be credited monthly to the general fund. During the last quarter  
 8 of each fiscal year an amount equal to ten percent of the net receipts  
 9 collected under division IV of this chapter for the entire fiscal year  
 10 shall be withdrawn from the proceeds collected during said last  
 11 quarter and credited to the road use tax fund created by section three  
 12 hundred twelve point one (312.1) of the Code. The remainder shall  
 13 be credited to the general fund."

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 Montezuma Republican, a newspaper published at Montezuma,  
 4 Iowa, and in The Algona Upper Des Moines, a newspaper published  
 5 at Algona, Iowa.

Approved April 5, 1961.

I hereby certify that the foregoing Act, House File 305, was published in The Montezuma Republican, Montezuma, Iowa, April 13, 1961, and in The Algona Upper Des Moines, Algona, Iowa, April 13, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 230

### FUNDS FOR MOTOR VEHICLE PLATES

#### H. F. 714

AN ACT to amend house file three hundred five (305), Acts of the Fifty-ninth General Assembly, now on file in the office of the secretary of state relating to funds for the manufacture of motor vehicle registration plates.

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

1 SECTION 1. Section one (1) of House File three hundred five (305),  
 2 Acts of the Fifty-ninth General Assembly, is amended by striking  
 3 all of lines four (4) through eight (8) and inserting in lieu thereof  
 4 the following:

5 On the effective date of this Act the treasurer of state shall trans-  
 6 fer three hundred seventy-five thousand (375,000) dollars and an-  
 7 nually on November 1 of each year the treasurer of state shall trans-  
 8 fer four hundred twenty-five thousand (425,000) dollars, to the  
 9 division of motor vehicle registration of the department of public  
 10 safety for the purpose of purchasing supplies and materials and for  
 11 the cost of manufacture of motor vehicle registration plates at the  
 12 prison industries. The border and message on all such motor vehicle  
 13 registration plates, beginning with the plates for the year 1963, shall  
 14 have a reflectorized surface. Any amount unexpended for this pur-  
 15 pose at the end of the biennial period shall be credited to the road  
 16 use-tax fund.

1 SEC. 2. Section two (2) of House File three hundred five (305),  
 2 Acts of the Fifty-ninth General Assembly, is amended by inserting in  
 3 line ten (10) after the word "percent" the following: ", less the  
 4 amount transferred during such fiscal year for motor vehicle regis-  
 5 tration plates as provided in this section,".

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 Montezuma Republican, a newspaper published at Montezuma,  
 4 Iowa, and in The Algona Upper Des Moines, a newspaper published  
 5 at Algona, Iowa.

Approved May 12, 1961.

I hereby certify that the foregoing Act, House File 714, was published in The Montezuma Republican, Montezuma, Iowa, May 25, 1961, and in The Algona Upper Des Moines, Algona, Iowa, May 25, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 231

### AGRICULTURAL LAND TAX CREDIT

H. F. 437

AN ACT to amend chapter four hundred twenty-six (426), Code 1958, relating to the agricultural land tax credit and to make an appropriation therefor.

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

1 SECTION 1. Section four hundred twenty-six point one (426.1),  
 2 Code 1958, is hereby amended by striking from lines nine (9) and  
 3 ten (10) the words "ten million five hundred thousand dollars" and  
 4 inserting in lieu thereof the words "eleven million two hundred fifty  
 5 thousand dollars".

1 SEC. 2. Section four hundred twenty-six point three (426.3), Code  
 2 1958, is hereby amended as follows:

3 1. By inserting in line twenty-one (21) after the word "which" the  
 4 words "he may obtain".

5 2. By striking the comma in line twenty-two (22) following the  
 6 figures "425" and inserting a period in lieu thereof and by striking  
 7 the balance of the sentence.

Approved May 12, 1961.

## CHAPTER 232

### TAX EXEMPTIONS

S. F. 362

AN ACT to amend section four hundred twenty-seven point one (427.1) Code 1958, relating to the exemption from taxation of property held pursuant to certain pension, profit sharing, unemployment compensation, stock bonus or other retirement, deferred benefit or employee welfare plans.

*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 thereto following subsection  
 3 twenty-two (22) thereof a new subsection as follows:  
 4 "Property held pursuant to any pension, profit sharing, unemploy-

5 ment compensation, stock bonus or other retirement, deferred benefit  
6 or employee welfare plan the income from which is exempt from tax-  
7 ation under divisions two (II) and three (III) of chapter four hun-  
8 dred twenty-two (422) Code 1958, or as the same may hereafter be  
9 amended, provided that until the Korean War veteran's\* bonus bonds  
10 are retired and paid the one (1) mill tax imposed by section thirty-  
11 five B point eleven (35B.11), Code 1958, shall be levied and collected  
12 thereon."

Approved April 10, 1961.

\*According to enrolled Act.

### CHAPTER 233

#### MILITARY SERVICE TAX EXEMPTION

H. F. 502

AN ACT to amend section four hundred twenty-seven point six (427.6), Code 1958, relating to allowance or disallowance by the board of supervisors of claims for military service tax exemption.

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

1 SECTION 1. Section four hundred twenty-seven point six (427.6),  
2 Code 1958, is hereby amended by adding to the first paragraph the  
3 following:

4 "Provided, notwithstanding the filing of the claim on or before  
5 July first of any year, the claimant shall be the legal or equitable  
6 owner of the property upon which exemption is claimed, on the first  
7 day of July of the year in which said exemption is claimed."

Approved April 18, 1961.

### CHAPTER 234

#### MONEYS AND CREDITS TAX

S. F. 144

AN ACT to amend chapter four hundred twenty-nine (429), Code 1958, relating to moneys and credits tax.

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

1 SECTION 1. Chapter four hundred twenty-nine (429), Code 1958,  
2 is hereby amended by adding thereto a new section as follows:

3 "All interest-bearing savings accounts and other interest-bearing  
4 deposits in Iowa banks which have been in the custody of such banks  
5 for a period of three months or more immediately preceding the  
6 assessment date for assessment of moneys and credits shall be tax  
7 exempt, provided that until the Korean War veterans' bonus bonds  
8 are retired and paid the one (1) mill tax imposed by section thirty-  
9 five B point eleven (35B.11), Code 1958, shall be levied and collected  
10 thereon."

Approved April 5, 1961.

## CHAPTER 235

## ASSESSMENT EXPENSE FUND

S. F. 289

AN ACT relating to the assessment expense fund.

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

1 SECTION 1. Chapter two hundred ninety-one (291), Acts of the  
2 Fifty-eighth General Assembly, is hereby amended by adding the  
3 following:

4 "The county treasurer shall pay to the county auditor all the money  
5 remaining in the fund known as 'The City Assessment Expense Fund'.  
6 The auditor shall transfer the money to the fund known as 'Assess-  
7 ment Expense Fund' as provided for in this chapter."

Approved May 2, 1961.

## CHAPTER 236

## SUPPLEMENTAL TAX RETURNS

H. F. 264

AN ACT providing for supplemental returns and listings by owners of property subject to taxation in this state, and providing for the manner of use of such supplemental returns by assessors in the preparation of assessment rolls.

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

1 SECTION 1. Chapter two hundred ninety-one (291), Acts of the  
2 Fifty-eighth General Assembly, is hereby amended by inserting after  
3 section nineteen (19) thereof the following:

4 1. Supplemental and optional to the procedure for the assessment  
5 of property by the assessor as provided in this chapter, the assessor  
6 is hereby authorized to require from all persons required to list their  
7 property for taxation as provided by sections four hundred twenty-  
8 eight point one (428.1), four hundred twenty-eight point two (428.2)  
9 and four hundred twenty-eight point three (428.3), of the Code, a  
10 supplemental return to be prescribed by the state tax commission upon  
11 which such person shall list his property. Such supplemental return  
12 shall be in substantially the same form as now prescribed by law for  
13 the assessment rolls used in the listing of property by the assessors,  
14 and the state tax commission may prescribe separate supplemental  
15 forms for the listing of personal property, both tangible and intangi-  
16 ble. It shall be the duty of every person required to list property for  
17 taxation to make a complete listing of such property upon such sup-  
18 plemental forms and to return the same to the assessor as promptly as  
19 possible. Such return shall be verified over the signature of the per-  
20 son making the return and the provisions of section twenty-five (25)  
21 of this chapter shall apply to any person making such return. The  
22 assessor shall make such supplemental return forms available as soon  
23 as practicable after the first day of January of each year. The assess-  
24 or shall make such supplemental return forms available to the tax-  
25 payer by mail, or at a designated place within the taxing district.

26 2. Upon receipt of such supplemental return from any person the

27 assessor shall prepare a roll assessing such person as hereinafter  
28 provided. In the preparation of such assessment roll the assessor  
29 shall be guided not only by the information contained in such supple-  
30 mental roll, but by any other information he may have or which may  
31 be obtained by him as prescribed by the law relating to the assessment  
32 of property. The assessor shall not be bound by any values as listed  
33 in such supplemental return, and he may include in the assessment  
34 roll any property omitted from the supplemental return which in the  
35 knowledge and belief of the assessor should be listed as required by  
36 law by the person making the supplemental return. Upon completion  
37 of such roll he shall deliver to the person submitting such supple-  
38 mental return a copy of the assessment roll, either personally or by  
39 mail.

40 3. Any taxpayer aggrieved by the action of the assessor in the  
41 preparation of an assessment roll upon which a supplemental return  
42 has been made shall have the same rights and privileges of appeal as  
43 provided by law in connection with the assessment rolls prepared in  
44 entirety by the assessor, but no assessment rolls prepared by the  
45 assessor after receiving a supplemental return shall be deemed in-  
46 sufficient or invalid because of the fact that such assessment roll does  
47 not bear the signature of the person assessed, and the signature of  
48 the person listing property upon the supplemental return shall be  
49 deemed a signature on the roll as prepared by the assessor.

50 4. The supplemental returns herein provided for shall be preserved  
51 in the same manner as assessment rolls, but shall be confidential to  
52 the assessor, board of review, or state tax commission, and shall not  
53 be open to public inspection, but any final assessment roll as made  
54 out by the assessor shall be a public record, provided that such supple-  
55 mental return shall be available to counsel of either the person making  
56 the return or of the public, in case any appeal is taken to the board of  
57 review or to the court.

58 5. In the event of failure of any person required to list property  
59 to make a supplemental return, as required herein, on or before the  
60 fifteenth day of February of any year when such listing is required,  
61 the assessor shall proceed in the listing and assessment of his property  
62 as provided by this chapter, and no person subject to taxation shall be  
63 relieved of his obligation to list his property through failure to make  
64 a supplemental return as herein provided, and any roll prepared by  
65 the assessor after receiving a supplemental return or when prepared  
66 in accordance with other provisions of this chapter, shall be a valid  
67 assessment.

68 6. The provisions of chapter two hundred ninety-one (291), Acts  
69 of the Fifty-eighth General Assembly, relating to assessment rolls  
70 shall be applicable to the preparation of rolls upon which a supple-  
71 mental return has been received, insofar as they are not in conflict  
72 with the provisions of this Act.

Approved April 18, 1961.

## CHAPTER 237

## ASSESSMENT AND VALUATION OF PROPERTY

H. F. 339

AN ACT to amend chapter two hundred ninety-one (291), Acts of the Fifty-eighth General Assembly, relating to transmission to the state tax commission of the abstract of assessments of property by the assessor.

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

1 SECTION 1. Section forty-five (45) of chapter two hundred ninety-  
2 one (291), Acts of the Fifty-eighth General Assembly, is hereby  
3 amended as follows:

4 1. By striking from line one (1) the words "Each auditor" and  
5 inserting in lieu thereof "The county assessor of each county and  
6 each city assessor".

7 2. By striking from line four (4) the word "county," and inserting  
8 in lieu thereof the following: "county or city, as the case may be,  
9 and file a copy thereof with the county auditor,".

10 3. By striking from line two (2) the words "third Monday in  
11 June" and inserting in lieu thereof the following: "first Monday in  
12 July".

13 4. By adding after subsection four (4) a new paragraph containing  
14 the following:

15 "In any case where a board of review continues in session beyond  
16 June 1, in any year, under provisions of section thirty-three (33)  
17 of chapter two hundred ninety-one (291), Acts of the Fifty-eighth  
18 General Assembly, the abstract of the real and personal property  
19 shall be made out and transmitted to the state tax commission within  
20 thirty (30) days after the date of final adjournment by said board."

Approved May 6, 1961.

## CHAPTER 238

## TAX ON INSTALLMENT ANNUITIES

H. F. 268

AN ACT relating to inheritance tax on the value of certain installment annuity payments.

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

1 SECTION 1. Section four hundred fifty point four (450.4), Code  
2 1958, is hereby amended by adding thereto the following subsection:

3 "On the value of that portion of installment payments which will  
4 be includable as net income as defined in section four hundred twenty-  
5 two point seven (422.7) as received by a beneficiary under an annuity  
6 which was purchased under an employees pension or retirement plan."

Approved March 28, 1961.

## CHAPTER 239

## INHERITANCE TAX LIEN

S. F. 193

AN ACT relating to liens for inheritance tax, amending section four hundred fifty point seven (450.7), Code 1958.

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

- 1 SECTION 1. Amend section four hundred fifty point seven (450.7),
- 2 Code 1958, by striking the word "includable" in line seven (7) and
- 3 inserting in lieu thereof "which has been reported for taxation".
- 4 Strike the figures "1941" in line nine (9) and insert "1951".

Approved March 30, 1961.

## CHAPTER 240

## LEVEE AND DRAINAGE DISTRICTS

S. F. 349

AN ACT to amend chapter four hundred fifty-five (455), Code 1958, relating to levee and drainage districts.

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

- 1 SECTION 1. Any levee or drainage district organized, or in the
- 2 process of being organized, under the laws of this state may occupy
- 3 and use for any lawful levee or drainage purpose land owned by the
- 4 state of Iowa, upon first obtaining permission to do so from the state
- 5 or state agency controlling the same.
- 6 In the case of lands lying within the beds of meandered streams and
- 7 border streams the permission shall be obtained from the state con-
- 8 servation commission, or its successor. In the case of lands that are
- 9 under the control of no office or agency of the state, then the per-
- 10 mission shall be obtained from the executive council.
- 11 Such permission shall not be unreasonably withheld and shall be
- 12 in the form of an easement executed by the governor or in the case
- 13 of an agency, by the chairman or presiding officer thereof, and when
- 14 once granted shall be perpetual, except that if no use is made of the
- 15 same for a period of five years such permission shall immediately
- 16 thereafter expire.

- 1 SEC. 2. All uses and occupancies as contemplated by this Act
- 2 existing on the effective date of this Act are hereby legalized.

Approved April 18, 1961.



## CHAPTER 241

## LEVEE AND DRAINAGE DISTRICTS

## S. F. 360

AN ACT relating to levee and drainage districts and improvements on petition or by mutual agreement as provided in chapter four hundred fifty-five (455), Code 1958.

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

1 SECTION 1. Section four hundred fifty-five point fifty-six (455.56),  
2 Code 1958, is hereby amended by adding after the period (.) in line  
3 forty-five (45) the following sentence:

4 "The agreement contemplated herein may be contained in the deed  
5 or other instrument effecting the division of the land, which agreement  
6 shall be binding upon the grantee or grantees by their acceptance of  
7 such instrument and their signatures shall not be necessary."

1 SEC. 2. Section four hundred fifty-five point fifty-six (455.56),  
2 Code 1958, is further hereby amended by adding the words after the  
3 word "shall" in line fifty-two (52) :

4 " , upon application of either party,".

1 SEC. 3. Section four hundred fifty-five point fifty-six (455.56),  
2 Code 1958, is further hereby amended by adding after the sentence  
3 which ends in line seventy-seven (77) the following new sentence:

4 "In the event the parties neither agree as to the apportionment of  
5 classification nor make application for the appointment of commission-  
6 ers, then the auditor of the county in which the land is situated shall  
7 make such apportionment upon an equitable basis and enter the same  
8 of record as herein provided."

1 SEC. 4. Section four hundred fifty-five point sixty-nine (455.69),  
2 Code 1958, is hereby amended by adding the following new sentence  
3 at the end thereof:

4 "However, modifications and changes may be made in the plan on  
5 which hearing was held without further notice or hearing, provided  
6 the same do not increase or decrease the estimated cost to the district  
7 by more than twenty-five percent."

1 SEC. 5. Section four hundred fifty-five point eighty-three (455.83),  
2 Code 1958, is hereby amended by adding the following sentence at  
3 the end thereof:

4 "Whenever the interest on bonds issued pursuant to the provisions  
5 of this chapter exceeds four percent per annum the interest on unpaid  
6 assessments shall equal the interest on such bonds but not to exceed  
7 five percent per annum, the provisions of sections four hundred fifty-  
8 five point fifty-seven (455.57) and four hundred fifty-five point sixty-  
9 four (455.64), of the Code, to the contrary notwithstanding."

1 SEC. 6. Subsection four (4) of section four hundred fifty-five  
2 point one hundred thirty-five (455.135), Code 1958, is amended by  
3 striking the period (.) after the word "therefor" in line twenty (20)  
4 and placing a semicolon (;) in lieu thereof, followed by the following:  
5 "construction, reconstruction, enlarging and relocation of levees  
6 and acquiring rights of way for levees."

1 SEC. 7. Section four hundred fifty-five point two hundred one

2 (455.201), Code 1958, is amended by adding a new subsection to said  
3 section as follows:

4 "If the cost to the district of the repair or alteration of existing  
5 improvements contemplated by this section does not exceed twenty-  
6 five percent of the sum of the original cost to the district and the cost  
7 of subsequent improvements, including all federal contributions, the  
8 board may proceed under the provisions of section four hundred fifty-  
9 five point one hundred thirty-five (455.135), of the Code, without  
10 notice and hearing.

11 "If the federal program divides a project into separate phases,  
12 each phase shall be considered a separate program as described in  
13 section four hundred fifty-five point one hundred thirty-five (455.135),  
14 of the Code, subsection four (4), and shall in no event be construed  
15 as an unauthorized division into separate programs to avoid the  
16 twenty-five percent limitation prescribed for making improvements  
17 under said section four hundred fifty-five point one hundred thirty-five  
18 (455.135), of the Code, subsection four (4), without notice and  
19 hearing."

1 SEC. 8. Section four hundred fifty-five point two hundred nine  
2 (455.209), Code 1958, is amended by adding a new subsection as  
3 follows:

4 "Whenever a plan has been adopted as contemplated by this section,  
5 modification and changes can be made therein without further notice  
6 or hearing, provided the same do not increase or decrease the esti-  
7 mated cost of the plan to the district by more than twenty-five  
8 percent."

1 SEC. 9. Section four hundred fifty-five point two hundred twelve  
2 (455.212), Code 1958, is hereby amended by adding the following  
3 words:

4 "The warrants may be numbered and state a maturity date in which  
5 event they shall bear interest from the date of issue without being  
6 presented for payment and marked unpaid for want of funds."

Approved April 18, 1961.

## CHAPTER 242

### DRAINAGE BONDS

H. F. 100

AN ACT relating to drainage bonds.

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

1 SECTION 1. Section four hundred fifty-seven point seventeen  
2 (457.17), Code 1958, is amended by striking from the end of said  
3 section the following:

4 ", and subject to the same exceptions in cases of appeals set forth  
5 in section 455.85".

Approved February 16, 1961.

## CHAPTER 243

## DRAINAGE AND LEVEE DISTRICTS

S. F. 228

AN ACT to amend section four hundred sixty-one point five (461.5), Code 1958, by providing for improvement of drainage and levee districts with pumping stations.

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

- 1 SECTION 1. Section four hundred sixty-one point five (461.5),  
 2 Code 1958, is amended by adding a new subsection as follows:  
 3 "The board of supervisors or the board of trustees, as the case  
 4 may be, where the district has been established and the original im-  
 5 provement constructed, may proceed with the further improvement  
 6 of the original project in the manner provided in section four hundred  
 7 fifty-five point one hundred thirty-five (455.135) of the Code, pro-  
 8 vided, however, that the cost of such further improvement does not  
 9 exceed twenty-five percent of the sum of the original cost to the dis-  
 10 trict and the cost of subsequent improvements, including all federal  
 11 contributions.  
 12 "For the purpose of this section the word 'improvement' shall in-  
 13 clude the construction, reconstruction, enlargement and relocation of  
 14 levees and acquisition of rights-of-way therefor."

Approved April 12, 1961.

## CHAPTER 244

## VOTING IN DRAINAGE DISTRICTS

S. F. 355

AN ACT to amend section four hundred sixty-two point thirteen (462.13), Code 1958, relating to voting by agents in drainage or levee districts by providing a method of voting by absentee ballot.

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

- 1 SECTION 1. Section four hundred sixty-two point thirteen (462.13),  
 2 Code 1958, is hereby amended by adding thereto the following:  
 3 "The vote of the owner of any land in a drainage or levee district  
 4 in any election, where the vote is not determined by assessment, may  
 5 be cast by absent voters' ballot in the same manner and form and  
 6 subject to the same rights and restrictions as is provided in section  
 7 four hundred sixty-two point twelve (462.12) of the Code relating to  
 8 vote by absentee ballot when votes are determined by assessment."

Approved May 2, 1961.

## CHAPTER 245

## DRAINAGE AND LEVEE DISTRICTS

## S. F. 227

AN ACT to amend section four hundred sixty-two point twenty-seven (462.27), Code 1958, prescribing the powers and duties of drainage and levee district trustees.

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

1 SECTION 1. Section four hundred sixty-two point twenty-seven  
2 (462.27), Code 1958, is amended by inserting after the word "for"  
3 in line ten (10) the word "levees,".

1 SEC. 2. Section four hundred sixty-two point twenty-seven  
2 (462.27), Code 1958, is amended by inserting after the word "lands"  
3 in line nine (9) the words "by conveyance, lease, or by the exercise  
4 of the power of eminent domain as provided for in chapter four hun-  
5 dred seventy-two (472)".

Approved March 29, 1961.

## CHAPTER 246

## FLOOD-PREVENTION PROGRAMS

## H. F. 3

AN ACT to amend chapter four hundred sixty-seven A (467A), Code 1958, relating to an alternate method of taxation of landowners within subdistricts for the purpose of carrying out watershed protection and flood-prevention programs.

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

Chapter four hundred sixty-seven A (467A), Code 1958, is amended by adding the following new sections at the end thereof:

1 SECTION 1. After obtaining agreements to carry out recommended  
2 soil conservation measures and proper farm plans from owners of  
3 not less than fifty per cent of the lands situated in the subdistrict, the  
4 governing body shall have the authority to establish a special tax for  
5 the purpose of organization, construction, repair, alteration, enlarge-  
6 ment, extension and operation of present and future works of im-  
7 provement within the boundaries of said subdistrict. The governing  
8 body shall appoint three appraisers to assess benefits and classify the  
9 land affected by such improvements. One of such appraisers shall  
10 be a competent registered professional engineer and two of them  
11 shall be resident landowners of the county or counties in which the  
12 subdistrict is located but not living within nor owning or operating  
13 any lands included in said subdistrict.

14 The appraisers shall take and subscribe an oath of their qualifica-  
15 tions and to perform the duties of classification of said lands, fix the  
16 percentages, benefits and apportion and assess the costs and expenses  
17 of construction of the said improvement according to law and their  
18 best judgment, skill, and ability. If said appraisers or any of them  
19 fail or neglect to act or perform the duties in the time and as required  
20 of them by law, the commissioners shall appoint others with like  
21 qualifications to take their places and perform said duties.

1 SEC. 2. At the time of appointing said appraisers, the governing  
2 body shall fix the time within which said assessment, classification,  
3 and apportionment shall be made, which may be extended for good  
4 cause shown. Within twenty days after their appointment, they shall  
5 begin to inspect and classify all the lands within said district, or any  
6 change, extension, enlargement, or relocation thereof in tracts of forty  
7 acres or less according to the legal or recognized subdivisions, in a  
8 graduated scale of benefits to be numbered according to the benefit  
9 to be received by each of such tracts from such improvement, and  
10 pursue said work continuously until completed and, when completed,  
11 shall make a full, accurate, and detailed report thereof and file the  
12 same with the governing body. The lands receiving the greatest bene-  
13 fit shall be marked on a scale of one hundred, and those benefited in a  
14 less degree with such percentage of one hundred as the benefits re-  
15 ceived bear in proportion thereto.

16 The amount of benefit appraised to each forty acres of land within  
17 the watershed shall be determined by the improvements within said  
18 watershed based upon the work plan as agreed upon by the subdistrict  
19 and furnished by the United States soil conservation service.

1 SEC. 3. In the report of the appraisers so appointed they shall  
2 specify each tract of land by proper description, and the ownership  
3 thereof, as the same appears on the transfer books in the auditor's  
4 office.

1 SEC. 4. The governing body shall fix a time for a hearing within  
2 sixty days upon receiving the report of the appraisers, and the gov-  
3 erning body shall cause notice to be served upon each person not less  
4 than ten days before said hearing whose name appears as owner,  
5 naming him, and also upon the person or persons in actual occupancy  
6 of any tract of land without naming him of the day and hour of such  
7 hearing, which notice shall be for the same time and served in the  
8 same manner as is provided for the establishment of a subdistrict,  
9 and shall state the amount of assessment of costs and expenses of  
10 organizing and construction apportioned to each owner upon each  
11 forty-acre tract or less, and that all objections thereto must be in  
12 writing and filed with the governing body at or before the time set  
13 for such hearing.

1 SEC. 5. At the time fixed or at an adjourned hearing, the govern-  
2 ing body shall hear and determine all objections filed to said report  
3 and shall fully consider the said report, and may affirm, increase, or  
4 diminish the percentage of benefits or the apportionment of costs and  
5 expenses made in said report against any body or tract of land in said  
6 subdistrict as may appear to the board to be just and equitable.

1 SEC. 6. Any person aggrieved may appeal from any final action  
2 of the governing body in relation to any matter involving his rights,  
3 to the district court of the county in which the proceeding was held.

1 SEC. 7. In subdistricts extending into two or more counties, ap-  
2 peals from final orders resulting from the joint action of the several  
3 governing bodies of such subdistrict may be taken to the district court  
4 of any county into which the district extends.

1 SEC. 8. All appeals shall be taken within twenty days after the

2 date of final action or order of the governing body from which such  
3 appeal is taken by filing with the auditor a notice of appeal, designat-  
4 ing the court to which the appeal is taken, the order or action appealed  
5 from, and stating that the appeal will come on for hearing at the next  
6 succeeding term of the court and designating such term. This notice  
7 shall be accompanied by an appeal bond with sureties to be approved  
8 by the auditor conditioned to pay all costs adjudged against the appel-  
9 lant and to abide the orders of the court.

1 SEC. 9. On or before the first day of the next succeeding term of  
2 court, the appellant shall file a petition setting forth the order or final  
3 action of the governing body appealed from and the grounds of his  
4 objections and his complaint, with a copy of his claim for damages  
5 or objections filed by him with the auditor. He shall pay to the clerk  
6 the filing fee as provided by law in other cases. A failure to pay the  
7 filing fee or to file such petition shall be deemed a waiver of the appeal  
8 and in such case the court shall dismiss the same.

1 SEC. 10. When the board or boards of supervisors shall receive a  
2 certification from the governing body of the district to make the nec-  
3 essary assessment on the real estate within the boundaries of the  
4 subdistrict lying within their respective county, this shall be con-  
5 strued as final action by the governing body.

1 SEC. 11. The governing body upon receiving the reports from  
2 three appointed appraisers and after holding the hearings shall trans-  
3 mit and certify the amounts of assessments to the respective boards  
4 of supervisors which upon receipt of certification from the governing  
5 body of the district, make the necessary levy of such assessments as  
6 fixed by the governing body upon the land within such subdistrict  
7 and all assessments shall be levied at that time as a tax and shall bear  
8 interest at not more than four per cent per annum from that date  
9 payable annually except as hereafter provided as to cash payments  
10 therefor within a specified time. The assessment so levied shall be  
11 kept in a separate account by the appropriate county treasurer or  
12 treasurers, identified by the official name of the subdistrict and expen-  
13 ditures therefrom shall be made on requisition of the chairman and  
14 secretary of the governing body of the subdistrict.

15 At no time will an assessment be made where the benefits accrued  
16 to the subdistrict do not exceed the cost of the improvements within  
17 the said subdistrict.

1 SEC. 12. All assessments for benefits shall be levied at one time  
2 against the property benefited and when levied and certified by the  
3 board or boards of supervisors shall be paid at the office of the county  
4 treasurer. Each person or corporation shall have the right within  
5 twenty days after the levy of assessments to pay his or its assessment  
6 in full without interest.

7 If any levy of assessments is not sufficient to meet the cost and ex-  
8 penses of organizing and construction apportioned to each owner  
9 upon each forty-acre tract or less, additional assessments may be  
10 made on the same classification as the previous ones.

1 SEC. 13. If the owner of any premises against which a levy ex-  
2 ceeding twenty dollars has been made and certified shall, within thirty  
3 days from the date of such levy, agree in writing in a separate agree-

4 ment, that in consideration of having a right to pay his assessment in  
5 installments, he will not make any objection as to the legality of his  
6 assessment for benefit, or the levy of the taxes against his property,  
7 then such owner shall have the following options:

8 1. To pay one-third of the amount of such assessment at the time  
9 of filing such agreement; one-third within twenty days after the  
10 engineer in charge shall certify to the auditor that the improvement  
11 is one-half completed; and the remaining one-third within twenty  
12 days after the improvement has been completed and accepted by the  
13 board. All such installments shall be without interest if paid at said  
14 times, otherwise said assessments shall bear interest from the date of  
15 the levy at the rate of four per cent per annum, payable annually, and  
16 be collected as other taxes on real estate, with like penalty for delin-  
17 quency.

18 2. To pay such assessments in not less than ten nor more than  
19 twenty equal installments, the number to be fixed by the governing  
20 board and interest at the rate fixed by the governing body, not ex-  
21 ceeding four per cent per annum. One such installment shall be pay-  
22 able at the October semiannual taxpaying date in each year; provided,  
23 however, that the county treasurer shall, at the October semiannual  
24 taxpaying date, require only the payment of a sufficient portion of the  
25 assessments to meet the interest and the amount accruing on improve-  
26 ments completed prior to the regular time for the payment of the  
27 second installment of taxes and the balance shall be collected with  
28 such second installment and without penalty.

1 SEC. 14. When an owner takes an appeal from the assessment  
2 against any of his land, the option to pay in installments whatever  
3 assessment is finally established against such land in said appeal shall  
4 continue, if within twenty days after the final determination of said  
5 appeal he shall file in the office of the auditor his written election to  
6 pay in installments, and within said period pay such installments as  
7 would have matured prior to that time if no appeal had been taken,  
8 together with all accrued interest on said assessment to the last pre-  
9 ceding interest-paying date.

1 SEC. 15. A classification of land for watershed purposes, when  
2 finally adopted, shall remain the basis of all future assessments for  
3 the purpose of said subdistrict, except as provided in section sixteen.

1 SEC. 16. After a subdistrict has been established and the improve-  
2 ments thereof constructed and put in operation, if the governing  
3 body shall find that the original assessments are not equitable as a  
4 basis for the expenses of any enlargement or extension thereof which  
5 may have become necessary, they shall order a new classification of all  
6 lands in said subdistrict by resolution, and appoint three appraisers,  
7 which shall meet the same requirements as set forth in section one.

8 Upon the completion of the reclassification, those affected by such  
9 reclassification shall have the right to appeal as hereinabove set forth.

1 SEC. 17. Assessments for repair, alteration, enlargement, exten-  
2 sion, and operation of works of improvement within the watershed  
3 district shall be a benefit to the entire subdistrict and levied as such.

1 SEC. 18. Persons appointed to appraise and make classifications  
2 of lands shall receive such compensation as the governing body may

3 fix and in addition thereto, the necessary expenses of transportation  
 4 of said persons while engaged in their work; such compensation and  
 5 expenses shall be construed as part of the cost of the subdistrict  
 6 which shall be included when considering classifications of lands  
 7 within a subdistrict.

1 SEC. 19. Any subdistricts organized before July 4, 1961, may  
 2 within two years from the effective date of the foregoing alternate  
 3 taxing method, elect to use the same and divert any moneys already  
 4 collected for use under sections four hundred sixty-seven A point  
 5 thirteen (467A.13) to four hundred sixty-seven A point twenty  
 6 (467A.20), inclusive, Code 1958, for the purposes authorized in this  
 7 act.

Approved April 12, 1961.

## CHAPTER 247

### SOIL CONSERVATION COMMITTEE

#### H. F. 2

AN ACT relating to the appointment of members to the state soil conservation committee.

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

1 SECTION 1. Section four hundred sixty-seven A point four  
 2 (467A.4), subsection three (3), Code 1958, is hereby amended by  
 3 striking all of the words after the comma in line eight (8) to the  
 4 period in line twelve (12) and inserting in lieu thereof the following:  
 5 "except that beginning in the year 1961, of the four committee  
 6 members subject to appropriate action by the governor and senate  
 7 in 1961, two (2) shall be appointed for four-year terms beginning  
 8 July 1, 1961, and two (2) shall be appointed for six-year terms be-  
 9 ginning July 1, 1961. Appointments shall be made every two (2)  
 10 years and not more than two (2) members shall be appointed in any  
 11 one year except to fill vacancies".

1 SEC. 2. This Act, being deemed of immediate importance, shall  
 2 be in full force and effect from and after its passage and publication  
 3 in The Globe-Free Press, a newspaper published at Grand Junction,  
 4 Iowa, and The Leon Journal-Reporter a newspaper published at Leon,  
 5 Iowa.

Approved March 13, 1961.

I hereby certify that the foregoing Act, House File 2, was published in The Globe-Free Press, Grand Junction, Iowa, March 23, 1961, and in The Leon Journal-Reporter, Leon, Iowa, March 23, 1961.

MELVIN D. SYNHORST, *Secretary of State.*



## CHAPTER 248

## CONDEMNATION FOR COUNTY CONSERVATION

S. F. 120

AN ACT to allow counties to take private property by condemnation for county conservation purposes.

*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 after the word "highways"  
 3 in lines four (4) and five (5) of subsection one (1) the following:  
 4 " , and for the carrying out of plans for the acquisition of land ad-  
 5 vanced by a county conservation board, and approved by the state  
 6 conservation commission as provided in section one hundred eleven  
 7 A point four (111A.4) ; providing further, it would not completely  
 8 prevent development of the conservation project, this authority shall  
 9 not apply to any improved private property used as a residence or  
 10 living quarters for a period of one year, not to exceed two acres, or  
 11 if jointly owned, not to exceed two acres per residential unit, unless  
 12 subsequently abandoned for use for such purposes. Temporary un-  
 13 occupancy shall not be construed as abandonment."

Approved April 20, 1961.

## CHAPTER 249

## CORPORATIONS FOR PROFIT

S. F. 411

AN ACT to amend chapter three hundred twenty-one (321), Acts of the Fifty-eighth General Assembly, relating to corporations for profit.

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

1 SECTION 1. Section four (4) of chapter three hundred twenty-  
 2 one (321), Acts of the Fifty-eighth General Assembly, is hereby  
 3 amended by adding thereto a new subsection as follows:  
 4 "To enter into general partnerships, limited partnerships, whether  
 5 the corporation be a limited or general partner, joint ventures, syndi-  
 6 cates, pools, associations and other arrangements for carrying on of  
 7 any or all of the purposes for which the corporation is organized,  
 8 jointly or in common with others."

1 SEC. 2. Section seven (7) of chapter three hundred twenty-one  
 2 (321), Acts of the Fifty-eighth General Assembly, is hereby amended  
 3 by adding at the end of subsection three (3) thereof the following:  
 4 " , or a trade name which has been adopted by a domestic or a foreign  
 5 corporation for use in this state in the manner provided by this Act."

1 SEC. 3. Section seven (7) of chapter three hundred twenty-one  
2 (321), Acts of the Fifty-eighth General Assembly, is hereby amended  
3 by striking therefrom subsection four (4) thereof and by inserting in  
4 lieu thereof the following:

5 "4. Shall be the name under which the corporation shall transact  
6 business in this state unless the corporation also shall elect to adopt  
7 one or more trade names as provided in this Act."

1 SEC. 4. Chapter three hundred twenty-one (321), Acts of the  
2 Fifty-eighth General Assembly, is hereby amended by adding, follow-  
3 ing section seven (7) thereof, a new section as follows:

4 "Trade name. A corporation may elect to adopt a trade name that  
5 is not the same as or deceptively similar to the corporate name of any  
6 other domestic corporation existing under the laws of this state or of  
7 any foreign corporation authorized to transact business in this state,  
8 or the same as or deceptively similar to any name registered or re-  
9 served under the provisions of this Act.

10 Such election shall be made by filing with the secretary of state an  
11 application executed by an officer of the corporation, setting forth  
12 such trade name and paying to the secretary of state a filing fee of  
13 twenty dollars.

14 If such trade name complies with the provisions of this Act the  
15 secretary of state shall issue a certificate authorizing the use of said  
16 name, but such certificate shall not confer any right to the use of said  
17 name as against any person having any prior right to the use thereof.

18 At the time annual license fees are payable under this Act, a corpo-  
19 ration which has elected to adopt a trade name shall pay to the secre-  
20 tary of state an annual fee of five dollars for such trade name.

21 If the corporation fails to pay the annual fee when due and payable,  
22 the secretary of state shall give notice to the corporation of such non-  
23 payment by registered or certified mail; and if such fee together with  
24 a penalty of five dollars is not paid within sixty days after such notice  
25 is mailed, the right to use such trade name shall cease.

26 A separate application and annual fee shall be filed and paid for  
27 each trade name adopted by the corporation."

1 SEC. 5. Section nineteen (19) of chapter three hundred twenty-  
2 one (321), Acts of the Fifty-eighth General Assembly, is hereby  
3 amended by adding after the word "employees" in line thirteen (13)  
4 thereof the following: ", as such,".

1 SEC. 6. Section thirty-four (34) of chapter three hundred twenty-  
2 one (321), Acts of the Fifty-eighth General Assembly, is hereby  
3 amended by striking the first sentence thereof and by inserting in  
4 lieu thereof the following: "The business and affairs of a corporation  
5 shall be managed by a board of one or more directors."

1 SEC. 7. Section thirty-seven (37) of chapter three hundred twenty-  
2 one (321), Acts of the Fifty-eighth General Assembly, is hereby  
3 amended by striking the provisions thereof and inserting the fol-  
4 lowing:

5 "Unless otherwise provided in the articles of incorporation or the  
6 bylaws, any vacancy occurring in the board of directors and any  
7 directorship to be filled by reason of an increase in the number of

8 directors may be filled by the affirmative vote of a majority of the  
9 directors then in office, even if less than a quorum of the board of  
10 directors. Unless otherwise provided in the articles of incorporation  
11 or the bylaws, a director so elected shall be elected for the unexpired  
12 term of his predecessor in office or the full term of such new director-  
13 ship."

1 SEC. 8. Section sixty-one (61) of chapter three hundred twenty-  
2 one (321), Acts of the Fifty-eighth General Assembly, is hereby  
3 amended by striking the provisions thereof and inserting the fol-  
4 lowing:

5 "A domestic corporation may at any time restate its articles  
6 of incorporation, which may be amended by such restatement,  
7 so long as its articles of incorporation as so restated contain  
8 only such provisions as might be lawfully contained in original ar-  
9 ticles of incorporation at the time of making such restatement, by  
10 the adoption of restated articles of incorporation, including any  
11 amendments to its articles of incorporation to be made thereby, in  
12 the following manner:

13 1. The board of directors shall adopt a resolution setting forth the  
14 proposed restated articles of incorporation, which may include an  
15 amendment or amendments to the corporation's articles of incorpo-  
16 ration to be made thereby, and directing that such restated articles,  
17 including such amendment or amendments, be submitted to a vote  
18 at a meeting of shareholders, which may be either an annual or a  
19 special meeting.

20 2. Written or printed notice setting forth the proposed restated  
21 articles or a summary of the provisions thereof shall be given to each  
22 shareholder of record entitled to vote thereon within the time and in  
23 the manner provided in this Act for the giving of notice of meetings  
24 of shareholders. If the meeting be an annual meeting, the proposed  
25 restated articles may be included in the notice of such annual meeting.  
26 If the restated articles include an amendment or amendments to the  
27 articles of incorporation to be made thereby, the notice shall sepa-  
28 rately set forth such amendment or amendments or a summary of the  
29 changes to be effected thereby.

30 3. At such meeting a vote of the shareholders entitled to vote  
31 thereon shall be taken on the proposed restated articles. The proposed  
32 restated articles shall be adopted upon receiving the affirmative vote  
33 of the holders of a majority of the shares entitled to vote thereon, un-  
34 less such restated articles include an amendment to the articles of  
35 incorporation to be made thereby which, if contained in a proposed  
36 amendment to articles of incorporation to be made without restate-  
37 ment of the articles of incorporation, would entitle a class of shares  
38 to vote as a class thereon, in which event the proposed restated articles  
39 shall be adopted upon receiving the affirmative vote of the holders  
40 of a majority of the shares of each class of shares entitled to vote  
41 thereon as a class, and of the total shares entitled to vote thereon.

42 Upon such approval, restated articles of incorporation shall be exe-  
43 cuted by the corporation by its president or vice president and by its  
44 secretary or an assistant secretary, and verified by one of the officers  
45 signing the same, and shall set forth, as then stated in the corpora-  
46 tion's articles of incorporation and, if the restated articles of incorpo-

47 ration include an amendment or amendments to the articles of in-  
48 corporation to be made thereby, as so amended :

49 *a.* The name of the corporation ;

50 *b.* If its duration is for a limited period, the date of expiration ;

51 *c.* The purpose or purposes which the corporation is authorized to  
52 pursue, or that the corporation has unlimited power to engage in, and  
53 to do any lawful act concerning, any or all lawful businesses for which  
54 corporations may be organized under this Act ;

55 *d.* The aggregate number of shares which the corporation has au-  
56 thority to issue ; if such shares consist of one class only, the par value  
57 of each of such shares, or a statement that all of such shares are with-  
58 out par value ; or, if such shares are divided into classes, the number  
59 of shares of each class, and a statement of the par value of the shares  
60 of each such class or that such shares are without par value ;

61 *e.* If the shares are divided into classes, the designation of each  
62 class and a statement of the preferences, voting rights, if any, limita-  
63 tions and relative rights in respect of the shares of each class ;

64 *f.* If the shares of any preferred or special class are issuable in  
65 series, the designation of each series and a statement of the variations  
66 in the relative rights and preferences as between series insofar as  
67 the same are fixed in the restated articles of incorporation, and a state-  
68 ment of any authority vested in the board of directors to establish  
69 series and fix and determine the variations in the relative rights and  
70 preferences as between series ;

71 *g.* Any provisions limiting or denying to shareholders the pre-  
72 emptive right to acquire additional shares of the corporation or giving  
73 to shareholders the pre-emptive right to acquire treasury shares of  
74 the corporation ;

75 *h.* Any other provisions, not inconsistent with law or the purposes  
76 which the corporation is authorized to pursue, which are set forth in  
77 the articles of incorporation ; except that it shall not be necessary to  
78 set forth any statement with respect to the chapter of the Code or Ses-  
79 sion Laws under which the corporation was incorporated, its regis-  
80 tered office, registered agent, directors, or incorporators, or the date on  
81 which its corporate existence began.

82 The restated articles of incorporation shall set forth also a state-  
83 ment that they correctly set forth the provisions of the articles of  
84 incorporation as theretofore or thereby amended, that they have been  
85 duly adopted as required by law and that they supersede the original  
86 articles of incorporation and all amendments thereto.

87 The restated articles of incorporation shall be delivered to the  
88 secretary of state for filing and recording in his office and the same  
89 shall be filed and recorded in the office of the county recorder.

90 The secretary of state upon filing the restated articles of incorpo-  
91 ration shall issue a restated certificate of incorporation and send the  
92 same to the corporation or its representative.

93 Upon the issuance of the restated certificate of incorporation by the  
94 secretary of state, the restated articles of incorporation including any  
95 amendment or amendments to the articles of incorporation made  
96 thereby, shall become effective and shall supersede the original articles  
97 of incorporation and all amendments thereto.

98 No amendment shall affect the existing rights of persons other  
99 than shareholders, or any existing cause of action in favor of or

100 against such corporation, or any pending suit to which such corpo-  
101 ration shall be a party; and, in the event the corporate name shall be  
102 changed by amendment, no suit brought by or against such corpo-  
103 ration under its former name shall abate for that reason."

1 SEC. 9. Section ninety-one (91) of chapter three hundred twenty-  
2 one (321), Acts of the Fifty-eighth General Assembly, is hereby  
3 amended by adding thereto a new paragraph as follows:

4 "A corporation may be dissolved involuntarily by order of the secre-  
5 tary of state if all notices have been sent to the corporation by the  
6 secretary of state as required by section ninety-two (92) of this Act  
7 and the corporation shall have failed to file an annual report or pay  
8 an annual license fee as required by this Act for three (3) consecutive  
9 years and shall not have been otherwise dissolved. The order of the  
10 secretary of state for the dissolution of such a corporation shall be  
11 entered in a permanent journal therefor maintained by him in his  
12 office and may be entered therein by him at any time after the last  
13 day for the filing of such third annual report. Upon the entry of such  
14 an order of dissolution of a corporation, the existence of the corpora-  
15 tion shall cease, except for the purpose of suits, other proceedings and  
16 appropriate corporate action by shareholders, directors and officers as  
17 provided in this Act and the corporation shall proceed to liquidate its  
18 business and affairs as provided by this Act in cases of dissolution by  
19 consent of shareholders or by act of the corporation, provided, how-  
20 ever, that the district court in a suit in equity shall have full power to  
21 liquidate the assets and business of such a corporation upon applica-  
22 tion by such corporation or in a suit by a shareholder or creditor of  
23 such corporation when such corporation fails to proceed promptly  
24 with such liquidation or to make application to court therefor. Such  
25 an order of dissolution of a corporation certified by the secretary of  
26 state shall be taken and received in all courts as prima facie evidence  
27 of the facts therein stated."

1 SEC. 10. Section one hundred twenty-two (122) of chapter three  
2 hundred twenty-one (321), Acts of the Fifty-eighth General Assembly,  
3 is hereby amended by inserting following the word "Act" in line four-  
4 teen (14) thereof the following: "and that all prior annual reports  
5 required by this Act to be filed by such corporation or foreign corpo-  
6 ration have been filed and that all annual license fees and penalties,  
7 if any, required by this Act to have been theretofore paid by such  
8 corporation or foreign corporation have been paid".

1 SEC. 11. Section one hundred five (105) of chapter three hundred  
2 twenty-one (321), Acts of the Fifty-eighth General Assembly, is here-  
3 by amended by adding at the end of subsection three (3) thereof the  
4 following:

5 " , or a trade name which has been adopted by a domestic or a  
6 foreign corporation for use in this state in the manner provided by  
7 this Act."

8 Section one hundred five (105) of chapter three hundred twenty-  
9 one (321), Acts of the Fifty-eighth General Assembly, is further  
10 amended by adding thereto the following as a new paragraph after  
11 subsection three (3) :

12 "The corporate name of such foreign corporation shall be the name  
13 under which the corporation shall transact its business in this state

14 unless the corporation also shall elect to adopt one or more trade  
15 names as provided in this Act."

1 SEC. 12. Chapter three hundred twenty-one (321), Acts of the  
2 Fifty-eighth General Assembly, is hereby amended by adding, follow-  
3 ing section one hundred five (105) thereof, a new section as follows:

4 "Trade name of foreign corporation. A foreign corporation au-  
5 thorized to transact business in this state may elect to adopt a trade  
6 name that is not the same as or deceptively similar to the corporate  
7 name of any domestic corporation existing under the laws of this  
8 state or of any other foreign corporation authorized to transact busi-  
9 ness in this state, or the same as or deceptively similar to any name  
10 registered or reserved under the provisions of this Act.

11 Such election shall be made by filing with the secretary of state an  
12 application executed by an officer of the corporation, setting forth such  
13 trade name and paying to the secretary of state a filing fee of twenty  
14 dollars.

15 If such trade name complies with the provisions of this Act the  
16 secretary of state shall issue a certificate authorizing the use of said  
17 name, but such certificate shall not confer any right to the use of said  
18 name as against any person having any prior right to the use thereof.

19 At the time annual license fees are payable under this Act, a foreign  
20 corporation which has elected to adopt a trade name shall pay to the  
21 secretary of state an annual fee of five dollars for such trade name.

22 If such corporation fails to pay the annual fee when due and pay-  
23 able, the secretary of state shall give notice to the corporation of  
24 such nonpayment by registered or certified mail; and if such fee  
25 together with a penalty of five dollars is not paid within sixty days  
26 after such notice is mailed, the right to use such trade name shall  
27 cease.

28 A separate application and annual fee shall be filed and paid for  
29 each trade name adopted by a foreign corporation."

1 SEC. 13. Section one hundred twenty-eight (128) of chapter three  
2 hundred twenty-one (321), Acts of the Fifty-eighth General Assem-  
3 bly, is hereby amended by repealing the last paragraph thereof.

1 SEC. 14. Section one hundred forty-two (142) of chapter three  
2 hundred twenty-one (321)\*, Acts of the Fifty-eighth General Assem-  
3 bly, is hereby amended as follows:

4 1. By inserting following the word "to" and before the word "the" in  
5 line seventeen (17) of subsection eleven (11) thereof the following:  
6 "an amendment, if any, adopted at the same time as the election by  
7 the corporation to adopt the provisions of this Act, changing the dura-  
8 tion of such corporation or, if none, to".

9 2. By striking from line nineteen (19) of subsection eleven (11)  
10 thereof the word "effective" and by inserting in lieu thereof the words  
11 "applicable to such corporation".

12 3. By adding thereto following subsection eleven (11) two new sub-  
13 sections as follows:

14 "Any domestic corporation which elects to adopt the provisions  
15 of this Act by complying with the provisions of subsection three (3)  
16 of this section may, at the same time, amend or restate its articles

Figures supplied by editor, see §3.1(3)

17 of incorporation by complying with the provisions of this Act with  
 18 respect to amending articles of incorporation or restating articles of  
 19 incorporation, as the case may be.

20 "The provisions of sections one hundred thirty-nine (139) and  
 21 one hundred forty (140) of this Act shall apply to any action required  
 22 or permitted to be taken under this section."

1 SEC. 15. Section one hundred forty-five (145) of chapter three  
 2 hundred twenty-one (321), Acts of the Fifty-eighth General Assem-  
 3 bly, is hereby amended by striking from line two (2) thereof the  
 4 words "doing business within the state" and by inserting in lieu  
 5 thereof the following: ", domestic or foreign".

Approved May 15, 1961.

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## CHAPTER 250

### CO-OPERATIVE ASSOCIATIONS

H. F. 54

AN ACT relating to the use of the revolving fund of cooperative associations.

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

1 SECTION 1. Section four hundred ninety-nine point thirty-three  
 2 (499.33), Code 1958, is hereby amended by striking the period (.) at  
 3 the end of line twelve (12) and inserting in lieu thereof the following:  
 4 " , except that the directors may, at their discretion, pay deferred  
 5 patronage dividends of deceased members or patrons, and members  
 6 who become ineligible without reference to the order of priority  
 7 herein prescribed."

Approved May 2, 1961.

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## CHAPTER 251

### INDUSTRIAL DEVELOPMENT CORPORATION

S. F. 481

AN ACT to amend chapter five hundred four (504), Code 1958, to permit persons and organizations to incorporate under the provisions of chapter five hundred four (504), corporations not for pecuniary profit, for the purpose of promoting industrial development and expansion in Iowa communities; to authorize and encourage such corporations to cooperate with similar corporations in adjoining states; and, when the Iowa and foreign corporations have identical names and purposes, to permit the same to function as one corporation in Iowa upon certain conditions.

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

1 SECTION 1. Section five hundred four point one (504.1), Code 1958,  
 2 is amended by striking the period (.) in line fifteen (15) of said  
 3 section and inserting in lieu thereof the following: "or for the pro-  
 4 motion of the establishment and expansion of industries and the  
 5 doing of all things necessary thereto."

1 SEC. 2. Chapter five hundred four (504), Code 1958, is amended  
 2 by adding thereto immediately following section five hundred four  
 3 point twenty-five (504.25) thereof the following sections: five hun-  
 4 dred four point twenty-six (504.26) and five hundred four point  
 5 twenty-seven (504.27):

6 "Any corporation may be organized hereunder for the purpose of  
 7 promoting the development, establishment and expansion of indus-  
 8 tries in an area which adjoins or borders (except for any intervening  
 9 natural watercourse) an area located in an adjoining state intended to  
 10 be included in such promotion and may join with any corporation not  
 11 for pecuniary profit created by an adjoining state and having an  
 12 identical purpose."

13 "Whenever, pursuant to section five hundred four point twenty-six  
 14 (504.26), any corporation organized under this chapter for the pur-  
 15 pose of promoting the development, establishment and expansion of  
 16 industries joins with a foreign corporation having an identical pur-  
 17 pose, such corporations shall be permitted to do business in Iowa  
 18 as one corporation; provided: (1) that the name, by-law provisions,  
 19 officers and directors of each corporation are identical, (2) that the  
 20 foreign corporation complies with the provisions of sections five hun-  
 21 dred four point twenty-eight (504.28) to and including five hundred  
 22 four point thirty-one (504.31), Code 1958, relating to foreign non-  
 23 pecuniary corporations, and (3) that the Iowa corporation file a  
 24 statement with the secretary of state indicating that it has joined  
 25 with a foreign corporation setting forth the name thereof and the  
 26 state of its incorporation."

1 SEC. 3. Chapter five hundred four (504), Code 1958, is further  
 2 amended by renumbering sections five hundred four point twenty-six  
 3 (504.26) through five hundred four point thirty (504.30), Code 1958,  
 4 to read five hundred four point twenty-eight (504.28) to five hundred  
 5 four point thirty-two (504.32), respectively.

Approved May 15, 1961.

## CHAPTER 252

### LIFE INSURANCE POLICIES

#### H. F. 265

AN ACT relating to life insurance policies.

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

1 SECTION 1. Section five hundred eight point thirty-two (508.32),  
 2 Code 1958, is hereby amended as follows:

3 1. By inserting after the word "trust" in line four (4) thereof  
 4 the following: "the premiums or consideration paid for, or".

5 2. By inserting after the word "policy" in line five (5) thereof the  
 6 following: "or annuity contract, either individual or group,".

7 3. By inserting after the word "revocation" in line six (6) thereof  
 8 the words "or control".

9 4. By striking from line seven (7) thereof the words "and control



10 by the" and inserting in lieu thereof the word "or".

11 5. By inserting after the semicolon (;) in line fourteen (14) thereof  
12 the following: "and provided further, that the trust or trusts for pre-  
13 miums or considerations may be invested by such company in the  
14 manner specified in the trust instruments or agreements and held  
15 in a separate or segregated account;".

16 6. By inserting following the word "agreements" in line fifteen  
17 (15) thereof the words "for beneficiaries".

18 7. By adding to the said section the following: "The word 'trust'  
19 shall include, but not be limited to settlement options and contracts  
20 issued pursuant to policies or contracts, and funds held in a separate  
21 or segregated account in connection with pension or profit-sharing  
22 plans pursuant to agreements with the policyholders."

Approved May 4, 1961.

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## CHAPTER 253

### ATOMIC ENERGY INSURANCE HAZARDS

H. F. 482

AN ACT pertaining to atomic energy hazards in relation to the statutory standard fire policy.

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

1 SECTION 1. Chapter five hundred fifteen (515), Code 1958, is  
2 amended by adding thereto the following:

3 "Insurers issuing the standard policy pursuant to section five  
4 hundred fifteen point one hundred thirty-eight (515.138), are author-  
5 ized to affix thereto or include therein a written statement that the  
6 policy does not cover loss or damage caused by nuclear reaction or  
7 nuclear radiation or radioactive contamination, all whether directly  
8 or indirectly resulting from an insured peril under said policy; pro-  
9 vided, however, that nothing herein contained shall be construed to  
10 prohibit the attachment to any such policy of an endorsement or  
11 endorsements specifically assuming coverage for loss or damage  
12 caused by nuclear reaction or nuclear radiation or radioactive con-  
13 tamination."

Approved May 4, 1961.

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## CHAPTER 254

### BID BONDS ON PUBLIC CONTRACTS

H. F. 403

AN ACT relating to bid bonds issued in connection with any public or private contract.

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

1 SECTION 1. Section five hundred fifteen point fifty-eight (515.58),  
2 Code 1958, is amended by striking the period (.) at the end thereof

3 and substituting the following: “; or to bid bonds issued in connection  
4 with any public or private contract.”

Approved April 26, 1961.

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### CHAPTER 255

#### JOINT BANK COMPANY

S. F. 146

AN ACT to permit banks, subject to the approval of the state banking board, to own jointly a company that can provide for them from a central processing point, the cooperative use of automation equipment for bank bookkeeping work.

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

1 SECTION 1. Subject to the approval of the state banking board,  
2 any bank may purchase capital stock, bonds, debentures or other such  
3 obligations of any corporation operated exclusively for the purpose  
4 of providing for them from a central processing point, the cooperative  
5 use of automation equipment for bank bookkeeping work and thus  
6 performing a necessary service for the bank and one or more other  
7 banks, which service the banks would otherwise be required to pro-  
8 vide for on an individual bank basis.

Approved March 29, 1961.

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### CHAPTER 256

#### BANK EXAMINERS

H. F. 67

AN ACT to amend section five hundred twenty-four point eight (524.8), Code 1958, relating to bonds required for bank examiners.

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

1 SECTION 1. Section five hundred twenty-four point eight (524.8),  
2 Code 1958, is hereby amended by striking all of the first sentence of  
3 said section and inserting in lieu thereof the following:  
4 “All examiners shall be bonded by a corporate surety bond in the  
5 kind and form and in the amount as determined by the state banking  
6 board and the premium thereof shall be paid out of the current or  
7 accumulated earnings of the banking department.”

Approved April 4, 1961.

## CHAPTER 257

## BANKING DEPARTMENT EMPLOYEES

H. F. 75

AN ACT relating to bond of the deputy superintendent and other banking department employees and to repeal section five hundred twenty-four point nine (524.9), Code 1958.

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

1 SECTION 1. Section five hundred twenty-four point nine (524.9),  
2 Code 1958, is hereby repealed and the following is enacted in lieu  
3 thereof:

4 "The deputy superintendent and all clerks, stenographers, special  
5 assistants and other employees shall be bonded by corporate surety  
6 bond in the kind and form and in the amount as determined by the  
7 state banking board and the premium shall be paid out of the current  
8 or accumulated earnings of the banking department."

Approved April 4, 1961.

## CHAPTER 258

## LOANS ON REAL ESTATE

H. F. 213

AN ACT to amend sections five hundred twenty-six point twenty-five (526.25) and six hundred eighty-two point twenty-three (682.23), Code 1958, relating to real estate loans by banks and fiduciaries and permitting certain loans to be made in amounts up to three-fourths (3/4ths) of appraised value.

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

1 SECTION 1. Section five hundred twenty-six point twenty-five  
2 (526.25), Code 1958, is hereby amended by striking subparagraph  
3 "a" from subsection five (5) and inserting in lieu thereof the  
4 following:

5 "a. Any such loan may be made in an amount not to exceed seventy-  
6 five (75) percentum of the appraised value of the real estate offered  
7 as security and for a term not longer than twenty (20) years if the  
8 loan is secured by an amortized mortgage, deed of trust, or other such  
9 instrument under the terms of which the installment payments are  
10 sufficient to amortize the entire principal of the loan within the period  
11 ending on the date of its maturity."

1 SEC. 2. Section six hundred eighty-two point twenty-three  
2 (682.23), Code 1958, is hereby amended by striking from subsection  
3 five (5) thereof all following the semi-colon (;) in line eight (8) and  
4 inserting in lieu thereof the following: "any such loan may be made  
5 in an amount not to exceed seventy-five (75) percentum of the ap-  
6 praised value of the real estate offered as security and for a term  
7 not longer than twenty (20) years if the loan is secured by an amor-  
8 tized mortgage, deed of trust, or other such instrument under the  
9 terms of which the installment payments are sufficient to amortize  
10 the entire principal of the loan within the period ending on the date  
11 of its maturity."

Approved February 10, 1961.

## CHAPTER 259

## SAVINGS BANKS

S. F. 229

AN ACT to amend section five hundred twenty-six point twenty-five (526.25), Code 1958, subsection four (4), relating to investment of funds by savings banks.

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

1 SECTION 1. Section five hundred twenty-six point twenty-five  
2 (526.25), Code 1958, is hereby amended by adding after the words  
3 "school district," in line two (2) of subsection four (4) the following  
4 words "levee district,".

Approved March 30, 1961.

## CHAPTER 260

## FINANCIAL STATEMENT FOR LOAN

S. F. 440

AN ACT raising the amount of an unsecured loan on which the superintendent of banking may require a financial statement.

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

1 SECTION 1. Section five hundred twenty-eight point eight (528.8),  
2 Code 1958, is hereby amended by striking from lines five (5) and six  
3 (6) the words "five hundred" and inserting in lieu thereof the words  
4 "one thousand".

Approved April 12, 1961.

## CHAPTER 261

## BANK STATEMENTS

S. F. 213

AN ACT to amend section five hundred twenty-eight point twenty-two (528.22), Code 1958, relating to reports of bank statements of condition to the superintendent of banking.

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

1 SECTION 1. Section five hundred twenty-eight point twenty-two  
2 (528.22), Code 1958, is hereby amended by adding thereto the fol-  
3 lowing:  
4 "However, in lieu of the statement of condition requirements pre-  
5 viously referred to herein, and in any instance where such statements  
6 are required by law, the state banking board may, at its discretion,  
7 use any form of statement of condition that may be recommended by  
8 the federal deposit insurance corporation or by the board of governors  
9 of the federal reserve system."

Approved April 12, 1961.

## CHAPTER 262

## BANKING DEPARTMENT REPORTS

H. F. 69

AN ACT to repeal section five hundred thirty-two point twenty (532.20), Code 1958, relating to trust reports to the superintendent of banking.

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

- 1 SECTION 1. Section five hundred thirty-two point twenty (532.20),
- 2 Code 1958, is hereby repealed.

Approved April 10, 1961.

## CHAPTER 263

## COMMON TRUST FUNDS

S. F. 292

AN ACT relating to common trust funds and to make uniform the law with reference thereto.

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

1 SECTION 1. Establishment of common trust funds. Any bank  
 2 or trust company qualified to act as fiduciary in this state may estab-  
 3 lish common trust funds for the purpose of furnishing investments to  
 4 itself as fiduciary, or to itself and others, as co-fiduciaries; and may,  
 5 as such fiduciary or co-fiduciary, invest funds which it lawfully holds  
 6 for investment in interests in such common trust funds, if such in-  
 7 vestment is not prohibited by the instrument, judgment, decree, or  
 8 order creating such fiduciary relationship, and if, in the case of co-  
 9 fiduciaries, the bank or trust company procures the consent of its co-  
 10 fiduciaries to such investment. If the instrument creating the fiduciary  
 11 relationship gives to the bank or trust company the exclusive right to  
 12 select investments, the consent of the co-fiduciary shall not be required.

1 SEC. 2. Court accountings. Unless ordered by a court of com-  
 2 petent jurisdiction the bank or trust company operating such common  
 3 trust funds is not required to render a court accounting with regard  
 4 to such funds; but it may, by application to the district court, secure  
 5 approval of such an accounting on such conditions as the court may  
 6 establish.

7 When an accounting of a common trust fund is presented to a  
 8 court for approval, the court shall assign a time and place for hearing  
 9 and order notice thereof by: (1) publication once each week for three  
 10 (3) consecutive weeks in a newspaper of general circulation, pub-  
 11 lished in the county in which the bank or trust company operating  
 12 the common trust fund is located, the first publication to be not less  
 13 than twenty (20) days prior to the date of hearing, and (2) sending  
 14 by ordinary mail not less than fourteen (14) days prior to the date  
 15 of hearing a copy of the notice prescribed to all beneficiaries of the  
 16 trust participating in the common trust fund whose names are known  
 17 to the bank or trust company from the records kept by it in the regular  
 18 course of business in the administration of said trusts, directed to

19 them at the addresses shown by such records, and (3) such further  
20 notice if any as the court may order.

1 **SEC. 3. Definitions.** 1. "Fiduciary" means acting in any of the  
2 following capacities, namely: testamentary trustee, appointed by any  
3 court, trustee under any written agreement, declaration or instrument  
4 of trust, executor, administrator, or guardian.

5 2. "Common trust fund" means a fund maintained by a bank or  
6 trust company exclusively for the collective investment and reinvest-  
7 ment of moneys contributed thereto by the bank or trust company in  
8 its capacity as a fiduciary or co-fiduciary.

1 **SEC. 4. Uniformity of interpretation.** This Act shall be so inter-  
2 preted and construed as to effectuate its general purpose to make  
3 uniform the law of those states which enact it.

1 **SEC. 5. Short title.** This Act may be cited as the Iowa uniform  
2 common trust fund act.

1 **SEC. 6. Severability.** If any provision of this Act or the applica-  
2 tion thereof to any person or circumstances is held invalid, such  
3 invalidity shall not affect the other provisions or applications of the  
4 Act which can be given effect without the invalid provision or appli-  
5 cation, and to this end the provisions of this Act are declared to be  
6 severable.

1 **SEC. 7. Repeal.** All acts or parts of acts which are inconsistent  
2 with the provisions of this Act are hereby repealed.

1 **SEC. 8.** This Act shall apply to fiduciary relationships in existence  
2 on the effective date of this Act or thereafter established.

Approved April 5, 1961.

## CHAPTER 264

### MONEY ORDERS OR CHECKS

H. F. 536

AN ACT relating to the sale of checks, money orders, and other written instruments  
for the transmission or payment of money.

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

1 **SECTION 1.** No person shall engage in the business of selling  
2 written instruments for the transmission or payment of money,  
3 whether in the form of checks, drafts, money orders, travelers checks  
4 or otherwise, unless such person's net worth is at all times at least  
5 twenty-five thousand dollars (\$25,000), as shown by financial state-  
6 ments satisfactory to the superintendent of banking and such person  
7 has deposited and at all times keeps on deposit with the superintendent  
8 of banking fifty thousand dollars (\$50,000) in cash or securities  
9 satisfactory to the superintendent of banking. However, the super-  
10 intendent of banking may at his option accept a surety bond in the  
11 sum of fifty thousand dollars (\$50,000) in the form satisfactory to  
12 him and issued by a surety company acceptable to him in lieu of such

13 deposit. Such deposit or bond shall be for the protection of pur-  
 14 chasers or holders of instruments sold by such person and the super-  
 15 intendent or any aggrieved party may enforce claims on such instru-  
 16 ments against such deposit or bond. Simultaneously with the making  
 17 of such deposit or delivery of such bond and annually thereafter each  
 18 such person shall pay to the superintendent of banking an annual fee  
 19 of one hundred dollars (\$100).

1 SEC. 2. Any person complying with the provisions of this Act  
 2 may engage in such business at one (1) or more locations in this  
 3 state and through or by means of such agents as such person may  
 4 designate and appoint from time to time and no such agent shall be  
 5 required to comply with the provisions of this Act.

1 SEC. 3. Nothing in this Act shall apply to corporations organized  
 2 under the general banking laws of this state or of the United States  
 3 or any department or agency thereof, or to private banks of this state,  
 4 or to the receipt of money by an incorporated telegraph company at  
 5 any office or agency thereof for immediate transmission by telegraph.

1 SEC. 4. As used in this Act the word "person" shall mean any  
 2 individual, partnership, association, joint stock association, trust or  
 3 corporation.

1 SEC. 5. Any person violating any provision of this Act shall be  
 2 guilty of a misdemeanor and shall be fined not more than one thou-  
 3 sand dollars (\$1,000). Each transaction in violation of this Act and  
 4 each day that a violation continues shall be a separate offense.

1 SEC. 6. If any provision of this Act or the application thereof to  
 2 any person or circumstance is held invalid, such invalidity shall not  
 3 affect the remainder of this Act or the application of such provision  
 4 to other persons or circumstances.

Approved April 12, 1961.

## CHAPTER 265

### SAVINGS AND LOAN ASSOCIATIONS

H. F. 332

AN ACT to amend chapter three hundred thirty-eight (338), Acts of the Fifty-eighth General Assembly, relating to savings and loan associations.

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

1 SECTION 1. Section nineteen (19) of chapter three hundred  
 2 thirty-eight (338), Acts of the Fifty-eighth General Assembly, is  
 3 amended by striking from line fifty-six (56) the figures "23" and  
 4 inserting in lieu thereof the figures "21".

5 Said section is further amended by adding at the end of subsection  
 6 six (6) the following new sentence: "Such loans may also be based  
 7 on a discount charge of not to exceed five dollars (\$5.00) per one  
 8 hundred dollars (\$100.00) face amount per year in lieu of straight  
 9 interest otherwise provided by law."

1 SEC. 2. Section forty-two (42) of chapter three hundred thirty-  
2 eight (338), Acts of the Fifty-eighth General Assembly, is amended  
3 by striking therefrom the last sentence and inserting in lieu thereof  
4 the following: "Dividends for a particular month shall be paid on  
5 sums invested by a member by the tenth day of that month. If,  
6 however, the tenth day of said month falls on a Sunday, holiday, or  
7 another business day on which the particular association is normally  
8 closed, then money received by the next business day shall earn  
9 dividends from the first of that month."

1 SEC. 3. Section fifty-four (54) of chapter three hundred thirty-  
2 eight (338), Acts of the Fifty-eighth General Assembly, is amended  
3 by striking from line three (3) the figures "56" and inserting in lieu  
4 thereof the figures "53".

1 SEC. 4. Section fifty-seven (57) of chapter three hundred thirty-  
2 eight (338), Acts of the Fifty-eighth General Assembly, is amended  
3 by striking from line four (4) the figures "51" and inserting in lieu  
4 thereof the figures "50".

1 SEC. 5. Section sixty (60) of chapter three hundred thirty-eight  
2 (338), Acts of the Fifty-eighth General Assembly, is amended by  
3 striking from line two (2) the figures "59" and "60" and inserting  
4 in lieu thereof the figures "58" and "59".

1 SEC. 6. Section sixty-six (66) of chapter three hundred thirty-  
2 eight (338), Acts of the Fifty-eighth General Assembly, is amended  
3 by striking from line one hundred forty-one (141) the figures "47"  
4 and inserting in lieu thereof the figures "46".

1 SEC. 7. Section twelve (12) of chapter three hundred thirty-eight  
2 (338), Acts of the Fifty-eighth General Assembly, is amended by add-  
3 ing at the end of subsection one (1) the following new sentence:  
4 "Each member as defined by section two (2), subsection eight (8),  
5 shall, regardless of shares, be entitled to at least one vote at any  
6 members' meeting."

1 SEC. 8. Section thirty-one (31) of chapter three hundred thirty-  
2 eight (338), Acts of the Fifty-eighth General Assembly, is amended  
3 by adding at the end of said section the following:  
4 "Every association organized under the provisions of this chapter  
5 shall have and exercise all the rights, powers and privileges dealing  
6 with a bonus plan not in conflict with the laws of this state which are  
7 conferred upon federal savings and loan associations by the pro-  
8 visions of the Home Owners' Loan Act of 1933 or amendments  
9 thereto and by regulations adopted by the federal home loan bank  
10 board."

Approved March 24, 1961.



**CHAPTER 266**  
**BILLS OF EXCHANGE**

H. F. 212

AN ACT relating to the negotiable instruments law affecting inland and foreign bills of exchange.

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

1 SECTION 1. Section five hundred forty-one point one hundred  
2 thirty (541.130), Code 1958, is hereby repealed and the following  
3 enacted in lieu thereof:

4 "541.130 Inland and foreign bills of exchange.

5 1. An inland bill of exchange is a bill which is, or on its face pur-  
6 ports to be, both drawn and payable within the United States. Any  
7 other bill is a foreign bill.

8 2. For the purposes of subsection one (1) hereof, 'United States'  
9 means the states, territories, dependencies and possessions of the  
10 United States, the District of Columbia and Puerto Rico.

11 3. Unless the contrary appears on the face of the bill, the holder  
12 may treat it as an inland bill."

Approved February 21, 1961.

**CHAPTER 267**  
**AGRICULTURAL WAREHOUSES**

H. F. 49

AN ACT relating to the definition of "person" as defined in chapter five hundred forty-three (543), Code 1958, relating to bonded warehouses for agricultural products.

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

1 SECTION 1. Section five hundred forty-three point one (543.1),  
2 subsection seven (7), Code 1958, is hereby amended by striking from  
3 lines four (4), five (5), and six (6) thereof the following: 'but shall  
4 not mean the United States or Iowa state government or any sub-  
5 division or agency of either', and inserting in lieu thereof the follow-  
6 ing:

7 "and, except with respect to the privilege of operating a ware-  
8 house under this chapter, shall include the United States or Iowa  
9 state government, or any subdivision or agency of either".

1 SEC. 2. This Act, being deemed of immediate importance, shall  
2 take effect and be in force after its publication in The Hamburg  
3 Reporter, a newspaper published in Hamburg, Iowa, and The Milford  
4 Mail, a newspaper published in Milford, Iowa.

Approved March 6, 1961.

I hereby certify that the foregoing Act, House File 49, was published in The Hamburg Reporter, Hamburg, Iowa, March 16, 1961, and in The Milford Mail, Milford, Iowa, March 23, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 268

## BONDED WAREHOUSEMEN

S. F. 491

AN ACT to increase the license fees paid by bonded warehousemen.

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

1 SECTION 1. Section five hundred forty-three point thirty-three  
2 (543.33), Code 1958, is hereby amended as follows:

3 1. By striking from line two (2) of subsection three (3) thereof  
4 the word "twelve" and inserting in lieu thereof the word "twenty-  
5 four".

6 2. By striking from line one (1) of subsection four (4) thereof  
7 the word "one" and inserting in lieu thereof the word "two".

1 SEC. 2. This Act, being deemed of immediate importance, shall  
2 take effect and be in force from and after its publication in The  
3 Knoxville Journal, a newspaper published in Knoxville, Iowa, and in  
4 The Daily Freeman-Journal, a newspaper published in Webster City,  
5 Iowa.

Approved May 15, 1961.

I hereby certify that the foregoing Act, Senate File 491, was published in The Knoxville Journal, Knoxville, Iowa, May 23, 1961, and in The Daily Freeman-Journal, Webster City, Iowa, May 20, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 269

## COUNTY RECORDERS' FEES

S. F. 45

AN ACT relating to miscellaneous fees collected by county recorders.

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

1 SECTION 1. Section five hundred forty-seven point three (547.3),  
2 Code 1958, is amended by striking from line three (3), the words  
3 "one dollar" and inserting in lieu thereof the words "two (2) dollars".

1 SEC. 2. Section five hundred fifty-six point twenty (556.20), Code  
2 1958, is amended by striking from line three (3) in subsection one (1)  
3 the words "fifty cents" and inserting in lieu thereof, the words "one  
4 (1) dollar".

Approved May 4, 1961.

## CHAPTER 270

## TERMINATION OF FARM TENANCIES

H. F. 24

AN ACT to amend section five hundred sixty-two point seven (562.7), Code 1958, regarding notice of termination of farm tenancies.

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

- 1 SECTION 1. Section five hundred sixty-two point seven (562.7),
- 2 Code 1958, is hereby amended by striking from subsection three (3)
- 3 thereof the following: ", at least ten days".

Approved March 22, 1961.

## CHAPTER 271

## NOTARIES ACTS LEGALIZED

H. F. 237

AN ACT to amend section five hundred eighty-six point one (586.1), Code 1958, relating to the legalizing acts of notaries public and acknowledgments.

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

- 1 SECTION 1. Section five hundred eighty-six point one (586.1),
- 2 Code 1958, is hereby amended as follows:
- 3 1. Strike from subsection one (1), line one (1), the figures "1940"
- 4 and insert in lieu thereof the figures "1950".
- 5 2. Strike from subsection two (2), line one (1), the figures "1940"
- 6 and insert in lieu thereof the figures "1950".
- 7 3. Strike from subsection three (3), line five (5), the figures "1950"
- 8 and insert in lieu thereof the figures "1958".
- 9 4. Strike from subsection four (4), line three (3), the figures
- 10 "1940" and insert in lieu thereof the figures "1950".
- 11 5. Strike from subsection six (6), line two (2), the figures "1940"
- 12 and insert in lieu thereof the figures "1950".
- 13 6. Strike from subsection seven (7), line two (2), the figures
- 14 "1940" and insert in lieu thereof the figures "1950"; strike from line
- 15 four (4) of such subsection the figures "1939" and insert in lieu
- 16 thereof the figures "1958"; strike from line seven (7) of such sub-
- 17 section the figures "1939" and insert in lieu thereof the figures "1958".
- 18 7. Strike from subsection eight (8), line two (2), the figures
- 19 "1940" and insert in lieu thereof the figures "1950".
- 20 8. Strike from subsection nine (9), line two (2), the figures "1940"
- 21 and insert in lieu thereof the figures "1950".

- 1 SEC. 2. This Act shall not affect pending litigation nor shall it
- 2 operate to revive the rights or claims previously barred nor permit an
- 3 action to be brought or maintained upon any claim or cause of action
- 4 which is barred by any statute which is in force prior to July 4, 1961,
- 5 nor shall it affect any action which may be brought on or before
- 6 January 1, 1962.

Approved March 6, 1961.

## CHAPTER 272

## H. F. 234

AN ACT to amend chapter five hundred eighty-seven (587), Code 1958, relating to legalizing judgments and decrees.

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

1     **SECTION 1.** Section five hundred eighty-seven point three (587.3),  
2 Code 1958, is hereby amended by striking from line two (2), the fig-  
3 ures "1943" and inserting in lieu thereof the figures "1953".

1     **SEC. 2.** Section five hundred eighty-seven point four (587.4),  
2 Code 1958, is hereby amended by striking from line four (4), the fig-  
3 ures "1950" and inserting in lieu thereof the figures "1960".

1     **SEC. 3.** Section five hundred eighty-seven point seven (587.7),  
2 Code 1958, is hereby amended by striking from line three (3), the  
3 figures "1946" and inserting in lieu thereof the figures "1956".

1     **SEC. 4.** Section five hundred eighty-seven point eight (587.8),  
2 Code 1958, is hereby amended by striking from line two (2), the fig-  
3 ures "1945" and inserting in lieu thereof the figures "1955".

1     **SEC. 5.** Section five hundred eighty-seven point nine (587.9), Code  
2 1958, is hereby amended by striking from line two (2), the figures  
3 "1949" and inserting in lieu thereof the figures "1959".

1     **SEC. 6.** Section five hundred eighty-seven point ten (587.10),  
2 Code 1958, is hereby amended by striking from line five (5), the fig-  
3 ures "1950" and inserting in lieu thereof the figures "1960".

1     **SEC. 7.** Section five hundred eighty-seven point twelve (587.12),  
2 Code 1958, is hereby amended as follows:

3     1. Strike from subsection one (1), line three (3), the figures "1951"  
4 and insert in lieu thereof the figures "1961".

5     2. Strike from subsection two (2), line six (6), the figures "1951"  
6 and insert in lieu thereof the figures "1961".

7     3. Strike from subsection three (3), line seven (7), the figures  
8 "1951" and insert in lieu thereof the figures "1961".

1     **SEC. 8.** This Act shall not affect pending litigation nor shall it  
2 operate to revive rights or claims previously barred, nor permit an  
3 action to be brought or maintained upon any claim or cause of action  
4 which is barred by any statute which is in force prior to July 4, 1961,  
5 nor shall it affect any action which may be brought on or before  
6 January 1, 1962.

Approved March 8, 1961.

## CHAPTER 273

## REAL ESTATE TRANSFERS BY SOCIAL WELFARE DEPARTMENT

H. F. 633

AN ACT to legalize all instruments, deeds or releases affecting real estate which are now filed or recorded, and which were signed by the secretary of the state board of social welfare or the state department of social welfare.

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

1 SECTION 1. Every deed, release or other instrument in writing  
2 purporting to transfer any interest in land held or claimed by either  
3 the state department of social welfare or the state board of social  
4 welfare of the state of Iowa, which is signed for either or both said  
5 bodies by the secretary of either, and which are now filed or of record  
6 as of February 1, 1961, in the office of the auditor or recorder or clerk  
7 of the district court of any county in Iowa, and any writing thus  
8 signed, filed or recorded which purports to release any old-age assist-  
9 ance lien on any real estate in Iowa is hereby legalized and shall be  
10 good and valid in law and in equity as fully as if the record expressly  
11 showed that same in all respects complied with and was fully author-  
12 ized as provided in any statute pertaining to such instrument, any-  
13 thing in the laws of Iowa to the contrary notwithstanding.

Approved May 1, 1961.

## CHAPTER 274

## WILLS—LEGALIZING ACTS

H. F. 236

AN ACT to amend chapter five hundred ninety (590), Code 1958, relating to "Wills—Legalizing Acts".

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

1 SECTION 1. Section five hundred ninety point one (590.1), Code  
2 1958, is amended by striking from line one (1) the figures "1945"  
3 and inserting in lieu thereof the figures "1955".

4 Further amend said section by striking from line five (5) the  
5 words and figures "1924, 1927, 1931, and 1939" and inserting in lieu  
6 thereof the words and figures "1924 to 1939, inclusive, and section  
7 633.46, Code 1946 to 1958, inclusive,".

1 SEC. 2. Section five hundred ninety point two (590.2), Code 1958,  
2 is amended by striking from line two (2) the figures "1949" and in-  
3 serting in lieu thereof the figures "1959".

4 Further amend said section by inserting in line eight (8) after the  
5 figures "1946" the words and figures "to 1958, inclusive,".

1 SEC. 3. This Act shall not affect pending litigation nor shall it  
2 operate to revive rights or claims previously barred nor permit an  
3 action to be brought or maintained upon any claim or cause of action  
4 which is barred by any statute which is in force prior to July 4, 1961,  
5 nor shall it affect any action which may be brought on or before  
6 January 1, 1962.

Approved March 6, 1961.

## CHAPTER 275

## SCHOOL BOUNDARIES LEGALIZED

H. F. 63

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 July 2, 1960 purporting  
2 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 litigation  
2 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 Muscatine Journal, a newspaper published at Muscatine, Iowa, and  
4 The Belle Plaine Union, a newspaper published at Belle Plaine, Iowa.

Approved January 31, 1961.

I hereby certify that the foregoing Act, House File 63, was published in The Muscatine Journal, Muscatine, Iowa, February 8, 1961, and in The Belle Plaine Union, Belle Plaine, Iowa, February 8, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 276

## MINIMUM AGE OF MARRIAGE

H. F. 269

AN ACT relating to the minimum age of marriage.

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

1 SECTION 1. Section five hundred ninety-five point two (595.2),  
2 Code 1958, is hereby amended as follows:

3 1. By striking in line two (2) the word "sixteen" and inserting  
4 in lieu thereof the word "eighteen".

5 2. By striking in line two (2) the word "fourteen" and inserting  
6 in lieu thereof the word "sixteen".

7 3. By adding to said section the following paragraph:

8 "Notwithstanding the foregoing, the district court may, when  
9 application is made by parties, one or both of whom are under the  
10 age thus fixed and the female of whom is pregnant, grant an order  
11 authorizing issuance of a marriage license by the clerk of the district  
12 court to said applicants and the marriage under such license shall  
13 be valid. The records of the court which pertain to such condition  
14 of pregnancy shall be sealed and available only to the contracting  
15 parties or to any interested party securing an order of court."

Approved May 4, 1961.

## CHAPTER 277

## MARRIAGE LICENSES FOR MINORS

H. F. 271

AN ACT relating to marriage licenses for minors who have no living parents or guardians.

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

1 SECTION 1. Section five hundred ninety-five point three (595.3),  
2 Code 1958, as amended by chapter one hundred fifty-two (152), Acts  
3 of the Fifty-eighth General Assembly, is hereby amended by inserting  
4 in subsection two (2), line seven (7), after the word "certificate" the  
5 following:

6 "but if such minor has no guardian then the judge of the district  
7 court having jurisdiction in the county may, after hearing, upon  
8 proper cause shown, execute such certificate."

1 SEC. 2. Section five hundred ninety-five point five (595.5), Code  
2 1958, is hereby repealed.

1 SEC. 3. Section five hundred ninety-five point seven (595.7), Code  
2 1958, is hereby amended by striking from line five (5) the period  
3 after the word 'return' and adding the following: "; and upon receipt  
4 of such return, the clerk shall mail notification of such marriage to  
5 the county clerk of court or other comparable authority in the county  
6 or counties of residence in the United States of the contracting  
7 parties."

Approved May 12, 1961.

## CHAPTER 278

## MARRIAGE LICENSES

H. F. 223

AN ACT relating to requirements for issuance of marriage licenses.

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

1 SECTION 1. Section five hundred ninety-five point four (595.4),  
2 Code 1958, is hereby repealed and the following substituted in lieu  
3 thereof:

4 "Previous to the issuance of any license to marry, the parties de-  
5 siring such license shall sign and file a verified application with the  
6 clerk of court which application either may be mailed to the parties  
7 at their request or may be signed by them at the office of the clerk of  
8 the district court in the county in which the license is to be issued.  
9 Such application shall set forth at least one affidavit of some compe-  
10 tent and disinterested person stating such facts as to age and qualifi-  
11 cation of the parties as the clerk may deem necessary to determine  
12 the competency of the parties to contract a marriage. Upon the filing  
13 of the application for a license to marry the clerk of the district court  
14 shall file the application in a record kept for that purpose and no  
15 license shall be issued until the expiration of three days from the date

16 of filing the application. After the expiration of three days from the  
 17 date of filing the clerk shall issue the license to the parties if he is  
 18 satisfied as to the competency of the parties to contract a marriage."

Approved May 12, 1961.

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## CHAPTER 279

### JUSTICES OF THE PEACE

H. F. 440

AN ACT relating to the duties of justices of the peace.

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

1 SECTION 1. Chapter six hundred one (601), Code 1958, is hereby  
 2 amended by adding thereto the following new section:  
 3 "It shall be the duty of justices of the peace to attend the confer-  
 4 ence or school of instruction designated for them by the chief justice  
 5 of the supreme court. Reimbursement for expenses of attending one  
 6 such conference or school of instruction per year shall be made from  
 7 the general fund of their county and be subject to the limitation con-  
 8 tained in section six hundred five point two (605.2) of the Code."

Approved April 26, 1961.

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## CHAPTER 280

### JURISDICTION OF MUNICIPAL COURT

S. F. 85

AN ACT to increase the jurisdiction of the municipal court.

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

1 SECTION 1. Amend section six hundred two point fourteen  
 2 (602.14), Code 1958, by striking from lines four (4) and five (5)  
 3 thereof the words "one thousand dollars", and substituting the words  
 4 "two thousand (2000) dollars" in lieu thereof.

Approved March 30, 1961.

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## CHAPTER 281

### MUNICIPAL AND SUPERIOR JUDGES

S. F. 165

AN ACT relating to the salaries of judges of municipal and superior courts.

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

1 SECTION 1. Section one (1) of chapter three hundred fifty-three  
 2 (353), Acts of the Fifty-eighth General Assembly is amended by



3 striking all of lines four (4) through eight (8) and by inserting in  
4 lieu thereof the following:

5 "The annual salary of each municipal judge shall be eighty (80)  
6 per cent of the maximum salary set by statute for judges of the  
7 district courts."

1 SEC. 2. Section six hundred three point forty-three (603.43),  
2 Code 1958, is hereby amended by striking from line three (3) the  
3 words "five thousand dollars per annum, and", and inserting in lieu  
4 thereof the following:

5 "fifty (50) percent of the maximum salary set by statute for  
6 judges of the district courts, and shall be".

Approved April 7, 1961.

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## CHAPTER 282

### SUPERIOR COURT JUDGES

S. F. 276

AN ACT relating to superior court judges.

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

1 SECTION 1. Section six hundred three point fifty-two (603.52),  
2 Code 1958, is hereby amended by striking from lines two (2) and  
3 three (3) the words "five thousand dollars per annum," and inserting  
4 in lieu thereof the following:

5 "fifty (50) percent of the maximum salary set by statute for judges  
6 of the district courts, and shall be".

Approved May 1, 1961.

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## CHAPTER 283

### DISTRICT COURT JUDGES

S. F. 3

AN ACT relating to an increase in the number of judges in the tenth (10th) and  
fourteenth (14th) judicial districts.

*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 from line thirty-six (36) and  
3 from line fifty-two (52) the word "three" and inserting in lieu there-  
4 of the word "four (4)".

1 SEC. 2. The vacancy in the office of district judge created by this  
2 Act shall be filled by appointment of the governor. The person so  
3 appointed shall hold office until January 1, 1963, or until his successor  
4 is elected and qualified, which successor shall be elected at the general  
5 election in 1962 and every four (4) years thereafter.

1 SEC. 3. This Act being deemed of immediate importance shall be  
2 in full force and effect from and after publication in the Waterloo

3 Daily Courier, a newspaper published at Waterloo, Iowa, and the  
4 Iowa City Press-Citizen, a newspaper published at Iowa City, Iowa.

Approved March 14, 1961.

I hereby certify that the foregoing Act, Senate File 3, was published in the Waterloo Daily Courier, Waterloo, Iowa, March 16, 1961, and in the Iowa City Press-Citizen, Iowa City, Iowa, March 17, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 284

### JUDICIAL RETIREMENT SYSTEM

S. F. 190

AN ACT to amend chapter six hundred five A (605A), Code 1958, and chapter three hundred fifty-six (356), Acts of the Fifty-eighth General Assembly, making certain changes in the judicial retirement system, including the amount of the annuity that the judge shall receive upon retirement.

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

- 1 SECTION 1. Chapter three hundred fifty-six (356), Acts of the  
2 Fifty-eighth General Assembly, is hereby amended as follows:  
3 1. By striking from line six (6) of section two (2) the word  
4 "three" and substituting therefor the word "four".  
5 2. By striking from line eleven (11) of section two (2) the word  
6 "three" and substituting therefor the word "four".  
7 3. By striking from line fourteen (14) of section two (2) the  
8 words "twenty-five" and substituting therefor the words "thirty-five".  
9 4. By striking from line fifteen (15) of section two (2) the word  
10 "three" and substituting therefor the word "four".  
11 5. By striking from line sixteen (16) of section two (2) the word  
12 "four" and substituting therefor the word "five".

- 1 SEC. 2. Section six hundred five A point seven (605A.7), Code  
2 1958, is hereby amended as follows:  
3 1. By striking from line three (3) thereof the word "two" and  
4 substituting therefor the word "three".  
5 2. By striking from line eight (8) thereof the word "forty" and  
6 substituting therefor the word "fifty".

Approved April 21, 1961.

## CHAPTER 285

### BAR ADMISSION FUND

H. F. 238

AN ACT relating to the special fund on fees for admission to practice law.

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

- 1 SECTION 1. Section six hundred ten point eight (610.8), Code  
2 1958, is hereby amended by striking from lines eleven (11) and twelve

3 (12) the words "unappropriated on the thirtieth day of June" and  
 4 inserting in lieu thereof the words "in excess of three thousand dollars  
 5 on the thirty-first day of December".

Approved March 6, 1961.

## CHAPTER 286

### LIMITATION OF ACTIONS

H. F. 235

AN ACT to amend certain sections of the Code 1958, relating to special limitations of actions in regard to the recovery of interests in real estate.

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

1 SECTION 1. Section six hundred fourteen point fourteen (614.14),  
 2 Code 1958, is amended by striking from line eight (8) the figures  
 3 "1940" and inserting in lieu thereof the following, "1950".

4 Further amend said section by striking from the last line the figures  
 5 "1952" and inserting in lieu thereof the following, "1962".

1 SEC. 2. Section six hundred fourteen point fifteen (614.15), Code  
 2 1958, is amended as follows:

3 1. Strike from line three (3) the figures "1940" and insert in lieu  
 4 thereof the figures "1950";

5 2. Strike from line eleven (11) the figures "1951" and insert in  
 6 lieu thereof the following, "1961";

7 3. Strike from line twenty (20) the figures "1951" and insert in  
 8 lieu thereof the following, "1961".

1 SEC. 3. Section six hundred fourteen point sixteen (614.16), Code  
 2 1958, is amended by striking from line seven (7) the figures "1951"  
 3 and inserting the figures, "1961" in lieu thereof.

1 SEC. 4. Section six hundred fourteen point seventeen (614.17),  
 2 Code 1958, is amended by striking from lines two (2) and eleven (11)  
 3 the figures "1940" and inserting in each instance the figures "1950"  
 4 in lieu thereof.

5 Further amend said section by striking from line sixteen (16) the  
 6 figures "1951" and inserting the figures "1961" in lieu thereof.

7 Further amend said section by striking from the last line thereof  
 8 the figures "1951" and inserting the figures "1961" in lieu thereof.

1 SEC. 5. Section six hundred fourteen point twenty (614.20), Code  
 2 1958, is amended by striking from line nineteen (19) the figures  
 3 "1951" and inserting in lieu thereof the following, "1961".

1 SEC. 6. Section six hundred fourteen point twenty-two (614.22),  
 2 Code 1958, is amended by striking from line ten (10) the figures  
 3 "1940" and inserting the figures "1950" in lieu thereof.

4 Further amend said section by striking from lines twelve (12) and  
 5 fifteen (15) the figures "1953" and inserting the figures "1963" in  
 6 lieu thereof.

7 Further amend said section by striking from line twenty-five (25)  
 8 the figures "1951" and inserting the figures "1961" in lieu thereof.

1 SEC. 7. Nothing in this Act shall be construed to revive any cause  
2 of action, previously barred by the provisions of sections herein  
3 amended, prior to the effective date of this Act.

Approved March 13, 1961.

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## CHAPTER 287

### SERVICE OF PROCESS ON FOREIGN CORPORATIONS

H. F. 576

AN ACT relating to service of process on foreign corporations.

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

1 SECTION 1. Section six hundred seventeen point three (617.3),  
2 Code 1958, is hereby amended by adding thereto the following:  
3 "If a foreign corporation makes a contract with a resident of  
4 Iowa to be performed in whole or in part by either party in Iowa,  
5 or if such foreign corporation commits a tort in whole or in part  
6 in Iowa against a resident of Iowa, such acts shall be deemed to  
7 be doing business in Iowa by the foreign corporation for the purpose  
8 of service of process or original notice on such foreign corporation  
9 and shall be deemed to constitute the appointment by the foreign  
10 corporation of the secretary of state of the state of Iowa and his  
11 successors to be its true and lawful attorney upon whom may be  
12 served all lawful process or original notice in actions or proceedings  
13 against the foreign corporation arising from or growing out of  
14 such contract or tort. The making of the contract or the committing  
15 of the tort shall be deemed to be the agreement of the foreign  
16 corporation that any process or original notice against it which is  
17 so served upon the secretary of state shall be of the same legal  
18 force and effect as if served personally within the state of Iowa."

Approved May 6, 1961.

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## CHAPTER 288

### ADMISSIBILITY OF RECORDS AS EVIDENCE

S. F. 202

AN ACT to repeal sections six hundred twenty-two point twenty-eight (622.28) and six hundred twenty-two point twenty-nine (622.29), Code 1958, relating to admissibility of records as evidence and to enact a substitute therefor.

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

1 SECTION 1. Sections six hundred twenty-two point twenty-eight  
2 (622.28) and six hundred twenty-two point twenty-nine (622.29),  
3 Code 1958, are hereby repealed and the following enacted in lieu  
4 thereof:  
5 "Any writing or record, whether in the form of an entry in a book,  
6 or otherwise, including electronic means and interpretations thereof,

7 offered as memoranda or records of acts, conditions or events to  
 8 prove the facts stated therein, shall be admissible as evidence if the  
 9 judge finds that they were made in the regular course of a business  
 10 at or about the time of the act, condition or event recorded, and that  
 11 the sources of information from which made and the method and cir-  
 12 cumstances of their preparation were such as to indicate their trust-  
 13 worthiness, and if the judge finds that they are not excludable as evi-  
 14 dence because of any rule of admissibility of evidence other than the  
 15 hearsay rule.

16 Evidence of the absence of a memorandum or record from the  
 17 memoranda or records of a business of an asserted act, event or  
 18 condition, shall be admissible as evidence to prove the non-occurrence  
 19 of the act or event, or the non-existence of the condition, if the judge  
 20 finds that it was in the regular course of that business to make such  
 21 memoranda of all such acts, events or conditions at the time thereof  
 22 or within a reasonable time thereafter, and to preserve them.

23 The term business, as used in this section, includes business, pro-  
 24 fession, occupation, and calling of every kind."

Approved April 19, 1961.

## CHAPTER 289

### REAL ESTATE MORTGAGES

S. F. 450

AN ACT to amend chapter six hundred twenty-eight (628), Code 1958, to permit mortgagors and mortgagees of real property of less than ten (10) acres in size to reduce the period of redemption after foreclosure sale by agreement and by waiver of deficiency judgment.

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

1 SECTION 1. Chapter six hundred twenty-eight (628), Code 1958,  
 2 is hereby amended by adding the following new section thereto:  
 3 "The mortgagor and the mortgagee of real property consisting of  
 4 less than ten (10) acres in size may agree and provide in the mortgage  
 5 instrument that the period of redemption after sale on foreclosure of  
 6 said mortgage as set forth in section six hundred twenty-eight point  
 7 three (628.3) be reduced to six (6) months, provided the mortgagee  
 8 waives in the foreclosure action any rights to a deficiency judgment  
 9 against the mortgagor which might arise out of the foreclosure pro-  
 10 ceedings. In such event the debtor will, in the meantime, be en-  
 11 titled to the possession of said real property; and if such redemption  
 12 period is so reduced, for the first three (3) months after sale such  
 13 right of redemption shall be exclusive to the debtor, and the time  
 14 periods in sections six hundred twenty-eight point five (628.5), six  
 15 hundred twenty-eight point fifteen (628.15), and six hundred twenty-  
 16 eight point sixteen (628.16), shall be reduced to four (4) months."

Approved April 7, 1961.

## CHAPTER 290

## DUTCH ELM DISEASE

S. F. 335

AN ACT to define trees infected with Dutch elm disease as a nuisance when located in cities and towns and to provide for the abatement of same.

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

1 SECTION 1. Section six hundred fifty-seven point two (657.2),  
2 Code 1958, is hereby amended by adding thereto the following sub-  
3 section:

4 "Trees infected with Dutch elm disease in cities and towns."

1 SEC. 2. Section three hundred sixty-eight point three (368.3),  
2 Code 1958, is amended by adding the following new paragraph:

3 "In any city or town the council may order the owner, occupant, or  
4 person in charge of any property to remove at his own expense any  
5 tree infected with Dutch elm disease found thereon, by serving such  
6 person with written notice, stating some reasonable time within which  
7 such removal shall be made, and if such person fails to comply with  
8 said order, the council may cause the same to be executed and the cost  
9 assessed against the property."

Approved April 11, 1961.

## CHAPTER 291

## SHOPLIFTING

H. F. 52

AN ACT relating to larceny, creating and defining the offense of shoplifting, providing penalties for such offense.

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

1 SECTION 1. Chapter seven hundred nine (709), Code 1958, is  
2 hereby amended by adding thereto the following:

3 "Whoever shall willfully take possession of any goods, wares, or  
4 merchandise offered for sale by any store or other mercantile estab-  
5 lishment, with the intention of converting the same to his own use  
6 without paying the purchase price thereof, shall be guilty of shoplift-  
7 ing and, when the value of the property so taken into possession ex-  
8 ceeds the sum of twenty dollars, he shall be punished by imprisonment  
9 in the penitentiary not more than five years, or in the county jail not  
10 more than one year, or by fine of not more than one thousand dollars,  
11 or by both such fine and imprisonment; when the value does not ex-  
12 ceed twenty dollars, by fine not exceeding one hundred dollars, or im-  
13 prisonment in the county jail not exceeding thirty days."

1 SEC. 2. The fact that any person has concealed unpurchased  
2 goods or merchandise of any store or other mercantile establishment,  
3 either on the premises or outside the premises of such store, shall be  
4 material evidence of concealment of such article with the intention of  
5 converting the same to his own use without paying the purchase price

6 thereof within the meaning of Section one (1) of this Act, and the  
 7 finding of such unpurchased goods or merchandise concealed, upon the  
 8 person or among the belongings of such person, shall be material evi-  
 9 dence of willful concealment and, if such person conceals, or causes  
 10 to be concealed, such unpurchased goods or merchandise, upon the  
 11 person or among the belongings of another, the finding of the same  
 12 shall also be material evidence of willful concealment on the part of  
 13 the person concealing such goods.

1 SEC. 3. Persons so concealing such goods may be detained and  
 2 searched by a peace officer, merchant, or a merchant's employee, pro-  
 3 vided that the detention is for a reasonable length of time and that  
 4 the search is conducted in a reasonable manner by a person of the  
 5 same sex and according to section four (4).

1 SEC. 4. No search of the person shall be conducted by any person  
 2 other than someone acting under the direction of a peace officer ex-  
 3 cept where permission of the one to be searched has been first ob-  
 4 tained.

1 SEC. 5. The detention or search under this Act by a peace officer,  
 2 merchant, or merchant's employee shall not render such peace officer,  
 3 merchant, or merchant's employee liable, in a criminal or civil action,  
 4 for false arrest or false imprisonment provided the peace officer, mer-  
 5 chant, or merchant's employee had reasonable grounds to believe the  
 6 person detained or searched committed or was attempting to commit  
 7 the crime of shoplifting as defined in this Act.

Approved February 9, 1961.

## CHAPTER 292

### FIREWORKS

H. F. 216

AN ACT relating to the definition of fireworks.

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

1 SECTION 1. Section seven hundred thirty-two point seventeen  
 2 (732.17), Code 1958, is hereby amended by adding the following new  
 3 sentence thereto:

4 The term "fireworks" shall not include gold-star-producing spark-  
 5 lers on wires which contain no magnesium or chlorate or perchlorate,  
 6 nor flitter sparklers in paper tubes that do not exceed one-eighth of  
 7 an inch in diameter, nor toy snakes which contain no mercury.

Approved April 19, 1961.

## CHAPTER 293

## X-RAY MACHINES FOR SHOE FITTING

S. F. 39

AN ACT to prohibit the use, possession or control of X-ray machines for the purpose of shoe-fitting.

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

1 SECTION 1. Whoever uses, possesses or controls, with intent to  
2 so use, any fluoroscopic or X-ray machine for the purpose of shoe  
3 fitting or attempting to fit shoes, or knowingly permits such machine,  
4 whether or not in use, to remain on his premises, shall be punished  
5 by a fine of not more than two hundred dollars or by imprisonment  
6 in the county jail for not more than sixty days or by both such fine  
7 and imprisonment. Each day of such use, possession or control shall  
8 constitute a separate violation of this Act.

Approved April 25, 1961.

## CHAPTER 294

## LEASING COMMUNICATION EQUIPMENT

H. F. 30

AN ACT to permit the joint ownership, operation, and leasing of communication equipment by towns, cities, and counties.

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

1 SECTION 1. Chapter seven hundred fifty (750), Code 1958, is  
2 amended by adding thereto the following new section:  
3 "The council of any city or town and the board of supervisors of  
4 any county shall have in addition to the foregoing the discretionary  
5 authority:  
6 1. To purchase, lease, own, and maintain additional radio, elec-  
7 tronic communications and telecommunications systems as may be  
8 deemed necessary by said agency for the efficient operation of the  
9 law-enforcement agencies under its jurisdiction, and to pay the cost  
10 thereof from the general fund of said county, or the public safety  
11 fund of said city or town.  
12 2. To enter into lease or contract arrangements for the joint own-  
13 ership, maintenance, acquisition or leasing of said equipment with  
14 any other city, town, or county and may jointly operate the same  
15 with such co-operating agency for the mutual economy and efficiency  
16 of both."

Approved March 20, 1961.



## CHAPTER 295

## CLERK OF GRAND JURY

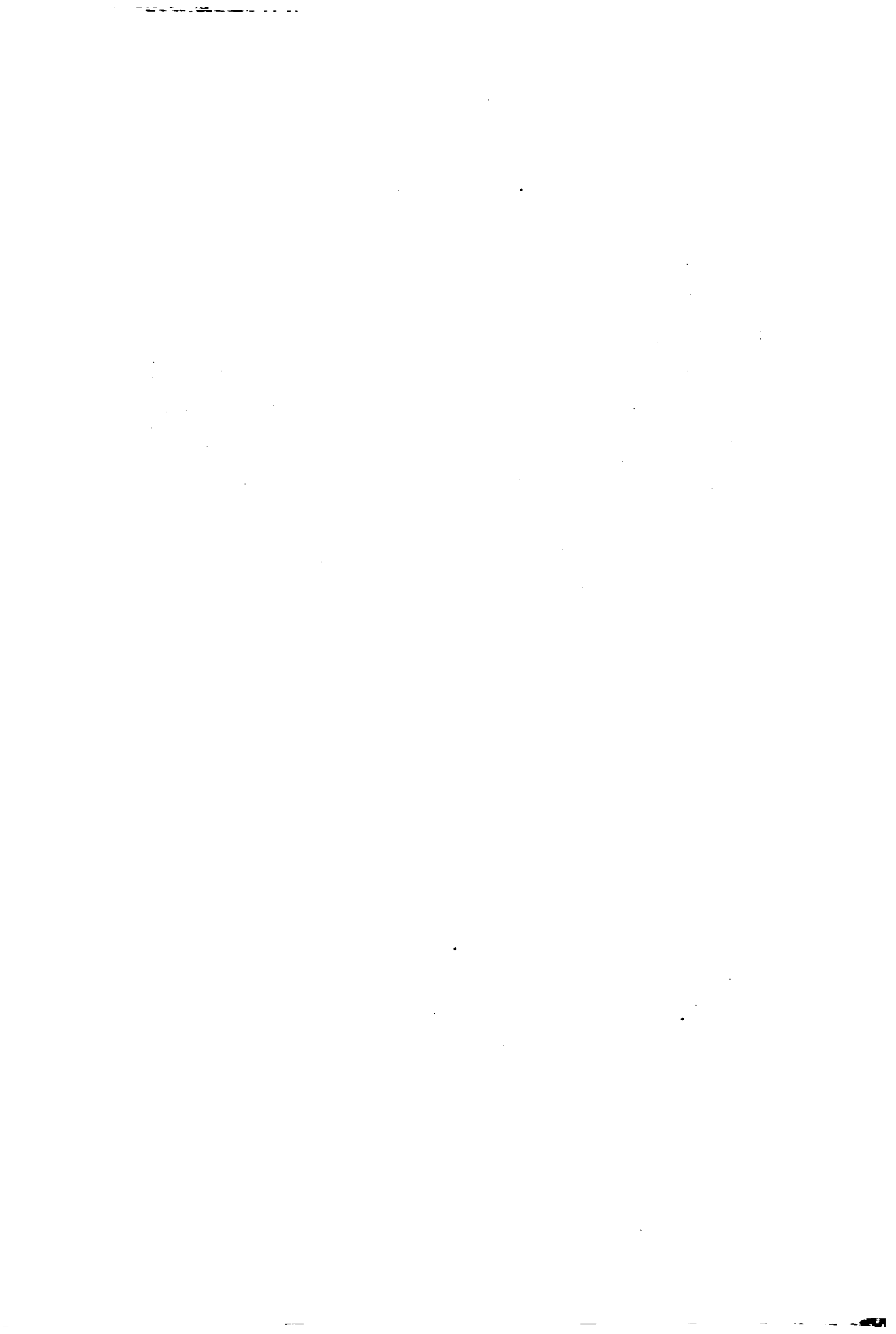
H. F. 146

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, as amended by chapter three hundred seventy-  
3 five (375), Acts of the Fifty-eighth General Assembly, is hereby  
4 amended by striking the last three paragraphs of said section and  
5 inserting in lieu thereof the following:  
6 "In all counties having a population of more than seventy-five  
7 thousand (75,000) inhabitants and less than one hundred twenty  
8 thousand (120,000), each clerk shall receive as compensation, an  
9 annual salary of not to exceed four thousand dollars (\$4,000). In  
10 counties having a population of one hundred twenty thousand  
11 (120,000) and over, and less than one hundred fifty thousand  
12 (150,000) inhabitants, each clerk shall receive an annual salary of  
13 forty-four hundred dollars (\$4,400). In counties having a popula-  
14 tion of one hundred fifty thousand (150,000) and over, each clerk  
15 shall receive an annual salary of six thousand dollars (\$6,000)."

Approved April 18, 1961.



**SPECIAL AND LEGALIZING ACTS**



## SPECIAL AND LEGALIZING ACTS

### CHAPTER 296

#### TERMS OF SUPREME AND DISTRICT COURT JUDGES

S. F. 415

AN ACT relating to the term of office of supreme and district court judges.

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

1 SECTION 1. The provisions of any statute to the contrary not-  
2 withstanding, the terms of all supreme and district court judges  
3 which, under previous constitutional and statutory provisions, would  
4 have expired prior to December 31, 1964, are hereby extended to and  
5 including December 31st of the year in which the first judicial election  
6 is held under the amendment to the Constitution of the State of Iowa  
7 proposed in Senate Joint Resolution fourteen (14) of the Fifty-ninth  
8 (59th) General Assembly, but not beyond December 31, 1964.

1 SEC. 2. Sections thirty-nine point eleven (39.11), thirty-nine  
2 point fourteen (39.14), forty-three point ninety-seven (43.97) sub-  
3 section six (6), forty-nine point forty-one (49.41) and all of the  
4 sections in Chapter forty-six (46) except section forty-six point  
5 eighteen (46.18), Code 1958, are hereby repealed.

1 SEC. 3. Section forty-three point ninety-seven (43.97) subsection  
2 four (4), Code 1958, is hereby amended by striking from lines two  
3 (2), three (3) and four (4) of such subsection the following: “, to the  
4 state judicial convention, and to all district conventions of that year,  
5 including judicial district convention,” and inserting in lieu thereof  
6 the words, “and to all district conventions of that year”.

1 SEC. 4. Section forty-four point fourteen (44.14), Code 1958, is  
2 hereby amended by striking from line three (3) of such section the  
3 following: “judicial,”.

1 SEC. 5. Section forty-nine point forty-two (49.42), Code 1958, is  
2 hereby amended by striking therefrom lines twenty-two (22) to twen-  
3 ty-five (25) inclusive.

1 SEC. 6. This Act shall take effect if the amendment to the Consti-  
2 tution of the State of Iowa proposed in Senate Joint Resolution four-  
3 teen (14) of the Fifty-ninth (59th) General Assembly is approved by  
4 the people, and upon completion of the canvass of the ballots cast  
5 at the special election at which it is so approved.

Approved May 3, 1961.

## CHAPTER 297

## IOWA-NEBRASKA BOUNDARY

## S. F. 428

AN ACT to establish the boundary line between Iowa and Nebraska by agreement; to cede to Nebraska and to relinquish jurisdiction over lands now in Iowa but lying westerly of said boundary line and contiguous to lands in Nebraska; to provide that the provisions of this Act become effective upon the enactment of a similar and reciprocal law by Nebraska and the approval of and consent to the compact thereby effected by the Congress of the United States of America and to declare an emergency.

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

1 SECTION 1. On and after the enactment of a similar and reciprocal  
2 law by the State of Nebraska, and the approval and consent of the  
3 Congress of the United States of America, as hereinafter provided,  
4 the boundary line between the States of Iowa and Nebraska shall  
5 be described as follows:

6 Commencing at a point on the south line of section 20, in township  
7 75 N., range 44 W. of the fifth principal meridian, produced 861½ feet  
8 west of the S.E. corner of said section, and running thence north-  
9 westerly to a point on the south line of lot 4 of section 10, in town-  
10 ship 15 N., of range 13 E. of the sixth principal meridian, 2,275 feet  
11 east of the S.W. corner of the N.W. ¼ of the S.E. ¼ of said section 10;  
12 thence northerly, to a point on the north line of lot 4 aforesaid,  
13 2,068 feet east of the center line of said section 10; thence north, to  
14 a point on the north line of section 10, 2,068 feet east of the quarter  
15 section corner on the north line of said section 10; thence northerly,  
16 to a point 312 feet west of the S.E. corner of lot 1, in section 3, town-  
17 ship 15 N., range 13 E., aforesaid; thence northerly, to a point on  
18 the section line between sections 2 and 3, 358 feet south of the quar-  
19 ter section corner on said line; thence northeasterly, to the center of  
20 the S.E. ¼ of the N.W. ¼ of section 2 aforesaid; thence east, to  
21 the center of the W. ½ of lot 5, otherwise described as the S.W. ¼  
22 of the N.W. ¼ of section 1, in township 15, range 13, aforesaid; thence  
23 southeasterly, to a point on the south line of lot 5 aforesaid, 1,540  
24 feet west of the center of section 1, last aforesaid; thence south  
25 2,050 feet, to a point 1,540 feet west of the north and south open line  
26 through said section 1; thence southwesterly, to the S.W. corner of  
27 the N.E. ¼ of the S.W. ¼ of section 21, in township 75 N., range  
28 44 W. of the fifth principal meridian; thence southeasterly, to a point  
29 660 feet south of the N.E. corner of the N.W. ¼ of the N.E. ¼ of  
30 section 28, in township 75 N., range 44 W., aforesaid; and said line  
31 produced to the center of the channel of the Missouri river; thence  
32 up the middle of the main channel of the Missouri river to a point  
33 opposite the middle of the main channel of the Big Sioux river.

34 Commencing again at the point of beginning first named, namely,  
35 a point on the south line of section 20, in township 75 N., range 44 W.  
36 of the fifth principal meridian, produced 861½ feet west of the S.E.  
37 corner of said section, and running thence southeasterly to a point  
38 660 feet east of the S.W. corner of the N.W. ¼ of the N.W.¼ of  
39 section 28, in township 75 N., range 44 W. of the fifth principal merid-  
40 ian, and said line produced to the center of the channel of the Mis-  
41 souri river; thence down the middle of the main channel of the Mis-  
42 souri river to the northern boundary of the State of Missouri.

43 The said middle of the main channel of the Missouri River referred  
 44 to in this Act shall be the center line of the proposed stabilized chan-  
 45 nel of the Missouri river as established by the United States engineers'  
 46 office, Omaha, Nebraska, and shown on the construction maps of the  
 47 Missouri river from Sioux City, Iowa, to Hamburg, Iowa, and iden-  
 48 tified by file numbers M400-61-18 through M400-61-47 inclusive,  
 49 dated February 21, 1961, file number M400-61-51A, dated February  
 50 21, 1961, and file numbers M400-61-51 through M400-61-84, inclu-  
 51 sive, dated February 21, 1961, which maps are now on file in the  
 52 United States engineers' office at Omaha, Nebraska, and copies of  
 53 which maps are now on file with the secretary of state of the State of  
 54 Iowa and with the secretary of state of the State of Nebraska.

1 SEC. 2. The State of Iowa hereby cedes to the State of Nebraska  
 2 and relinquishes jurisdiction over all lands now in Iowa but lying  
 3 westerly of said boundary line and contiguous to lands in Nebraska.

1 SEC. 3. Titles, mortgages, and other liens good in Nebraska shall  
 2 be good in Iowa as to any lands Nebraska may cede to Iowa and any  
 3 pending suits or actions concerning said lands may be prosecuted  
 4 to final judgment in Nebraska and such judgments shall be accorded  
 5 full force and effect in Iowa.

1 SEC. 4. Taxes for the current year may be levied and collected by  
 2 Nebraska or its authorized governmental subdivisions and agencies  
 3 on lands ceded to Iowa and any liens or other rights accrued or accru-  
 4 ing, including the right of collection, shall be fully recognized and  
 5 the county treasurers of the counties affected shall act as agents in  
 6 carrying out the provisions of this section: *Provided*, that all liens  
 7 or other rights accrued or accruing, as aforesaid, shall be claimed  
 8 or asserted within five years after this Act becomes effective, and if  
 9 not so claimed or asserted, shall be forever barred.

1 SEC. 5. The provisions of this Act shall become effective only upon  
 2 the enactment of a similar and reciprocal law by the State of Ne-  
 3 braska and the approval of and consent to the compact thereby ef-  
 4 fected by the Congress of the United States of America. Said similar  
 5 and reciprocal law shall contain provisions identical with those con-  
 6 tained herein for the cession to Iowa of all lands now in Nebraska  
 7 but lying easterly of said boundary line described in section 1 of this  
 8 Act and contiguous to lands in Iowa and also contain provisions iden-  
 9 tical with those contained in sections 3 and 4 of this Act but applying  
 10 to lands ceded to Nebraska.

1 SEC. 6. This Act being deemed of immediate importance shall be  
 2 in full force and effect from and after its publication in the Council  
 3 Bluffs Nonpareil, a newspaper published at Council Bluffs, Iowa, and  
 4 in The Journal-Herald, a newspaper published at Avoca, Iowa.

Approved April 19, 1961.

I hereby certify that the foregoing Act, Senate File 428, was published in the  
 Council Bluffs Nonpareil, Council Bluffs, Iowa, April 26, 1961, and in The Journal-  
 Herald, Avoca, Iowa, April 27, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 298

## CEDAR RAPIDS SCHOOL LEGALIZING ACT

H. F. 492

AN ACT transferring jurisdiction to the Cedar Rapids Community School District of certain land known as a portion of Noelridge Park in Cedar Rapids, Linn county, Iowa.

WHEREAS, said portion of Noelridge Park situated within the corporate boundaries of Cedar Rapids, Linn County, Iowa, is a city park owned by the city of Cedar Rapids, Linn County, Iowa and which is situated within the legal boundaries of Marion Rural Community School District, and

WHEREAS, said Noelridge Park lies contiguous to the legal boundary of Cedar Rapids Community School District, and

WHEREAS, the Cedar Rapids Community School District is desirous of building and maintaining a public school in said portion of Noelridge Park to serve the needs of residents of Cedar Rapids Community School District, and

WHEREAS, the city of Cedar Rapids, Linn County, Iowa is desirous of selling said part of Noelridge Park to the Cedar Rapids Community School District for the purpose referred to above, and

WHEREAS, said portion of Noelridge Park cannot be used by said Marion Rural Community School District for any purpose and is of no tax benefit to said Marion Rural Community School District, and

WHEREAS, the board of education of the Marion Rural Community School District, having passed a resolution objecting to any boundary-line changes of school districts by legislative action as drawn up in the original bill known as House File 492 by Riley and Ely, and

WHEREAS, the board of education of the Marion Rural Community School District, and the board of education of the Cedar Rapids Community School District having met for the purpose of studying the costs and needs of suitable building sites within the Cedar Rapids Community School District, and

WHEREAS, the board of education of the Marion Rural Community School District, not wishing to cause any additional expense to the taxpayers of the Cedar Rapids Community School District or cause any inconvenience or hindrance to the program of education carried on by the Cedar Rapids Community School District for the students of their district, willingly withdraws its objections to the bill as amended herein, but still wishing to remain on record as being opposed to any other boundary-line changes of school districts by any method other than an election wherein a majority of the voters living within the district from which territory is taken approve such boundary change;

NOW, THEREFORE:

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

- 1 SECTION 1. The jurisdiction of the property known as a portion
- 2 of Noelridge Park in the city of Cedar Rapids, Linn County, Iowa



3 more specifically described as:  
 4 South one-half ( $\frac{1}{2}$ ) of Northeast (NE) one-quarter ( $\frac{1}{4}$ ) of South-  
 5 west (SW) one-quarter ( $\frac{1}{4}$ ) of Section three (3), Township eighty-  
 6 three (83) North, Range seven (7) West of the 5th principal meridian  
 7 in Linn County, Iowa, is hereby transferred from the Marion Rural  
 8 Community School District to the Cedar Rapids Community School  
 9 District and the legal boundary of each said school district is hereby  
 10 changed in accordance herewith.

Approved May 4, 1961.

## CHAPTER 299

### DAVENPORT TITLE TO RIVER

S. F. 370

AN ACT granting to the city of Davenport, Iowa title to the bed and banks of the Mississippi river and islands and made lands therein, from the old city limits to the now existing city limits.

*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 and in and to all filled or made  
 5 land, which has at any time been formed in, on or out of the bed or  
 6 banks of said river within said boundaries, is hereby granted to and  
 7 vested in the city of Davenport, Iowa. The boundaries hereinbefore  
 8 referred to are: (a) in the channel of said river, the boundary line  
 9 of the state of Iowa; (b) on and along the Iowa shore of said river,  
 10 the line on said shore which is the most distant line from said state  
 11 boundary line to which the bed or banks of said river have at any  
 12 time extended; (c) from the existing city limits in the year nineteen  
 13 hundred thirty-seven (1937) to the present city limits along the  
 14 lower or existing corporate limits of the city of Davenport, Iowa, as  
 15 said limits are now established along said river, the lines of said limits,  
 16 extending to the state boundary line.

1 SEC. 2. This Act being deemed of immediate importance shall be  
 2 in full force and effect from and after its publication, without expense  
 3 to the state of Iowa, in The Daily Times, a newspaper published in  
 4 Davenport, Iowa, and in the Morning Democrat, a newspaper pub-  
 5 lished in Davenport, Iowa.

Approved April 18, 1961.

I hereby certify that the foregoing Act, Senate File 370, was published in The Daily Times, Davenport, Iowa, May 12, 1961, and in the Morning Democrat, Davenport, Iowa, May 12, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 300

## LINN GROVE CEMETERY ASSOCIATION

H. F. 705

AN ACT to dissolve the Linn Grove Cemetery Association.

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

1 SECTION 1. The Linn Grove Cemetery Association, formed April  
2 19, 1926, and located in Linn Township, Linn County, Iowa, is hereby  
3 dissolved as provided by section five hundred four point eight (504.8)  
4 of the Code.

5 The endowment funds of said association are hereby transferred  
6 to the Linn Grove church building fund.

Approved May 6, 1961.

## CHAPTER 301

## SALE OF LAND IN LEE COUNTY

S. F. 116

AN ACT to authorize the sale and conveyance to Fort Madison Savings Bank, as trustee, for the business and industry committee of the Fort Madison Chamber of Commerce of certain land in Lee county, Iowa, lying below the ordinary high-water mark of overflow and floodwater from Keokuk dam.

*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 Fort Madison Savings Bank,  
4 as trustee, for the Business and Industry Committee of the Fort  
5 Madison Chamber of Commerce, the following described real estate  
6 situated in Lee County, state of Iowa, to wit:

7 Parts of the west one half ( $W\frac{1}{2}$ ) of Fractional Section thirteen  
8 (13) and east one half ( $E\frac{1}{2}$ ) section fourteen (14), township sixty-  
9 seven (67) north, range five (5) west, of the fifth (5th) principal  
10 meridian, in Lee county, Iowa, south and east of a line locating the  
11 ordinary high-water mark of overflow and floodwater from Keokuk  
12 Dam, said line more particularly described as follows:

13 Beginning at a point on the south line of said section fourteen (14),  
14 located five hundred forty-two (542) feet east of the south one fourth  
15 ( $S\frac{1}{4}$ ) corner; thence north thirty-four (34) degrees thirty-five (35)  
16 minutes east, one thousand three hundred forty-six (1346) feet;  
17 thence north forty-eight (48) degrees forty (40) minutes east, three  
18 hundred thirty-five (335) feet; thence north eighty-nine (89) degrees  
19 east, six hundred sixty (660) feet; thence north sixty (60) degrees  
20 east, four hundred seventy-five (475) feet to the east line of said sec-  
21 tion fourteen (14), and west line of said Fractional Section thirteen  
22 (13); thence north sixty (60) degrees east, two hundred seventy-three  
23 (273) feet; thence north forty-one (41) degrees thirty (30) minutes  
24 east, seven hundred fifty-one (751) feet; thence north fifty-one (51)

25 degrees fifty (50) minutes east, seven hundred fifty-seven (757) feet;  
 26 thence north sixty-one (61) degrees twenty (20) minutes east, one  
 27 thousand five hundred ten (1510) feet to the north-south one fourth  
 28 (NS $\frac{1}{4}$ ) line of said section thirteen (13) to a point located one thou-  
 29 sand eight hundred eight and two tenths (1808.2) feet south of the  
 30 north one fourth (N $\frac{1}{4}$ ) corner of said Fractional Section thirteen  
 31 (13). This tract contains approximately two hundred and four (204)  
 32 acres, more or less, or so much thereof as the executive council and  
 33 Fort Madison Savings Bank, as trustee, may agree upon, at such price  
 34 and upon such terms and conditions as the executive council, upon a  
 35 majority recommendation of the state conservation commission, shall  
 36 deem most advantageous 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 Fort Madison Savings Bank, as  
 3 trustee, of the purchase price thereof, the governor and the secretary  
 4 of state of Iowa are hereby authorized to execute and deliver, in the  
 5 name of the state of Iowa and with the great seal of the state attached,  
 6 a patent conveying said real estate to said Fort Madison Savings  
 7 Bank, as trustee, its successors, grantees 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 one hundred eleven  
 3 (111) of the Code.

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 Fort  
 3 Madison Evening Democrat, a newspaper published at Fort Madison,  
 4 Iowa and The Daily Gate City, a newspaper published at Keokuk,  
 5 Iowa.

Approved February 3, 1961.

I hereby certify that the foregoing Act, Senate File 116, was published in the Fort Madison Evening Democrat, Fort Madison, Iowa, February 10, 1961, and in The Daily Gate City, Keokuk, Iowa, February 8, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 302

### LAND PATENT IN CEDAR COUNTY

S. F. 510

AN ACT authorizing a corrective patent for a parcel of land in the NW $\frac{1}{4}$  of section 8, Township 79 North, Range 4 West of the fifth P. M., Cedar county, Iowa.

WHEREAS, on the 25th day of April, 1960, the executive council approved a conveyance to John E. Kofron (also known as John Kofron) and Pauline M. Kofron (also known as Pauline Marie Kofron) on real estate described as follows:

A parcel of land in the NW  $\frac{1}{4}$  of Section 8, Township 79 North, Range 4 West of the 5th P.M., Cedar County, Iowa described as beginning at the SW corner of Lot A of the NW  $\frac{1}{4}$  of said Section 8 according to Plat of Survey made for James Cook, said Survey being filed in Surveyor's Record Book 3, page 265, in the office of the Auditor of Cedar County, Iowa,

thence S 89°37' E along the South line of Lot A, 208.9 feet, thence South 75.6 feet, thence S 22° 12' W 113.9 feet, thence West 165.8 feet to the West line of said Section 8, thence North on the West section line 182.4 feet to the place of beginning, excepting therefrom that part of said parcel lying westerly of a line beginning at a point 60 feet normally distant easterly from the centerline of said road, on the North line of the above described parcel, thence to a point 90 feet normally distant easterly from the centerline of side road, on the south line of the above described parcel and containing  $\frac{1}{2}$  acre, more or less. It is expressly understood that access to said side road, from the above described parcel is prohibited, except a farm entrance is granted at Station 1065+00 on the East side. This covenant shall run with the title to the land and shall be binding on the grantees, their heirs, successors and assigns.

WHEREAS, a patent issued from the state of Iowa to John E. Kofron (also known as John Kofron) and Pauline M. Kofron (also known as Pauline Marie Kofron) on the above described real estate; and

WHEREAS, the purchase price has been fully paid and the state of Iowa claims no ownership or interest in the hereinafter described land, and

WHEREAS, in the conveyance of the land to the aforesaid parties an error was made whereby certain access rights were prohibited not in accordance with agreement between the parties;

NOW THEREFORE,

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

1 SECTION 1. The governor and the secretary of the state of Iowa  
2 are hereby authorized, empowered and directed to issue a corrective  
3 Patent to John E. Kofron (also known as John Kofron) and Pauline  
4 M. Kofron (also known as Pauline Marie Kofron), husband and wife,  
5 for the following described property situated in Cedar County, Iowa,  
6 to-wit:

7 A parcel of land in the NW  $\frac{1}{4}$  of Section 8, Township 79 North,  
8 Range 4 West of the 5th P.M., Cedar County, Iowa, described as be-  
9 ginning at the SW corner of Lot A of the NW  $\frac{1}{4}$  of said Section 8 ac-  
10 cording to Plat of Survey made for James Cook, said Survey being  
11 filed in Surveyor's Record Book 3, page 265, in the office of the Au-  
12 ditor of Cedar County, Iowa, thence S 89°37' E along the South line  
13 of Lot A, 208.9 feet, thence South 75.6 feet, thence S 22° 12' W 113.9  
14 feet, thence West 165.8 feet to the West line of said Section 8, thence  
15 North on the West section line 182.4 feet to the place of beginning,  
16 excepting therefrom that part of said parcel lying westerly of a line  
17 beginning at a point 60 feet normally distant easterly from the  
18 centerline of said road, on the North line of the above described par-  
19 cel, thence to a point 90 feet normally distant easterly from the center-  
20 line of side road, on the south line of the above described parcel and  
21 containing  $\frac{1}{2}$  acre, more or less. It is expressly understood that ac-  
22 cess to said side road from the above described parcel is prohibited  
23 from Station 1054+95.0 PL to Station 1064+70. This covenant shall  
24 run with the title to the land and shall be binding on the grantees,  
25 their heirs, successors and assigns.

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 West

3 Branch Times, West Branch, Iowa and in The Tipton Conservative,  
4 Tipton, Iowa.

Approved May 5, 1961.

I hereby certify that the foregoing Act, Senate File 510, was published in the West Branch Times, West Branch, Iowa, May 11, 1961, and in The Tipton Conservative, Tipton, Iowa, May 18, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 303

### LAND PATENT

#### S. F. 106

AN ACT to authorize and directing the issuance of a patent to certain real estate to Dale F. Rupe and Sylvia C. Rupe, by the governor and secretary of state.

WHEREAS, it appears of record that real estate described as Lots seventy-six (76) and seventy-seven (77) in Block fourteen (14) in Ingram and Ramsey's Addition to the town of Agency City, Wapello County, Iowa was on November 2, 1857 mortgaged by James Enyart to the school fund of Wapello County, Iowa, together with Lots seventy-five (75) and seventy-eight (78) in said Block fourteen (14) in Ingram and Ramsey's Addition to Agency City, Iowa, for the sum of One Hundred Fifty Dollars (\$150.00) with J. H. Cartwright and Robinson Myers as surety on the note; and

WHEREAS, it appears that said mortgage was recorded in School Fund Mortgage Record B, page three hundred sixty-nine (369) on January 5, 1858; and

WHEREAS, in 1864 said debt was merged in a judgment in the sum of Two Hundred Twenty-three Dollars and Forty-five Cents (\$223.45); and

WHEREAS, execution issued July 9, 1864, the execution having been returned September 14, 1864, return of which shows that Wapello County, through a board of supervisors, bid the sum of Five Dollars (\$5.00) per lot for each of the four (4) lots, or the total sum of Twenty Dollars (\$20.00); and

WHEREAS, in September of 1864 the commissioner appointed in said foreclosure executed a deed of conveyance, recorded in Record M, page five hundred four (504), to the state of Iowa, conveying all four (4) of said lots; and

WHEREAS, the patent thereafter issued from the state of Iowa to Samuel Rasp conveying only Lots seventy-five (75) and seventy-eight (78) in Block fourteen (14) in Ingram and Ramsey's Addition to Agency; and

WHEREAS, the information above recited is all of the information that can be obtained from the county records and county files for Wapello County; and

WHEREAS, the court proceedings for said action in relation to the foreclosure cannot be located; and

WHEREAS, the County School Fund Mortgage Record in the auditors office covering this period of time is no longer in existence; and

WHEREAS, the abstract of title covering this real estate, which was prepared during the year 1900 when most of these records would have been available for inspection by the abstracter, indicates that the execution that issued in connection with the foreclosure was returned satisfied in full, by virtue of sale of Lot seventy-eight (78) in Block fourteen (14) in Ingram and Ramsey's Addition to the city of Agency, Iowa, indicating that the court records in the year 1900 showed further proceedings in the matter in connection with the execution sale which resulted in the payment of the judgment; and that Lots seventy-six (76) and seventy-seven (77) should not have been conveyed by the commissioner to the state of Iowa; and

WHEREAS, it appears that through error or oversight that no patent was ever issued by the state of Iowa covering said Lots seventy-six (76) and seventy-seven (77) in Block fourteen (14) in Ingram and Ramsey's Addition to Agency relinquishing and conveying the rights of the state of Iowa in and to the above described real estate, but that the owners of record of said lots understood and believed that they owned and had been conveyed said lots; and

WHEREAS, Lots seventy-six (76) and seventy-seven (77) in Block fourteen (14) in Ingram and Ramsey's Addition to Agency came down through chain of title and are of record vested at the present time in Dale F. Rupe and Sylvia C. Rupe; NOW THEREFORE,

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

1 SECTION 1. That the governor of the state of Iowa and the secre-  
2 tary of state of the state of Iowa are hereby authorized and directed  
3 to issue a patent to Lots seventy-six (76) and seventy-seven (77) in  
4 Block fourteen (14) in Ingram and Ramsey's Addition to the town  
5 of Agency City, Wapello County, Iowa to Dale F. Rupe and Sylvia  
6 C. Rupe.

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, it shall  
2 take effect and be in force from and after its passage and publication  
3 in the Ottumwa Daily Courier; a newspaper published at Ottumwa,  
4 Iowa, and in The Blakesburg Excelsior, a newspaper published at  
5 Blakesburg, Iowa.

Approved March 14, 1961.

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 Ottumwa Daily Courier published at Ottumwa, Iowa, the Ottumwa Courier, a newspaper published at Ottumwa, Iowa, is designated to publish the foregoing Act, Senate File 106.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, Senate File 106, was published in the Ottumwa Daily Courier, Ottumwa, Iowa, March 20, 1961, and in The Blakesburg Excelsior, Blakesburg, Iowa, March 23, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 304

## LAND PATENT IN JACKSON COUNTY

## H. F. 473

AN ACT authorizing a patent to issue to the south half of the northwest quarter of the northwest quarter of section sixteen (16) Township eighty-six (86) north Range two (2) east of the Fifth Principal Meridian, containing twenty (20) acres, Jackson County, Iowa.

WHEREAS, John N. Schuster, is the owner by purchase of the following described real estate, to-wit: The South Half of the Northwest Quarter of the Northwest Quarter of Section Sixteen (16) Township Eighty-six (86) North Range Two (2) East of the Fifth Principal Meridian, containing twenty (20) acres, Jackson County, Iowa; and

WHEREAS, it appears from the records of Jackson County, Iowa, that the whole of Section Sixteen (16) Township Eighty-six (86) North Range Two (2) East of the Fifth Principal Meridian, Jackson County, Iowa, was patented by the United States of America to the state of Iowa by a patent dated August 26, 1937, filed July 29, 1959, and recorded in Patent Book 90, Page 493 in the county recorder's office in Jackson County, Iowa; and

WHEREAS, it further appears that the state of Iowa has no record of ever having issued a patent to the tract in question, to John Glenn or any other person, although it has issued patents to some parts of said section many years before the issuance of the patent to the state of Iowa above referred to; and

WHEREAS, it does appear from certain abstractors' records that it appeared on page 146 of the book of contracts in the auditor's office of Jackson County, Iowa, that one John Glenn purchased the South Half of the Northwest Quarter of the Northwest Quarter of Section Sixteen (16) Township Eighty-six (86) North Range Two (2) East of the Fifth Principal Meridian, but that the ancient records in the county auditor's office of Jackson County, Iowa, pertaining to the sale of lands in the Sixteenth Section for the benefit of the school funds, have been destroyed and it is impossible to determine therefrom whether a consideration was paid to said school fund for said tract, but it does appear that the said John Glenn purchased said land for a fair consideration but that there has been no subsequent conveyance from him; and

WHEREAS, it does appear from a chain of title to said real estate that the present owner, John N. Schuster, and his predecessors in title, have been in the open, continuous, visible, notorious, peaceable and adverse possession of said land since February 6, 1891, and have made valuable improvements thereon and have continuously farmed said land and claimed it as their own since said date and to the exclusion of all others, and no claims adverse to their claim of ownership have been made by anyone since said date; and

WHEREAS, it would be unjust and inequitable to require further payment now and said present owner is entitled to said land free from any claims of the state of Iowa; and

WHEREAS, the state of Iowa has no claim upon said property adverse to that of the said John N. Schuster, although the apparent title thereto still remains in the state of Iowa; now, therefore,

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

1 SECTION 1. That the governor and secretary of state of the state  
2 of Iowa be and they are hereby authorized and directed to execute  
3 and deliver to John N. Schuster a patent conveying the South Half  
4 of the Northwest Quarter of the Northwest Quarter of Section Sixteen  
5 (16) Township Eighty-six (86) North Range Two (2) East of the  
6 Fifth Principal Meridian, containing twenty (20) acres, Jackson  
7 County, Iowa.

Approved March 28, 1961.

### CHAPTER 305

#### RECORDING FEES

S. F. 42

AN ACT to legalize recording fees charged in certain counties.

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

1 SECTION 1. All fees charged for recording in counties employing  
2 photostatic, photographic, or other similar processes and not in excess  
3 of one dollar and fifty cents (\$1.50) for the first page and one dollar  
4 (\$1.00) for each additional page, during the biennium after July 1,  
5 1959, are hereby legalized.

1 SEC. 2. The foregoing shall not be construed to affect any litiga-  
2 tion for refunds that may be pending at the time this Act becomes  
3 effective.

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

Approved April 18, 1961.

I hereby certify that the foregoing Act, Senate File 42, was published in The Daily Times, Davenport, Iowa, April 30, 1961, and in the Waterloo Daily Courier, Waterloo, Iowa, April 30, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

### CHAPTER 306

#### RECORDING FEES

S. F. 531

AN ACT to amend senate file forty-two (42), Acts of the Fifty-ninth General Assembly, to legalize recording fees charged in certain counties.

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

1 SECTION 1. Section one (1) of Senate File forty-two (42), Acts of  
2 the Fifty-ninth General Assembly, is hereby amended by striking from  
3 line five (5) the words "during the biennium".



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

Approved May 1, 1961.

I hereby certify that the foregoing Act, Senate File 531, was published in The Daily Times, Davenport, Iowa, May 4, 1961, and in the Waterloo Daily Courier, Waterloo, Iowa, May 4, 1961.

MELVIN D. SYNHOBST, *Secretary of State.*

## CHAPTER 307

### GRAND MOUND TELEPHONE ASSOCIATION LEGALIZING ACT

H. F. 621

AN ACT to legalize and validate the incorporation and reincorporation of the Grand Mound Co-operative Telephone Association and to legalize and validate the sale of certain real estate, owned by it, to Arnold N. Schmidt.

WHEREAS, the Farmers Mutual Telephone Company of Grand Mound, Iowa, a corporation organized, not for pecuniary profit, was incorporated on or about May 29, 1924, its articles being recorded in book 8 on page 568 of the Clinton county recorder's office; and

WHEREAS, said company had operated as nonincorporated company prior to May 29, 1924 and had taken title to the following described real estate, in which its central office was located, to wit: lot 12 in block 7 in the town of Grand Mound, Iowa; and

WHEREAS, on or about August 13, 1946 said corporation was reincorporated as the Farmers Mutual Telephone Company, its articles being recorded in the office of the county recorder of Clinton county and state of Iowa on September 20, 1946 in book 12 on page 314; and

WHEREAS, on or about March 31, 1947 said corporation was again reorganized under the provisions of chapter 499 of the 1946 Code of Iowa and the acts amendatory thereto under the name of Grand Mound Co-operative Telephone Association, its articles being recorded in the office of the county recorder of Clinton county and state of Iowa, in book 12 on page 555; and

WHEREAS, said articles of incorporation were amended on or about November 10, 1958, which amendment is filed in the office of the county recorder of Clinton county and state of Iowa in book 20 on page 241; and

WHEREAS, said company, which took title to the above real estate prior to May 29, 1924, is one and the same company as the above named corporations which have succeeded each other, and that the above corporations and their successors have at all times owned the above described real estate up to the time the same was sold to Arnold N. Schmidt, under warranty deed, dated March 3, 1960, which deed is recorded in book 191, on page 567 of deed records in the office of the county recorder of Clinton county, Iowa; and

WHEREAS, doubts have arisen as to the legality of such transfer and

deed and it is deemed advisable to put such doubts forever at rest; Now, THEREFORE,

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

1 SECTION 1. That all of the incorporation proceedings of the in-  
2 corporation of the former Farmers Mutual Telephone Company and  
3 its successor, the Grand Mound Co-operative Telephone Association, of  
4 Grand Mound, Iowa, be and the same are hereby declared legalized,  
5 validated and confirmed and any and all property of every nature and  
6 description owned by the Farmers Mutual Telephone Company, prior  
7 to its corporation, after its incorporation and taken over by its suc-  
8 cessor, the Grand Mound Co-operative Telephone Association, be and  
9 the same is hereby declared to \* the property of the Grand Mound Co-  
10 operative Telephone Association.

1 SEC. 2. The conveyance of lot 12 in block 7, in the original  
2 town of Grand Mound, Iowa, by the Grand Mound Co-operative Tele-  
3 phone Association to Arnold N. Schmidt, as grantee, by warranty  
4 deed recorded in book 191 on page 567 of deed records in the office of  
5 the county recorder of Clinton county, Iowa, is hereby legalized,  
6 validated and confirmed.

Approved April 18, 1961.

\*According to enrolled Act.

## CHAPTER 308

### LEGALIZING FERTILE DAIRY

S. F. 497

AN ACT to legalize the corporate acts and proceedings in connection with the renewal of the corporate existence and the adoption of the amended and renewed articles of incorporation of Fertile Cooperative Dairy Association and to provide for the renewal of the charter of said company.

WHEREAS, the period of the corporate existence of Fertile Cooperative Dairy Association, a corporation organized under the laws of the state of Iowa, with its principal place of business in the town of Fertile, Iowa, expired on the 23rd day of February, 1960, and through inadvertence the same was not renewed within the period prescribed by statute, and

WHEREAS, Fertile Cooperative Dairy Association has continued thereafter to conduct its business and affairs as a corporation, and

WHEREAS, on the 4th day of April, 1961, a special meeting of the stockholders was called and held for the purpose of extending and renewing the said corporation for a period of twenty-five years from February 23rd, 1960, and adopting the amended and renewed articles of incorporation, and

WHEREAS, Fertile Cooperative Dairy Association has filed the said amended and renewed articles of incorporation, together with a certificate of renewal of the said corporation, with the secretary of state of the state of Iowa, and has paid the proper renewal fees and recording fees, and has in all other particulars complied with the provisions of the statutes relating to renewals of corporations,

NOW THEREFORE;

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

1 SECTION 1. All proceedings had with respect to the renewal of the  
2 corporate existence of Fertile Cooperative Dairy Association, a cor-  
3 poration with its principal place of business in Fertile, Iowa, and  
4 all corporate acts of said corporation, its officers and members, since  
5 the expiration of the corporate existence of said corporation on the  
6 23rd day of February, 1960, are hereby legalized and shall have the  
7 same force and effect as though the said proceedings had been adopted  
8 pursuant to law and within the period prescribed by the statute,  
9 and shall be held and considered as a renewal and extension of the  
10 period of the corporate existence of said corporation, which expired  
11 on February 23rd, 1960, and all corporate acts and proceedings of  
12 said corporation, including the proceedings in connection with the  
13 renewal and extension of said corporation and the adoption of the  
14 amended and renewed articles of incorporation are hereby declared to  
15 be valid and legal.

1 SEC. 2. The secretary of state is hereby authorized and directed  
2 to acknowledge and file and record the certificate of renewal of said  
3 corporation previously delivered to him by said corporation, and to  
4 issue a certificate of renewal to Fertile Cooperative Dairy Association,  
5 said renewal to extend the corporate existence of said corporation  
6 for a period of twenty-five years from February 23rd, 1960, which  
7 certificate of renewal shall have the same force and effect as though  
8 issued upon proper and timely application by said corporation.

1 SEC. 3. Nothing in this Act shall be deemed or construed to affect  
2 pending litigation, if any, involving said corporation, or any claims  
3 outstanding against said corporation.

1 SEC. 4. This Act, being deemed of immediate importance, shall be  
2 in full force and effect from and after its passage and publication in  
3 The Northwood Anchor, a newspaper published at Northwood, Iowa,  
4 and in The Clear Lake Mirror-Reporter, a newspaper published at  
5 Clear Lake, Iowa, at no expense to the state of Iowa.

Approved April 25, 1961.

I hereby certify that the foregoing Act, Senate File 497, was published in The Northwood Anchor, Northwood, Iowa, May 18, 1961, and in The Clear Lake Mirror-Reporter, Clear Lake, Iowa, May 17, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 309

## MITCHELL COUNTY CONSERVATION BOARD LEGALIZING ACT

S. F. 530

AN ACT to legalize and validate the proceedings for the creation, establishment and organization of the county conservation board in the county of Mitchell, state of Iowa, and declaring said board to be a duly and legally organized board as provided by law.

WHEREAS, pursuant to proceedings taken by the board of supervisors of Mitchell county, Iowa, an election was held June 4, 1956, at which the voters approved the question of the creation, establishment and organization of a county conservation board for Mitchell county, Iowa, a petition having been filed prior to said election with the said board of supervisors asking that said question be submitted to the voters at the next regular election, and

WHEREAS, the said board of supervisors having appointed said county conservation board members on or about June 30, 1956, as provided by law, and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings taken for the creation, establishment and organization of the said county conservation board, in the county of Mitchell, state of Iowa, and it is deemed advisable, necessary and to the public interest 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. That all proceedings heretofore taken in connection  
2 with the creation, establishment and organization of the board now  
3 known and identified as the county conservation board in the county  
4 of Mitchell, state of Iowa, be and the same are hereby legalized, vali-  
5 dated and confirmed, and the said county conservation board is hereby  
6 declared to constitute a legal county conservation board, created,  
7 established and organized in conformity with the provisions of chapter  
8 twelve (12), Acts of the Fifty-sixth General Assembly, and of all  
9 laws amendatory thereto.

Approved May 15, 1961.

## CHAPTER 310

## BETTENDORF LEGALIZING ACT

S. F. 257

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 public improvement 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 public improvement bonds of said city in the amount of one hundred ninety-four thousand dollars (\$194,000.00) to pay the cost of various public improvements in and for said city, 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  
2 council of the city of Bettendorf, in Scott County, Iowa, providing for  
3 the issuance, sale and delivery of public improvement bonds of said  
4 city in the amount of one hundred ninety-four thousand dollars  
5 (\$194,000.00) to pay the cost of various public improvements for  
6 said city, and for the levy of taxes to pay said bonds and interest  
7 thereon, are hereby legalized, validated and confirmed, and said public  
8 improvement bonds issued, sold and delivered pursuant to and in ac-  
9 cordance with said proceedings are hereby declared to be legal and to  
10 constitute valid and binding obligations of said city.

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 Daily Times, a newspaper published at Davenport, Iowa, and the  
4 Morning Democrat, a newspaper published at Davenport, Iowa, with-  
5 out expense to the state.

Approved February 23, 1961.

I hereby certify that the foregoing Act, Senate File 257, was published in The Daily Times, Davenport, Iowa, March 7, 1961, and in the Morning Democrat, Davenport, Iowa, March 7, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 311

### BUFFALO LEGALIZING ACT

S. F. 456

AN ACT to legalize and validate the proceedings of the town council of the town of Buffalo, in Scott county, Iowa, authorizing and providing for the issuance, sale and delivery of sewer revenue bonds of said town to defray part of the cost of constructing sewers and sewage treatment facilities in and for said town and the provisions made for the payment of said bonds and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said town.

WHEREAS, it appears from the records of the town council of the town of Buffalo, in Scott county, Iowa, that pursuant to notice published in a newspaper printed and published in Scott county, Iowa, and having a general circulation in said town, the town council thereof has by resolution authorized and provided for the issuance, sale and delivery of sewer revenue bonds of said town in the amount of one hundred forty-five thou-

sand dollars (\$145,000.00) to pay the cost, to that amount, of constructing a system of sanitary sewers and a sewage treatment plant and facilities in and for said town, and by said resolution provided for the payment of the principal of and interest on said bonds from the net revenues to be derived from the operation of the municipal sewage disposal works and facilities of said town; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and the provisions made for the payment of said bonds and the interest thereon and it is deemed advisable to put said doubts and all others that might arise concerning same forever at rest; NOW THEREFORE,

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

1 SECTION 1. That all proceedings heretofore taken by the town  
2 council of the town of Buffalo, in Scott county, Iowa, authorizing and  
3 providing for the issuance, sale and delivery of sewer revenue bonds  
4 of said town of Buffalo, Iowa, in the amount of one hundred forty-five  
5 thousand dollars (\$145,000.00) and providing for the payment of  
6 the principal of and interest on said bonds from the net revenues to  
7 be derived from the operation of the municipal sewage disposal works  
8 and facilities of said town are hereby legalized, validated and con-  
9 firmed and said sewer revenue bonds issued, sold and delivered pursu-  
10 ant to and in accordance with said proceedings are hereby declared to  
11 be legal and to constitute valid and binding obligations of said town  
12 payable solely and only from such net revenues, but said bonds  
13 shall not be a corporate indebtedness of said town, nor shall said town  
14 be authorized to levy ad valorem taxes to pay either principal thereof  
15 or interest thereon.

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 Daily Times, a newspaper published at Davenport, Iowa and the  
4 Morning Democrat, a newspaper published at Davenport, Iowa, with-  
5 out expense to the state.

Approved March 30, 1961.

I hereby certify that the foregoing Act, Senate File 456, was published in The Daily Times, Davenport, Iowa, April 21, 1961, and in the Morning Democrat, Davenport, Iowa, April 21, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 312

### BUFFALO LEGALIZING ACT

S. F. 458

AN ACT to legalize and validate the proceedings of the town council of the town of Buffalo, in Scott county, Iowa, authorizing and providing for the issuance, sale and delivery of sewer 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 town.

WHEREAS, it appears from the records of the town council of the town of Buffalo, in Scott county, Iowa, that pursuant to notice published in a

newspaper printed and published in Scott county, Iowa, and having a general circulation in said town, the town council thereof has by resolution authorized and provided for the issuance, sale and delivery of sewer bonds of said town in the amount of one hundred forty-five thousand dollars (\$145,000) to pay the cost, to that amount, of constructing a system of sanitary sewers and a sewage treatment plant and facilities in and for said town, 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 town  
2 council of the town of Buffalo, in Scott county, Iowa, authorizing  
3 and providing for the issuance, sale and delivery of sewer bonds of  
4 said town of Buffalo, Iowa, in the amount of one hundred forty-five  
5 thousand dollars (\$145,000) to pay the cost, to that amount, of con-  
6 structing a system of sanitary sewers and a sewage treatment plant  
7 and facilities in and for said town, and for the levy of taxes to pay  
8 said bonds and interest thereon, are hereby legalized, validated and  
9 confirmed, and said sewer bonds issued, sold and delivered pursuant  
10 to and in accordance with said proceedings are hereby declared to be  
11 legal and to constitute valid and binding obligations of said town.

1 SEC. 2. This Act, being of immediate importance, shall be in  
2 full force and effect from and after its passage and publication in The  
3 Daily Times, a newspaper published at Davenport, Iowa, and in the  
4 Morning Democrat, a newspaper published at Davenport, Iowa, with-  
5 out expense to the state.

Approved March 30, 1961.

I hereby certify that the foregoing Act, Senate File 458, was published in The Daily Times, Davenport, Iowa, April 12, 1961, and in the Morning Democrat, Davenport, Iowa, April 12, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 313

### BURLINGTON LEGALIZING ACT

S. F. 477

AN ACT to legalize and validate the proceedings of the city council of the city of Burlington, in Des Moines county, Iowa, authorizing and providing for the issuance, sale and delivery of parking revenue bonds of said city to refund outstanding bonds and defray the cost of acquiring additional off-street motor vehicle parking facilities in and for said city and the provisions made 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 Burlington, in Des Moines County, Iowa, that pursuant to notice pub-

lished in a newspaper printed and published in the city of Burlington, Iowa, and having a general circulation in said city, the city council thereof has by ordinance authorized and provided for the issuance, sale and delivery of parking revenue bonds of said city in the amount of four hundred fifty thousand dollars (\$450,000) to refund outstanding bonds of said city and defray the cost of acquiring additional off-street motor vehicle parking facilities in and for said city, and by said ordinance provided for the payment of the principal of and interest on said bonds from the net revenues of the system of public motor vehicle parking facilities of said city; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and the provisions made for the payment of said bonds and the interest thereon and it is deemed advisable to put said doubts and all others that might arise concerning same forever at rest;  
Now, THEREFORE,

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

1 SECTION 1. That all proceedings heretofore taken by the city council of the city of Burlington, in Des Moines County, Iowa, authorizing  
2 and providing for the issuance, sale and delivery of parking revenue  
3 bonds of said city of Burlington, Iowa, in the amount of four hundred  
4 fifty thousand dollars (\$450,000) and providing for the payment of  
5 the principal of and interest on said bonds from the net revenues derived  
6 from the operation of the system of public motor vehicle parking  
7 facilities of said city are hereby legalized, validated and confirmed  
8 and said parking revenue 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 payable  
11 solely and only from such net revenues, but said bonds shall not  
12 be a corporate indebtedness of said city, nor shall said city be authorized  
13 to levy ad valorem taxes to pay either principal thereof or  
14 interest thereon.  
15

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 Burlington Hawk-Eye Gazette, a newspaper published at Burlington,  
4 Iowa, and the Labor News, a newspaper published at Burlington,  
5 Iowa, without expense to the state.

Approved April 12, 1961.

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 name of Burlington Hawk-Eye Gazette and the Labor News, published at Burlington, Iowa, the Burlington Hawk-Eye and the Burlington Labor News, published at Burlington, Iowa, are designated to publish the foregoing Act, Senate File 477.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, Senate File 477, was published in the Burlington Hawk-Eye, Burlington, Iowa, April 26, 1961, and in the Burlington Labor News, Burlington, Iowa, April 27, 1961.

MELVIN D. SYNHORST, *Secretary of State.*



## CHAPTER 314

## CEDAR FALLS LEGALIZING ACT

S. F. 260

AN ACT to legalize and validate the special election and the proceedings relative thereto with reference to the placing of the management and control of the municipal gas utility of the city of Cedar Falls, Iowa, in the hands of a board of trustees and to validate and legalize the acts of said board of trustees and its members in acting pursuant to said appointment.

WHEREAS, a special election was held in the city of Cedar Falls, Iowa, on the 4th day of August, 1959, on the proposition of placing the management and control of the city's gas plant and distribution system in the hands of a board of trustees and said proposition was declared carried by more than a majority of the votes cast for and against said proposition at said election; and

WHEREAS, thereafter and in reliance upon said special election the mayor, with the approval and confirmation of the city council of said city, did appoint a board of three trustees of the Municipal Gas Utility of said city and said gas utility has been ever since and now is operated, controlled and managed by a board of trustees thereof; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election and the appointment of the board of trustees of the Municipal Gas Utility of said city pursuant thereto, and the validity of the acts of said board of trustees since said board was organized, and it is deemed advisable to put said doubts, and all others that might arise concerning the same, forever at rest; NOW, THEREFORE,

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

1 SECTION 1. That the special election held on the 4th day of Au-  
2 gust, 1959, in Cedar Falls, Iowa, and the proceedings heretofore taken  
3 by the mayor and city council of said city in connection therewith in  
4 appointing and constituting a board of trustees to manage and control  
5 the Municipal Gas Utility of said city, are hereby validated and de-  
6 clared to be legal and said board of trustees of the Municipal Gas  
7 Utility of Cedar Falls, Iowa, is hereby declared to be duly and legally  
8 established and all of the acts of said board of trustees which have  
9 been performed by them in the course of their official duties shall be  
10 of the same force and effect as if said board and the members thereof  
11 had been duly and legally appointed and qualified.

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 Record, a newspaper published at Cedar Falls, Iowa, and  
4 the Waterloo Daily Courier, a newspaper published at Waterloo,  
5 Iowa, all without expense to the state.

Approved March 15, 1961.

I hereby certify that the foregoing Act, Senate File 260, was published in the Daily Record, Cedar Falls, Iowa, March 30, 1961, and in the Waterloo Daily Courier, Waterloo, Iowa, March 30, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 315

## CEDAR FALLS LEGALIZING ACT

S. F. 261

AN ACT to legalize and validate the special election and the proceedings relative thereto with reference to the placing of the management and control of the municipal water utility of the city of Cedar Falls, Iowa, in the hands of a board of trustees and to validate and legalize the acts of said board of trustees and its members in acting pursuant to said appointment.

WHEREAS, a special election was held in the city of Cedar Falls, Iowa, on the 4th day of August, 1959, on the proposition of placing the management and control of the city's water plant and distribution system in the hands of a board of trustees and said proposition was declared carried by more than a majority of the votes cast for and against said proposition at said election; and

WHEREAS, thereafter and in reliance upon said special election the mayor, with the approval and confirmation of the city council of said city, did appoint a board of three trustees of the Municipal Water Utility of said city and said water utility has been ever since and now is operated, controlled and managed by a board of trustees thereof; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election and the appointment of the board of trustees of the Municipal Water Utility of said city pursuant thereto, and the validity of the acts of said board of trustees since said board was organized, and it is deemed advisable to put said doubts, and all others that might arise concerning the same, forever at rest; NOW, THEREFORE,

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

1 SECTION 1. That the special election held on the 4th day of Au-  
2 gust, 1959, in the city of Cedar Falls, Iowa, and the proceedings  
3 heretofore taken by the mayor and city council of said city in connec-  
4 tion therewith in appointing and constituting a board of trustees to  
5 manage and control the Municipal Water Utility of said city, are  
6 hereby validated and declared to be legal and said board of trustees  
7 of the Municipal Water Utility of Cedar Falls, Iowa, is hereby de-  
8 clared to be duly and legally established and all of the acts of said  
9 board of trustees which have been performed by them in the course  
10 of their official duties shall be of the same force and effect as if said  
11 board and the members thereof had been duly and legally appointed  
12 and qualified.

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 Record, a newspaper published at Cedar Falls, Iowa, and  
4 the Waterloo Daily Courier, a newspaper published at Waterloo,  
5 Iowa, all without expense to the state.

Approved March 15, 1961.

I hereby certify that the foregoing Act, Senate File 261, was published in the Daily Record, Cedar Falls, Iowa, March 30, 1961, and in the Waterloo Daily Courier, Waterloo, Iowa, March 30, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 316

## CEDAR FALLS LEGALIZING ACT

S. F. 262

AN ACT to legalize and validate the special election and the proceedings relative thereto with reference to the placing of the management and control of the municipal electric utility of the city of Cedar Falls, Iowa, in the hands of a board of trustees and to validate and legalize the acts of said board of trustees and its members in acting pursuant to said appointment.

WHEREAS, a special election was held in the city of Cedar Falls, Iowa, on the 4th day of August, 1959, on the proposition of placing the management and control of the city's electric light and power plant in the hands of a board of trustees and said proposition was declared carried by more than a majority of the votes cast for and against said proposition at said election; and

WHEREAS, thereafter and in reliance upon said special election, the mayor, with the approval and confirmation of the city council of said city, did appoint a board of three trustees of the Municipal Electric Utility of said city and said electric utility has been ever since and now is operated, controlled and managed by a board of trustees thereof; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election and the appointment of the board of trustees of the Municipal Electric Utility of said city pursuant thereto, and the validity of the acts of said board of trustees since said board was organized, and it is deemed advisable to put said doubts, and all others that might arise concerning the same, forever at rest; NOW, THEREFORE,

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

1 SECTION 1. That the special election held on the 4th day of Au-  
2 gust, 1959, in the city of Cedar Falls, Iowa, and the proceedings  
3 heretofore taken by the mayor and city council of said city in connec-  
4 tion therewith in appointing and constituting a board of trustees to  
5 manage and control the Municipal Electric Utility of said city, are  
6 hereby validated and declared to be legal and said board of trustees  
7 of the Municipal Electric Utility of Cedar Falls, Iowa, is hereby de-  
8 clared to be duly and legally established and all of the acts of said  
9 board of trustees which have been performed by them in the course  
10 of their official duties shall be of the same force and effect as if said  
11 board and the members thereof had been duly and legally appointed  
12 and qualified.

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 Record, a newspaper published at Cedar Falls, Iowa, and  
4 the Waterloo Daily Courier, a newspaper published at Waterloo,  
5 Iowa, all without expense to the state.

Approved March 15, 1961.

I hereby certify that the foregoing Act, Senate File 262, was published in the Daily Record, Cedar Falls, Iowa, March 30, 1961, and in the Waterloo Daily Courier, Waterloo, Iowa, March 30, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 317  
CENTRAL CITY LEGALIZING ACT  
H. F. 701

AN ACT to legalize and validate the proceedings of the town council of the town of Central City, in the county of Linn, state of Iowa, in the calling of a special election on the proposition of constructing a fire station in said town and contracting indebtedness for such purpose not in excess of twenty-two thousand dollars (\$22,000), issuing bonds for such purpose not in excess of twenty-two thousand dollars (\$22,000), and levying a tax annually upon the taxable property of said town not in excess of two and one-half (2½) mills per annum in payment of such bonds and the interest thereon, and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said town.

WHEREAS, it appears from the records of the town of Central City, in the county of Linn, state of Iowa, that at a special election held in and for said town on February 8, 1961, the proposition of constructing a fire station and contracting indebtedness for such purpose not in excess of twenty-two thousand dollars (\$22,000), and issuing bonds for such purpose not in excess of twenty-two thousand dollars (\$22,000), and levying a tax annually upon the taxable property in said town not exceeding two and one-half (2½) mills per annum for the payment of such bonds and interest thereon was approved by a majority of more than sixty per cent (60%) of the total number of votes cast for and against said proposition; 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 the same forever at rest;

NOW THEREFORE:

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

1 SECTION 1. All proceedings heretofore taken by the council of the  
2 town of Central City, in the county of Linn, state of Iowa, preliminary  
3 to and in connection with the calling of the special election held in  
4 said town on February 8, 1961, at which there was submitted the  
5 proposition of constructing a fire station in said town and contract-  
6 ing indebtedness for such purpose not in excess of twenty-two thousand  
7 dollars (\$22,000), and issuing bonds for such purpose not in excess of  
8 twenty-two thousand dollars (\$22,000), and levying a tax annually  
9 upon the taxable property in said town not in excess of two and one-  
10 half (2½) mills per annum for the payment of such bonds and the  
11 interest thereon, are hereby legalized, validated and confirmed, and  
12 said bonds when issued, sold and delivered pursuant to and in ac-  
13 cordance with said proceedings are hereby declared to be legal and to  
14 constitute valid and binding obligations of said town of Central 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 Central City News-Letter, a newspaper published at Central City,  
4 Iowa, and The Coggon Monitor, a newspaper published at Coggon,  
5 Iowa, without expense to the state.

Approved May 6, 1961.

I hereby certify that the foregoing Act, House File 701, was published in the Central City News-Letter, Central City, Iowa, May 25, 1961, and in The Coggon Monitor, Coggon, Iowa, May 25, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 318

## WALCOTT LEGALIZING ACT

H. F. 345

AN ACT to legalize the sale of lots one (1), four (4), five (5), eight (8) and nine (9) in block two (2) in the original town of Walcott, Scott county, Iowa.

WHEREAS, the community school district of Walcott in the counties of Scott and Muscatine, state of Iowa, by warranty deed, dated April 20, 1960, conveyed lots eight (8) and nine (9) in block two (2) in the original town of Walcott, Scott county, Iowa, to Vernon Sissel, and

WHEREAS, the community school district of Walcott in the counties of Scott and Muscatine, state of Iowa, by warranty deed, dated October 22, 1958, conveyed lot one (1) in block two (2) in the original town of Walcott, Scott county, Iowa, to Vernon Sissel, and

WHEREAS, the Walcott community school district of Scott and Muscatine counties by warranty deed, dated September 19, 1957, conveyed lots four (4) and five (5) in block two (2) in the original town of Walcott, Scott county, Iowa, to Robert E. Dayton and Anna A. Dayton, and

WHEREAS, doubts have arisen as to the legality of the sales of said real estate by the Walcott community school district of Scott and Muscatine counties, also known as community school district of Walcott in the counties of Scott and Muscatine, state of Iowa, THEREFORE,

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

1 SECTION 1. The sale of lots one (1), eight (8) and nine (9) in  
2 block two (2) in the original town of Walcott, Scott county, Iowa, by  
3 the community school district of Walcott in the counties of Scott and  
4 Muscatine, state of Iowa, to Vernon Sissel and the sale of lots four  
5 (4) and five (5) in block two (2) in the original town of Walcott,  
6 Scott county, Iowa, by the Walcott community school district of Scott  
7 and Muscatine county\* to Robert E. Dayton and Anna A. Dayton, is  
8 hereby declared to be legal, valid and binding.

1 SEC. 2. This Act being deemed of immediate importance shall  
2 be in full force and effect from and after its passage and publication  
3 in The Daily Times, a newspaper published at Davenport, Iowa, and  
4 the Morning Democrat, a newspaper published at Davenport, Iowa,  
5 without expense to the state.

Approved March 6, 1961.

I hereby certify that the foregoing Act, House File 345, was published in The Daily Times, Davenport, Iowa, April 4, 1961, and in the Morning Democrat, Davenport, Iowa, April 4, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

\*According to enrolled Act.

## CHAPTER 319

## WOODBINE LEGALIZING ACT

H. F. 626

AN ACT to legalize and validate the proceedings of the town council of the town of Woodbine, in Harrison county, Iowa, authorizing and providing for the issuance of swimming pool 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 town.

WHEREAS, it appears from the records of the town council of the town of Woodbine, in Harrison county, Iowa, that at a special election held in and for said town on August 27, 1959, the proposition of acquiring land and constructing a swimming pool and bath house thereon and contracting indebtedness and issuing bonds for such purpose in an amount not exceeding forty thousand dollars (\$40,000) was approved by more than eighty-five per cent (85%) of the total number of votes cast for and against said proposition, and in reliance upon said election said town council thereafter by resolution authorized and provided for the issuance of swimming pool bonds of said town in the amount of forty thousand dollars (\$40,000) 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 town  
2 council of the town of Woodbine, in Harrison county, Iowa, prelim-  
3 inary to and in connection with the election on said bonds held in said  
4 town on August 27, 1959, and providing for the issuance and delivery  
5 of swimming pool bonds of said town in the amount of forty thousand  
6 dollars (\$40,000) pursuant to said election, and for the levy of taxes  
7 to pay said bonds and interest thereon, are hereby legalized, validated  
8 and confirmed and said swimming pool bonds issued, sold and deliv-  
9 ered pursuant to and in accordance with said proceedings are hereby  
10 declared to be legal and to constitute the valid and binding obliga-  
11 tions of said town.

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 Times Plain Dealer, a newspaper published at Cresco, Iowa, and The  
4 Daily Times, a newspaper published at Missouri Valley, Iowa, without  
5 expense to the state.

Approved April 18, 1961.

I hereby certify that the foregoing Act, House File 626, was published in The Times Plain Dealer, Cresco, Iowa, May 24, 1961, and in The Daily Times, Missouri Valley, Iowa, May 17, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 320

## ACKLEY-GENEVA SCHOOL LEGALIZING ACT

H. F. 692

AN ACT to legalize and validate the proceedings for the organization and the establishment of boundaries of the Ackley-Geneva Community School District in the counties of Hardin, Franklin, Butler and Grundy, state of Iowa, and declaring said district a duly and legally organized corporate body as provided by law.

WHEREAS, pursuant to a sufficient petition and proceedings taken by the county superintendent of schools of Hardin County, Iowa, and the joint county boards of education of Hardin, Franklin, Butler and Grundy Counties, Iowa, the decision of the state board of public instruction on January 20, 1961, an election was held on March 6, 1961, at which the voters approved the proposition of establishing a new school district to be known as the Ackley-Geneva Community School District by uniting territory formerly lying within four school corporations in said counties, and school officials were thereafter elected; and

WHEREAS, complete written descriptions of the boundaries of the new and enlarged Ackley-Geneva Community School District has\* been filed with the county auditors of Hardin, Franklin, Butler and Grundy Counties, Iowa, and a new school corporation has been organized in accordance with the county plans, and will be effective July 1, 1961, and will be known officially as the "Ackley-Geneva Community School District, in the counties of Hardin, Franklin, Butler and Grundy, State of Iowa"; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings, election and boundaries taken for the organization and establishment of said Ackley-Geneva Community School District, in the counties of Hardin, Franklin, Butler and Grundy, 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. All proceedings heretofore taken in connection with  
2 the organization, creation and establishment of the school corporation  
3 now known and identified as the "Ackley-Geneva Community School  
4 District, in the counties of Hardin, Franklin, Butler and Grundy,  
5 state of Iowa" are hereby legalized, validated and confirmed and 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 Ackley-  
9 Geneva Community School District as now shown by the records of  
10 the county auditors of Hardin, Franklin, Butler and Grundy Counties,  
11 Iowa, are hereby declared to be the legally established boundaries of  
12 said school district, and the officials thereof duly elected with powers  
13 to act as provided by statute.

1 SEC. 2. This Act shall become effective after September 6, 1961,  
2 providing no appeal has been taken or action has been commenced as  
3 provided for in chapter two hundred seventy-four (274), Code 1958.

Approved May 2, 1961.

\*According to enrolled Act.

## CHAPTER 321

## ATLANTIC SCHOOL LEGALIZING ACT

S. F. 435

AN ACT to legalize and validate the proceedings for the organization and establishment of the Community School District of Atlantic in the counties of Cass, Pottawattamie and Audubon, state of Iowa, and fixing the boundaries thereof 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 Cass county, Iowa, and the County Boards of Education of Cass, Pottawattamie and Audubon counties, Iowa, an election was held on July 2, 1959, on the proposition of establishing a new school district to be known as the Community School District of Atlantic, in the counties of Cass, Pottawattamie and Audubon, state of Iowa, by uniting territory then lying within the boundaries of eleven (11) school corporations located in Cass, Pottawattamie and Audubon counties; and

WHEREAS, pursuant to the favorable results of said election, officials were elected, descriptions of the boundaries of the new and enlarged Community School District of Atlantic were filed with the county auditors of Cass, Pottawattamie and Audubon counties, and a new school corporation was organized in accordance with the county plans, effective July 1, 1960, which is known and has been officially designated as the Community School District of Atlantic, in the counties of Cass, Pottawattamie and Audubon, state of Iowa; and

WHEREAS, the northwest fractional one-quarter (NW fr.  $\frac{1}{4}$ ) of Section Thirty (30) in Franklin Township, Cass County, Iowa, was intended in the proposal and ballot to be included in said Community School District and that all of the voters residing in said territory participated in the election held thereon and voted in favor of the formation of said district; and

WHEREAS, the official publications in connection with the formation of said district including the ballot for the formation of said district erroneously described the property in Franklin Township, Cass County, Iowa, as the west fractional half of the northwest fractional quarter (W fr.  $\frac{1}{2}$  of NW fr.  $\frac{1}{4}$ ) of Section Thirty (30) in said Franklin Township; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings taken for the organization and establishment of the said Community School District of Atlantic, in the counties of Cass, Pottawattamie and Audubon, state of Iowa, and the legality of including the entire northwest fractional quarter (NW fr.  $\frac{1}{4}$ ) of Section Thirty (30) in Franklin Township, Cass county, Iowa, within the Community School District for tax purposes, 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 now known and identified as the Community School District of At-
- 4 lantic, in the counties of Cass, Pottawattamie and Audubon, state of



5 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 Community  
 9 School District of Atlantic including the entire northwest fractional  
 10 quarter (NW fr.  $\frac{1}{4}$ ) of Section Thirty (30) in Franklin Township,  
 11 Cass county, Iowa, and all the remainder of said boundaries as now  
 12 shown by the records of the county auditors of Cass, Pottawattamie  
 13 and Audubon counties, Iowa, are hereby declared to be the legally  
 14 established boundaries of said school district.

1 SEC. 2. This Act being deemed of immediate importance shall  
 2 be in full force and effect from and after its passage and publication  
 3 in the Atlantic News-Telegraph, a newspaper published at Atlantic,  
 4 Iowa, and the Cumberland Enterprise, a newspaper published at  
 5 Cumberland, Iowa, without expense to the state.

Approved March 21, 1961.

I hereby certify that the foregoing Act, Senate File 435, was published in the Atlantic News-Telegraph, Atlantic, Iowa, April 8, 1961, and in the Cumberland Enterprise, Cumberland, Iowa, April 13, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 322

### BLAKESBURG SCHOOL LEGALIZING ACT

H. F. 617

AN ACT to legalize and validate the proceedings of the board of directors of the Blakesburg Community School District, in the counties of Wapello, Monroe and Davis, 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 Blakesburg Community School District, in the counties of Wapello, Monroe and Davis, state of Iowa, that at a special election held in and for said school district on February 17, 1961, the proposition of issuing bonds of said school district in the sum of one hundred ninety-three thousand dollars (\$193,000) for the purpose of constructing and equipping a new grade school building and procuring a site therefor in said school district 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. All proceedings heretofore taken by the board of di-  
2 rectors of the Blakesburg Community School District, in the counties  
3 of Wapello, Monroe and Davis, state of Iowa, preliminary to and in  
4 connection with the special election held in said school district on  
5 February 17, 1961, and providing for the issuance and delivery of  
6 school building bonds of said school district in the amount of one  
7 hundred ninety-three thousand dollars (\$193,000) pursuant to said  
8 election, and for the levy of taxes to pay said bonds and interest there-  
9 on, are hereby legalized, validated and confirmed and said school  
10 building bonds issued, sold and delivered pursuant to and in accord-  
11 ance with said proceedings are hereby declared to be legal and to con-  
12 stitute the valid 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  
3 Blakesburg Excelsior, a newspaper published at Blakesburg, Iowa,  
4 and the Ottumwa Daily Courier, a newspaper published at Ottumwa,  
5 Iowa, without expense to the state.

Approved April 18, 1961.

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 Ottumwa Daily Courier published at Ottumwa, Iowa, the Ottumwa Courier, a newspaper published at Ottumwa, Iowa, is designated to publish the foregoing Act, House File 617.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, House File 617, was published in The Blakesburg Excelsior, Blakesburg, Iowa, April 27, 1961, and in the Ottumwa Courier, Ottumwa, Iowa, April 28, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 323

### C AND M SCHOOL LEGALIZING ACT

H. F. 526

AN ACT to ratify a certification of a tax by a community school district to the county board acting under authority of section two hundred ninety-seven point five (297.5), Code 1954.

WHEREAS, the directors of the C and M Community School District in Cass county did certify to the board of supervisors a figure of nine hundred ninety-eight thousandths (.998) mills, and the board did levy in 1957 and collect in 1958 six thousand twenty-five dollars and fifty-four cents to be placed in the schoolhouse fund under the authority of section two hundred ninety-seven point five (297.5), Code 1954; and

WHEREAS, doubts have now arisen concerning the legality of the certification, levy and collection of such levy; now therefore,

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

1 SECTION 1. The certification by the directors of the C and M  
2 Community School District in Cass county of nine hundred ninety-

3 eight thousandths (.998) mills, levied by the county board in 1957  
 4 on which six thousand twenty-five dollars and fifty-four cents was  
 5 collected in 1958 and credited to the schoolhouse fund and used only  
 6 for the purchase of sites in and for such school district, is hereby  
 7 ratified and affirmed.

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 Atlantic News-Telegraph, a newspaper published in Atlantic,  
 4 Iowa, and in the Griswold American, a newspaper published in Gris-  
 5 wold, Iowa, without expense to the state.

Approved March 30, 1961.

I hereby certify that the foregoing Act, House File 526, was published in the Atlantic News-Telegraph, Atlantic, Iowa, April 15, 1961, and in the Griswold American, Griswold, Iowa, April 19, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 324

### CORNING SCHOOL LEGALIZING ACT

H. F. 169

AN ACT to legalize and validate the proceedings of the organization and establishment of the Corning Community School District in the counties of Adams and Taylor, state of Iowa, declaring said district a duly and legally organized corporate body.

WHEREAS, pursuant to proceedings taken by the county superintendent of schools of Adams County, Iowa, and the county boards of education of Adams and Taylor counties, an election was held on October 14, 1959, on the proposition of establishing a new school district to be known as the Corning Community School District, in the Counties of Adams and Taylor, State of Iowa, by uniting territory then lying within the boundaries of forty-two (42) school corporations located in Adams and Taylor Counties, State of 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 Adams and Taylor counties, state of Iowa, and a new school corporation was organized in accordance with the county plan effective July 1, 1960, which is known and has been officially designated as the "Corning Community School District, in the counties of Adams 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 Corning Community School District, in the counties of Adams 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. All proceedings heretofore taken in connection with  
 2 the organization, creation and establishment of the school corporation  
 3 now known and identified as the "Corning Community School District,

4 in the counties of Adams and Taylor, state of Iowa", are hereby  
5 legalized, validated and confirmed and said school district is hereby  
6 declared to constitute a legal school corporation created in conformity  
7 with the provisions of chapter two hundred seventy-five (275) of the  
8 Code, and the boundaries of said Corning Community School District  
9 as now shown by the records of the county auditors of Adams and  
10 Taylor Counties, Iowa, are hereby declared to be the legally estab-  
11 lished boundaries of said school district.

Approved March 28, 1961.

## CHAPTER 325

### DENVER SCHOOL LEGALIZING ACT

S. F. 132

AN ACT to legalize and validate the proceedings of the board of directors of the Denver Community School District, in the counties of Bremer and Black Hawk, 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 Denver Community School District, in the counties of Bremer and Blackhawk, state of Iowa, that at a special election held in and for said school district on December 7, 1960, the proposition of issuing bonds of said school district in the sum of ninety-five thousand dollars (\$95,000) for the purpose of building and furnishing an addition to an existing school building 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  
2 of directors of the Denver Community School District, in the counties  
3 of Bremer and Black Hawk, state of Iowa, preliminary to and in  
4 connection with the special election held in said school district on  
5 December 7, 1960, and providing for the issuance and delivery of  
6 school building bonds of said school district in the amount of ninety-  
7 five thousand dollars (\$95,000) pursuant to said election, and for the  
8 levy of taxes to pay said bonds and interest thereon, are hereby legal-  
9 ized, validated and confirmed and said school building bonds issued,  
10 sold and delivered pursuant to and in accordance with said proceed-  
11 ings are hereby declared to be legal and to constitute the 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 Bremer County Independent, a newspaper published at Waverly,  
 4 Iowa, and The Tripoli Leader, a newspaper published at Tripoli, Iowa,  
 5 without expense to the state.

Approved February 6, 1961.

I hereby certify that the foregoing Act, Senate File 132, was published in the Bremer County Independent, Waverly, Iowa, February 22, 1961, and in The Tripoli Leader, Tripoli, Iowa, February 22, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 326

### FINCHFORD SCHOOL LEGALIZING ACT

S. F. 498

AN ACT to ratify the sale of certain real estate owned by the Finchford Consolidated School District, in the counties of Butler, Black Hawk and Bremer, state of Iowa, and to legalize and validate the contract executed by its board of directors, and to authorize conveyance of legal title thereto.

WHEREAS, the board of directors of the Finchford Consolidated School District, in the counties of Butler, Black Hawk and Bremer, state of Iowa, heretofore sold real estate owned by said Finchford Consolidated School District pursuant to section two hundred ninety-seven point twenty-one (297.21), Code 1958, said real estate being no longer necessary for school purposes because of reorganization; 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 Finchford Consolidated School District,  
 2 in the counties of Butler, Black Hawk and Bremer, state of Iowa,  
 3 of the following described real estate:

4 A tract of land in the Northeast quarter of Section No. Seven  
 5 (7), Township 90 North, Range 14 West of the Fifth P.M., in Black  
 6 Hawk County, Iowa, bounded as follows: beginning at a point Sixty-  
 7 two (62) rods South of the Northwest corner of the Northeast  
 8 quarter of said Section, thence East Sixteen (16) rods; thence  
 9 South Ten (10) rods; thence West Sixteen (16) rods; thence North  
 10 Ten (10) rods to the place of beginning,

11 by contract between said Finchford Consolidated School District,  
 12 party of the first part, and Dorothy Anderson, party of the second  
 13 part, dated October 8, 1960, for the purchase price of seventy-five  
 14 hundred (7500) dollars is hereby ratified and confirmed, and said  
 15 Finchford Consolidated School District is hereby authorized to exe-  
 16 cute a deed to said Dorothy Anderson, her heirs and assigns.

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 Bremer County Independent, a newspaper published at Waverly,

4 Iowa, and in The Shell Rock News, a newspaper published at Shell  
5 Rock, Iowa, without expense to the state.

Approved April 18, 1961.

I hereby certify that the foregoing Act, Senate File 498, was published in the Bremer County Independent, Waverly, Iowa, April 26, 1961, and in The Shell Rock News, Shell Rock, Iowa, April 27, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 327

### GLIDDEN-RALSTON SCHOOL LEGALIZING ACT

H. F. 628

AN ACT to legalize and validate the proceedings for the organization and establishment of the boundaries of the Glidden-Ralston Community School District, in the counties of Carroll and Greene, 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 Carroll County, Iowa, and the joint county boards of education of Carroll and Greene Counties, Iowa, an election was held on June 29, 1959, at which the voters approved the proposition of establishing a new school district to be known as the Glidden-Ralston Community School District by uniting territory formerly lying within two school corporations; and

WHEREAS, a complete written descriptions\* of the boundaries of the new and enlarged Glidden-Ralston Community School District were filed with the county auditors of Carroll and Greene Counties, Iowa, and a new school corporation was organized in accordance with the county plans, effective July 1, 1959, which has been operating for over six months and which is known and has been officially designated as the "Glidden-Ralston Community School District, in the Counties of Carroll and Greene, 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 Glidden-Ralston Community School District, in the counties of Carroll and Greene, state of Iowa, 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 corpo-  
3 ration now known and identified as the "Glidden-Ralston Community  
4 School District, in the counties of Carroll and Greene, state of Iowa"  
5 be and the same are hereby legalized, validated and confirmed and 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 of Iowa, 1958, and the boundaries of said  
9 Glidden-Ralston Community School District as now shown by the

\*According to enrolled Act.

10 records of the county auditors of Carroll and Greene Counties, Iowa,  
 11 are hereby declared to be the legally established boundaries of said  
 12 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 Glidden Graphic, a newspaper published at Glidden, Iowa, and The  
 4 Scranton Journal, a newspaper published at Scranton, Iowa, without  
 5 expense to the state.

Approved April 10, 1961.

I hereby certify that the foregoing Act, House File 628, was published in The Glidden Graphic, Glidden, Iowa, April 27, 1961, and in The Scranton Journal, Scranton, Iowa, April 27, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 328

### GLIDDEN-RALSTON SCHOOL LEGALIZING ACT

H. F. 629

AN ACT to legalize and validate the proceedings of the board of directors of the Glidden-Ralston Community School District, in the counties of Carroll and Greene, 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 Glidden-Ralston Community School District, in the counties of Carroll and Greene, state of Iowa, that at the regular school election held in and for said school district on September 12, 1960, the proposition of issuing bonds of said school district in the sum of one hundred fifty thousand dollars for the purpose of improving and equipping the present school buildings of the district 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 Glidden-Ralston Community School District, in the  
 3 counties of Carroll and Greene, state of Iowa, preliminary to and in  
 4 connection with the election on said bonds held in said school district  
 5 on September 12, 1960, and providing for the issuance and delivery  
 6 of school building bonds of said school district in the amount of one  
 7 hundred fifty thousand dollars pursuant to said election, and for the

8 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  
 11 proceedings are hereby declared to be legal and to constitute the 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  
 3 Glidden Graphic, a newspaper published at Glidden, Iowa, and The  
 4 Scranton Journal, a newspaper published at Scranton, Iowa, without  
 5 expense to the state.

Approved April 10, 1961.

I hereby certify that the foregoing Act, House File 629, was published in The Glidden Graphic, Glidden, Iowa, April 27, 1961, and in The Scranton Journal, Scranton, Iowa, April 27, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 329

### HARMONY SCHOOL LEGALIZING ACT

S. F. 288

AN ACT to legalize and validate the proceedings of the board of directors of the Harmony Community School District, in the counties of Van Buren, Lee and Henry, 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 Harmony Community School District, in the counties of Van Buren, Lee and Henry, state of Iowa, that at a special election held in and for said school district on June 24, 1960, the proposition of issuing bonds of said school district in the sum of three hundred eighty-five thousand (385,000) dollars for the purpose of carrying out a school building program consisting of constructing and equipping a new high school building 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 of 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 Harmony Community School District, in the counties  
 3 of Van Buren, Lee and Henry, state of Iowa, preliminary to and in  
 4 connection with the special election held in said school district on



5 June 24, 1960, and providing for the issuance and delivery of school  
 6 building bonds of said school district in the amount of three hundred  
 7 eighty-five thousand (385,000) dollars pursuant to said election, and  
 8 for the levy of taxes to pay said bonds and interest thereon, are here-  
 9 by legalized, validated and confirmed and said school building bonds  
 10 issued, sold and delivered pursuant to and in accordance with said  
 11 proceedings are hereby declared to be legal and to constitute valid  
 12 and binding obligations and\* 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 Fort Madison Evening Democrat, a newspaper published at Fort  
 4 Madison, Iowa, and the Van Buren Co. Register, a newspaper pub-  
 5 lished at Keosauqua, Iowa, without expense to the state.

Approved March 7, 1961.

I hereby certify that the foregoing Act, Senate File 288, was published in the Fort Madison Evening Democrat, Fort Madison, Iowa, March 18, 1961, and in the Van Buren Co. Register, Keosauqua, Iowa, March 23, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

\*According to enrolled Act.

## CHAPTER 330

### LAMONT SCHOOL LEGALIZING ACT

S. F. 528

AN ACT to legalize and validate the proceedings of the board of directors of the Lamont Community School District, in the counties of Buchanan, Fayette and Delaware, 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 Lamont Community School District, in the counties of Buchanan, Fayette and Delaware, state of Iowa, that at a special school election held in and for said school district on February 24, 1961, the proposition of issuing bonds of said school district in the sum of one hundred five thousand dollars (\$105,000.00) for the purpose of enlarging and improving the school facilities of said school district by erecting an addition connecting the present elementary and high school buildings and building a Manual Arts and Farm Shop 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 Lamont Community School District, in the counties  
3 of Buchanan, Fayette and Delaware, state of Iowa, preliminary to  
4 and in connection with the election on said bonds held in said school  
5 district on February 24, 1961, and providing for the issuance and  
6 delivery of school building bonds of said school district in the amount  
7 of one hundred five thousand dollars (\$105,000.00) pursuant to said  
8 election, and for the levy of taxes to pay said bonds and interest  
9 thereon, are hereby legalized, validated and confirmed and said school  
10 building bonds issued, sold and delivered pursuant to and in accord-  
11 ance with said proceedings are hereby declared to be legal and to  
12 constitute the valid 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  
3 Lamont Leader, a newspaper published at Lamont, Iowa, and The In-  
4 dependence Bulletin-Journal, a newspaper published at Independence,  
5 Iowa, without expense to the state.

Approved May 2, 1961.

I hereby certify that the foregoing Act, Senate File 528, was published in The Lamont Leader, Lamont, Iowa, May 18, 1961, and in The Independence Bulletin-Journal, Independence, Iowa, May 12, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 331

### LEWIS SCHOOL LEGALIZING ACT

S. F. 434

AN ACT to legalize and validate the proceedings of the board of directors of the Lewis Consolidated School District, in the county of Cass, 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 Lewis Consolidated School District, in the county of Cass, state of Iowa, that at a special election held in and for said school district on February 3, 1961, the proposition of issuing bonds for said school district in the sum of One Hundred Forty-five Thousand Dollars (\$145,000) for the purpose of carrying out a school building program consisting of constructing and equipping a new school building in the town of Lewis, Iowa, 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 of 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  
2 of Directors of the Lewis Consolidated School District, in the county  
3 of Cass, state of Iowa, preliminary to and in connection with the  
4 special election held in said school district on February 3, 1961, and  
5 providing for the issuance and delivery of school building bonds of  
6 said school district in the amount of One Hundred Forty-five Thou-  
7 sand Dollars (\$145,000) 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 are  
11 hereby declared to be legal and to constitute valid and binding obliga-  
12 tions 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 Atlantic News-Telegraph, a newspaper published at Atlantic, Iowa,  
4 and the Council Bluffs Nonpareil, a newspaper published at Council  
5 Bluffs, Iowa, without expense to the state.

Approved March 14, 1961.

I hereby certify that the foregoing Act, Senate File 434, was published in the Atlantic News-Telegraph, Atlantic, Iowa, March 22, 1961, and in the Council Bluffs Nonpareil, Council Bluffs, Iowa, March 23, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 332

### LAKE TOWNSHIP SCHOOL LEGALIZING ACT

H. F. 656

AN ACT to legalize and validate the special election of the Lake Township School District, Pottawattamie county, Iowa, held on June 8, 1960, for the issuance of \$49,000.00 of school bonds.

WHEREAS, on the 10th day of May, 1960, the Board of Directors of the Lake Township School District, Pottawattamie County, Iowa, pursuant to a petition filed by certain voters of said school district, called a special election of the voters of said school district for June 8, 1960, on the question of the issuance of school bonds by said district in the sum of \$49,000.00 for the purpose of building and equipping a schoolhouse within said district; and

WHEREAS, at said election said proposition was approved by more than sixty percent of the total votes cast for or against said proposition, there being 116 votes cast in favor of said proposition and 8 votes against the same; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election and it is advisable to put such doubts and all other doubts that might arise concerning such election forever at rest; now therefore,

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

1 SECTION 1. All proceedings heretofore taken by the Board of Di-  
 2 rectors of the Lake Township School District, Pottawattamie County,  
 3 Iowa, preliminary to and in connection with the call of the special  
 4 election held on June 8, 1960 for the submission of the proposition of  
 5 the issuance of \$49,000.00 school bonds for the purpose of building and  
 6 equipping a schoolhouse within said district, including also the pe-  
 7 tition for the calling of the election, the notice of election, the elec-  
 8 tion ballot, the election itself and the adoption of said proposition  
 9 at said election by the voters of said school district, are hereby legal-  
 10 ized, validated and confirmed, and shall constitute full authority for  
 11 the board of directors of said school district to issue said bonds for  
 12 the aforesaid proposition authorized at said election, in the amount  
 13 of not to exceed \$49,000.00 and said bonds, when issued, shall consti-  
 14 tute valid and binding obligations of said school district.

1 SEC. 2. This Act being deemed of immediate importance shall  
 2 be in full force and effect from and after its passage and publication  
 3 in the Neola Gazette-Reporter, a newspaper published at Neola, Iowa,  
 4 and in The Casey Vindicator, a newspaper published at Casey, Iowa,  
 5 all without expense to the state of Iowa.

Approved April 10, 1961.

I hereby certify that the foregoing Act, House File 656, was published in the Neola Gazette-Reporter, Neola, Iowa, April 20, 1961, and in The Casey Vindicator, Casey, Iowa, April 20, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 333

### MARCUS SCHOOL LEGALIZING ACT

H. F. 16

AN ACT to legalize and validate the proceedings for the organization and establishment of the boundaries of the Marcus Community School District, in the counties of Cherokee and Plymouth, 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 Cherokee County, Iowa, and the joint county boards of education of Cherokee and Plymouth Counties, Iowa, an election was held on May 4, 1960, at which the voters approved the proposition of establishing a new school district to be known as the Marcus Community School District by uniting territory formerly lying within three school corporations and school officials were thereafter elected; and

WHEREAS, the Northwest Quarter (NW¼) of Section 31, Township 92 North, Range 41 West of the 5th P. M., in Sheridan Township, Cherokee County, Iowa, was attached to the corporation by order of the Cherokee County board of education entered on June 16, 1960, complete written descriptions of the boundaries of the new and enlarged Marcus Community School District were filed with the county auditors of Cherokee and Plymouth Counties, Iowa, and a new school corporation was organized in accordance with the county plans, effective July 1, 1960, which has been operating for over six months and which is known and has been officially

designated as the "Marcus Community School District, in the Counties of Cherokee and Plymouth, State of Iowa"; and

WHEREAS, the notice of the reorganization election of said district and the ballot at said election were defectively worded; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings taken for the organization and establishment of said Marcus Community School District, in the Counties of Cherokee and Plymouth, state of Iowa, and the attachment of the aforesaid area 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 "Marcus Community School  
4 District, in the Counties of Cherokee and Plymouth, State of Iowa",  
5 including the attachment of land to said school district by order of  
6 the Cherokee 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 275, Code of Iowa, 1958, and the  
10 boundaries of said Marcus Community School District as now shown  
11 by the records of the county auditors of Cherokee and Plymouth  
12 Counties, Iowa, are hereby declared to be the legally established  
13 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 Marcus News, a newspaper published at Marcus, Iowa, and the Rem-  
4 sen Bell-Enterprise, a newspaper published at Remsen, Iowa, without  
5 expense to the state.

Approved January 30, 1961.

I hereby certify that the foregoing Act, House File 16, was published in The Marcus News, Marcus, Iowa, February 9, 1961, and in the Remsen Bell-Enterprise, Remsen, Iowa, February 9, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 334

### MARCUS SCHOOL LEGALIZING ACT

H. F. 17

AN ACT to legalize and validate the proceedings of the board of directors of the Marcus Community School District, in the counties of Cherokee and Plymouth, 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 Marcus Community School District, in the counties of Cherokee and Plymouth, state of Iowa, that at a special election held in and for said

school district on October 27, 1960, the proposition of issuing bonds of said school district in the sum of seven hundred fifty-eight thousand dollars (\$758,000) for the purpose of building and equipping a high school building 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, the notice of the reorganization election of said district and the ballot at said election were defectively worded; 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  
2 of directors of the Marcus Community School District, in the  
3 counties of Cherokee and Plymouth, state of Iowa, preliminary to and  
4 in connection with the special election held in said school district on  
5 October 27, 1960, and providing for the issuance and delivery of  
6 school building bonds of said school district in the amount of seven  
7 hundred fifty-eight thousand dollars (\$758,000) pursuant to said  
8 election, and for the levy of taxes to pay said bonds and interest  
9 thereon, are hereby legalized, validated and confirmed and said school  
10 building bonds issued, sold and delivered pursuant to and in accord-  
11 ance with said proceedings are hereby declared to be legal and to  
12 constitute valid and binding obligations of said school district.

1 SEC. 2. This Act being of immediate importance shall be in full  
2 force and effect from and after its passage and publication in The  
3 Marcus News, a newspaper published at Marcus, Iowa, and the Rem-  
4 sen Bell-Enterprise, a newspaper published at Remsen, Iowa, without  
5 expense to the state.

Approved January 31, 1961.

I hereby certify that the foregoing Act, House File 17, was published in The Marcus News, Marcus, Iowa, February 9, 1961, and in the Remsen Bell-Enterprise, Remsen, Iowa, February 9, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 335

## NASHUA SCHOOL LEGALIZING ACT

H. F. 292

AN ACT to legalize the issuance of warrants issued by the Nashua Community School District of Chickasaw, Bremer, Floyd and Butler counties, Iowa due to the failure of said school district to levy a sufficient amount of taxes to raise sufficient funds to meet the proposed expenditures approved in the proposed budget for the fiscal years of 1958-1959 and 1959-1960 and to legalize the payment of said warrants by the school treasurer from funds received by the said school district for the fiscal years of 1958-1959, 1959-1960 and 1960-1961.

WHEREAS, the Nashua Community School District was organized and became effective as a school corporation on July 1, 1958 and the proposed operating budgets approved by the board of directors of said school district for the years 1958-1959 and 1959-1960 were duly submitted and approved, and,

WHEREAS, the board of directors of said school district, in certifying the levy to be made for the fiscal years of 1958-1959 and 1959-1960, failed to certify to the County Auditor of Chickasaw County, Iowa a sufficient levy to raise, by taxation, sufficient funds to cover the proposed expenditures for the years 1958-1959 and 1959-1960, and,

WHEREAS, due to the failure to have sufficient funds to the credit of the treasurer of said school district to meet the proposed expenditures approved in the budget years 1958-1959 and 1959-1960, the treasurer of said school district has been required to stamp warrants issued by the said school district "not paid for want of funds", and,

WHEREAS, the treasurer of the said school district has called the said warrants "not paid for want of funds" at the time the said treasurer has had sufficient funds deposited to the credit of the said school district, and,

WHEREAS, the Nashua Community School District will issue warrants in the future and due to the failure of the said school district to levy sufficient funds to meet the proposed expenditures for the fiscal years 1958-1959 and 1959-1960, the school treasurer will be required to stamp some of said warrants as "not paid for want of funds", and ,

WHEREAS, doubt has arisen as to the legality of the warrants issued by the said school district and stamped "not paid for want of funds" as a result of the failure to provide sufficient tax moneys to equal the proposed expenditures for the fiscal years of 1958-1959 and 1959-1960; Now, THEREFORE,

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

1 SECTION 1. That all proceedings of the board of directors of the  
2 Nashua Community School District of Chickasaw, Bremer, Floyd and  
3 Butler Counties, Iowa relating to the adoption of the school district  
4 budget for the fiscal years of 1958-1959 and 1959-1960 be and the  
5 same hereby are declared to be legally sufficient and that all warrants  
6 issued and required to be stamped "not paid for want of funds" by  
7 reason of the failure of the said school district to certify and raise  
8 by taxation a sufficient amount of funds to meet the proposed budgets  
9 for the years 1958-1959 and 1959-1960 hereby are declared to be valid  
10 and legal obligations of the Nashua Community School District and

11 all proceedings relative to the payment or redemption of said warrants  
 12 stamped "not paid for want of funds" by the treasurer of the Nashua  
 13 Community School District be and the same hereby are declared to  
 14 be legally sufficient.

1 SEC. 2. This Act being deemed of immediate importance shall  
 2 take effect and be in force from and after its publication in The  
 3 Nashua Reporter, a newspaper published at Nashua, Iowa and in the  
 4 Charles City Press, a newspaper published at Charles City, Iowa, at  
 5 no expense to the state of Iowa.

Approved February 23, 1961.

I hereby certify that the foregoing Act, House File 292, was published in The Nashua Reporter, Nashua, Iowa, March 9, 1961, and in the Charles City Press, Charles City, Iowa, March 7, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 336

### NASHUA SCHOOL LEGALIZING ACT

S. F. 492

AN ACT to legalize and validate the proceedings of the board of directors of the Nashua Community School District in the counties of Bremer, Butler, Chickasaw and Floyd, 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 Nashua Community School District in the counties of Bremer, Butler, Chickasaw and Floyd, state of Iowa, that at a special election held in and for said school district on September 22, 1960, the proposition of issuing bonds of said school district in the sum of six hundred twenty-five thousand dollars (\$625,000.00) for the purpose of carrying out a school building program in said school district was approved by more than sixty percent (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 aforesaid for the purpose of building and furnishing a new elementary school building, and procuring a site therefor and reconstructing the present high school building and building and furnishing an addition thereto, and made provisions 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 Nashua Community School District in the counties  
 3 of Bremer, Butler, Chickasaw and Floyd, state of Iowa, preliminary



4 to and in connection with the special election held in said school dis-  
 5 trict on September 22, 1960, and providing for the issuance and de-  
 6 livery of school building bonds of said school district in the amount  
 7 of six hundred twenty-five thousand dollars (\$625,000.00) pursuant  
 8 to said election and for the levy of taxes to pay said bonds and the  
 9 interest thereon, are hereby legalized, validated and confirmed and  
 10 said school building bonds issued, sold and delivered pursuant to and  
 11 in accordance with said proceedings are hereby declared to be legal  
 12 and to constitute the valid and binding obligations of said school  
 13 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 Nashua Reporter, a newspaper published at Nashua, Iowa, and the  
 4 Charles City Press, a newspaper published at Charles City, Iowa,  
 5 without expense to the state.

Approved April 10, 1961.

I hereby certify that the foregoing Act, Senate File 492, was published in The Nashua Reporter, Nashua, Iowa, April 27, 1961, and in the Charles City Press, Charles City, Iowa, April 24, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 337

### NORTH WINNESHIEK SCHOOL LEGALIZING ACT

H. F. 649

AN ACT to legalize and validate the action of the board of directors of the North Winneshiek Community School District, Winneshiek county, Iowa, in calling a special election on the matter of the issuance of \$400,000.00 of school bonds.

WHEREAS, on the 14th day of March, 1961, the board of directors of the North Winneshiek Community School District, Winneshiek County, Iowa, pursuant to a petition filed by more than twenty-five per cent (25%) of the qualified electors within said district, called a special election of the voters of said school district for the 17th day of April, 1961, on the question of the issuance of school bonds by said district in the sum of \$400,000.00 for the purpose of building and furnishing a school building and procuring a site therefor; and

WHEREAS, said school district came into existence on July 1, 1960, under the system of electing school directors by districts and only certain portions of said district elected directors at the school election in September, 1960, so that the entire electorate of the district was not called upon to vote at said September, 1960, school election; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said petition for election and the action of the school board of said district adopted on March 14, 1961, in calling said election and it is deemed advisable to put such doubts and all other doubts that might arise in regard thereto forever at rest; now, therefore,

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

1 SECTION 1. All proceedings heretofore taken by the board of  
 2 directors of the Winneshiek Community School District, Winneshiek

3 County, Iowa, preliminary to and in connection with the calling of the  
 4 special election to be held on April 17th, 1961, for the submission of  
 5 the proposition on the issuance of \$400,000.00 of school bonds for the  
 6 purpose of building and furnishing a school building and procuring a  
 7 site therefor, including also the petition for the calling of the election,  
 8 are hereby legalized, validated 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 Decorah Public Opinion, a newspaper published at Decorah, Iowa,  
 4 and in The Times Plain Dealer, a newspaper published at Cresco,  
 5 Iowa, all without expense to the state.

Approved April 14, 1961.

I hereby certify that the foregoing Act, House File 649, was published in the Decorah Public Opinion, Decorah, Iowa, May 1, 1961, and in The Times Plain Dealer, Cresco, Iowa, May 3, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 338

### REINBECK SCHOOL LEGALIZING ACT

H. F. 243

AN ACT to legalize and validate the proceedings of the board of directors of the Reinbeck Community School District, in the counties of Grundy, Black Hawk and Tama, 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 Reinbeck Community School District, in the Counties of Grundy, Black Hawk and Tama, State of Iowa, that at a special election held in and for said school district on December 14, 1960, the proposition of issuing bonds of said school district in the sum of five hundred ninety-six thousand dollars (\$596,000) for the purpose of constructing and equipping an elementary school building and an industrial arts building and purchasing land therefor to add to a site already owned 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. All proceedings heretofore taken by the board of di-  
 2 rectors of the Reinbeck Community School District, in the Counties

3 of Grundy, Black Hawk and Tama, State of Iowa, preliminary to and  
 4 in connection with the special election held in said school district on  
 5 December 14, 1960, and providing for the issuance and delivery of  
 6 school building bonds of said school district in the amount of five  
 7 hundred ninety-six thousand dollars (\$596,000) pursuant to said  
 8 election, and for the levy of taxes to pay said bonds and interest  
 9 thereon, are hereby legalized, validated and confirmed and said school  
 10 building bonds issued, sold and delivered pursuant to and in accord-  
 11 ance with said proceedings are hereby declared to be legal and to con-  
 12 stitute the valid 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  
 3 Reinbeck Courier, a newspaper published at Reinbeck, Iowa, and The  
 4 Grundy Register, a newspaper published at Grundy Center, Iowa,  
 5 without expense to the state.

Approved March 6, 1961.

I hereby certify that the foregoing Act, House File 243, was published in The Reinbeck Courier, Reinbeck, Iowa, March 9, 1961, and in The Grundy Register, Grundy Center, Iowa, March 9, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 339

### REINBECK SCHOOL LEGALIZING ACT

#### H. F. 244

AN ACT to legalize and validate the proceedings for the organization and establishment of the boundaries of the Reinbeck Community School District, in the counties of Grundy, Black Hawk and Tama, 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 Grundy County, Iowa, and the joint county boards of education of Grundy, Black Hawk and Tama Counties, Iowa, an election was held on September 23, 1959, at which the voters approved the proposition of establishing a new school district to be known as the Reinbeck Community School District by uniting territory formerly lying within five school corporations, and school officials were thereafter elected; and

WHEREAS, complete written descriptions of the boundaries of the new and enlarged Reinbeck Community School District were filed with the county auditors of Grundy, Black Hawk and Tama Counties, Iowa, and a new school corporation was organized in accordance with the county plans, effective July 1, 1960, which has been operating for over six months and which is known and has been officially designated as the "Reinbeck Community School District, in the Counties of Grundy, Black Hawk and Tama, 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 Reinbeck Community School District, in the Counties of Grundy, Black Hawk and Tama, 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. All proceedings heretofore taken in connection with  
2 the organization, creation and establishment of the school corpora-  
3 tion now known and identified as the "Reinbeck Community School  
4 District, in the Counties of Grundy, Black Hawk and Tama, State of  
5 Iowa" are hereby legalized, validated and confirmed and said school  
6 district is hereby declared to constitute a legal school corporation  
7 created in conformity with the provisions of Chapter 275, Code of  
8 Iowa, 1958, and the boundaries of said Reinbeck Community School  
9 District as now shown by the records of the county auditors of  
10 Grundy, Black Hawk and Tama Counties, Iowa, are hereby declared  
11 to be the legally established 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 Reinbeck Courier, a newspaper published at Reinbeck, Iowa, and The  
4 Grundy Register, a newspaper published at Grundy Center, Iowa,  
5 without expense to the state.

Approved March 13, 1961.

I hereby certify that the foregoing Act, House File 244, was published in The Reinbeck Courier, Reinbeck, Iowa, March 23, 1961, and in The Grundy Register, Grundy Center, Iowa, March 23, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 340

### WESTERN DUBUQUE SCHOOL LEGALIZING ACT

H. F. 691

AN ACT to legalize and validate the proceedings for the organization, the enlargement and the establishment of the boundaries of the Western Dubuque County Community School District, in the counties of Dubuque, Jackson, Jones and Delaware, state of Iowa, and the acts and proceedings of officials acting for and in behalf of said school district, and declaring said district a duly and legally organized school corporation as provided by law.

WHEREAS, pursuant to proceedings taken by the county superintendent of schools of Dubuque County, Iowa, and the joint county boards of education of Dubuque, Jackson, Jones and Delaware Counties, Iowa, an election was held on June 15, 1960, at which the voters approved the proposition of establishing a new school district to be known as the Western Dubuque County Community School District, in the counties of Dubuque, Jackson, Jones and Delaware, State of Iowa, by uniting a territory formerly lying within fifty-one school corporations into a single school district; and

WHEREAS, the first officials of said school district were elected at an election held on July 6, 1960, and from and after the organization meeting of the board of directors held on July 8, 1960, the officials thereof have performed various acts and taken proceedings necessary for the conduct of the affairs of the new school corporation on the understanding that a new

school corporation had been effectively created as of July 1, 1960, and included in such acts and proceedings was the adoption of a resolution calling and ordering an election to be held in said school district on the proposition of issuing bonds of said school corporation in the aggregate principal amount of one million three hundred forty-five thousand dollars (\$1,345,000); and

WHEREAS, pursuant to action taken by the Delaware county board of education on July 7, 1960 and July 27, 1960, certain areas in Delaware County, Iowa, formerly included within the boundaries of the Colony Rural Independent School District and the South Fork Township School District were ordered attached to said Western Dubuque County Community School District effective July 1, 1960, and thereafter complete written descriptions of the boundaries of the new and enlarged Western Dubuque County Community School District were filed with the county auditors of Dubuque, Jackson, Jones and Delaware Counties, Iowa, and a new school corporation was regarded as having been created effective July 1, 1960, which has been operating for over six months and which is known and has been officially recognized and designated as the "Western Dubuque County Community School District, in the Counties of Dubuque, Jackson, Jones and Delaware, 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 Western Dubuque County Community School District, in the Counties of Dubuque, Jackson, Jones and Delaware, State of Iowa, the attachment of the aforesaid areas of land to said school district and the acts and proceedings taken by the officials purporting to act on behalf thereof, 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. All proceedings heretofore taken in connection with  
2 the organization, creation and establishment of the boundaries of the  
3 school corporation now known, recognized and identified as the "West-  
4 ern Dubuque County Community School District, in the Counties of  
5 Dubuque, Jackson, Jones and Delaware, State of Iowa", including the  
6 attachments of areas of land to said school district by orders of the  
7 Delaware county board of education entered on July 7, 1960 and July  
8 27, 1960, and all acts and proceedings heretofore taken by those per-  
9 sons elected as officials of said school corporation, including all pro-  
10 ceedings pertinent to the calling of an election on the proposition of  
11 issuing bonds of said school district in the aggregate principal amount  
12 of one million three hundred forty-five thousand dollars (\$1,345,000)  
13 are hereby legalized, validated and confirmed, and said purported  
14 school district is hereby declared to constitute a legally existing school  
15 corporation created in conformity with the provisions of Chapter 275,  
16 Code 1958, and the boundaries of said Western Dubuque County Com-  
17 munity School District as now shown by the records of the county  
18 auditors of Dubuque, Jackson, Jones and Delaware Counties, Iowa,  
19 are hereby declared to be the legally established boundaries of said  
20 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 Belle Plaine Union, a newspaper published at Belle Plaine, Iowa,  
4 and The Daily Gate City, a newspaper published at Keokuk, Iowa,  
5 without expense to the state.

Approved April 18, 1961.

I hereby certify that the foregoing Act, House File 691, was published in The Belle Plaine Union, Belle Plaine, Iowa, April 19, 1961, and in The Daily Gate City, Keokuk, Iowa, April 20, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 341

### WOODBINE SCHOOL LEGALIZING ACT

S. F. 356

AN ACT to legalize and validate the proceedings of the board of directors of the Woodbine Community School District, in the counties of Harrison and 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 Woodbine Community School District, in the counties of Harrison and Monona, state of Iowa, that at a special election held in and for said school district on December 8, 1960, the proposition of issuing bonds of said school district in the sum of five hundred fifty thousand dollars (\$550,000) for the purpose of building and furnishing a new high school building and reconstructing the present school building in said school district 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 Woodbine Community School District, in the counties  
3 of Harrison and Monona, state of Iowa, preliminary to and in con-  
4 nection with the special election held in said school district on Decem-  
5 ber 8, 1960, and providing for the issuance and delivery of school  
6 building bonds of said school district in the amount of five hundred  
7 fifty thousand dollars (\$550,000) 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

10 issued, sold and delivered pursuant to and in accordance with said  
 11 proceedings are hereby declared to be legal and to constitute the  
 12 valid 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  
 3 Woodbine Twiner, a newspaper published at Woodbine, Iowa and The  
 4 Dunlap Reporter, a newspaper published at Dunlap, Iowa, without  
 5 expense to the state.

Approved March 15, 1961.

I hereby certify that the foregoing Act, Senate File 356, was published in The Woodbine Twiner, Woodbine, Iowa, March 30, 1961, and in The Dunlap Reporter, Dunlap, Iowa, March 30, 1961.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 342

### GOVERNOR'S APPOINTMENTS LEGALIZED

S. F. 540

AN ACT to legalize the appointments of certain public officials by the governor of Iowa which have been confirmed by the senate.

WHEREAS, the laws of Iowa provide that the governor of Iowa shall appoint certain public officials subject to confirmation by the senate, and

WHEREAS, the time within which such appointments are directed to be made varies in certain of the statutes, and

WHEREAS, due largely to press of business, such appointments to be made by the governor have been delayed and some were made after the expiration of the time prescribed therefore\*, and

WHEREAS, it is the desire of the legislature to remove any doubt as to the timeliness of such appointments and the legality of same; THEREFORE,

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

1 SECTION 1. All appointments to public office made by the governor  
 2 of Iowa during the session of the Fifty-ninth General Assembly which  
 3 have been confirmed by the senate during said session, are hereby  
 4 declared to be legal and valid for the offices and terms included in  
 5 said appointments, and to be of the same force and effect as if such  
 6 appointments had been made by the governor within the time pre-  
 7 scribed by law and thereafter confirmed by the senate during said  
 8 session.

1 SEC. 2. Nothing herein contained shall affect any provision of law  
 2 relative to the filling of vacancies between sessions of the general  
 3 assembly.

\*According to enrolled Act.

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

Approved May 15, 1961.

I hereby certify that the foregoing Act, Senate File 540, was published in the Hampton Chronicle, Hampton, Iowa, May 25, 1961, and in The Clarksville Star, Clarksville, Iowa, May 25, 1961.

MELVIN D. SYNHORST, *Secretary of State.*



**JOINT RESOLUTIONS  
AND  
RULES OF CIVIL PROCEDURE**



## JOINT RESOLUTIONS

### CHAPTER 343

#### PROPOSED CONSTITUTIONAL AMENDMENT IN RE JUDGES

(Second time passed by G. A.)

S. J. R. 14

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  
9 repealed.

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 Com-  
20 mission. Such commission shall make nominations to fill vacancies  
21 in the Supreme Court. Until July 4, 1973, and thereafter unless  
22 otherwise provided by law, the State Judicial Nominating Commission  
23 shall be composed and selected as follows: There shall be not less  
24 than three nor more than eight appointive members, as provided by  
25 law, and an equal number of elective members on such Commission,  
26 all of whom shall be electors of the state. The appointive members  
27 shall be appointed by the Governor subject to confirmation by the  
28 Senate. The elective members shall be elected by the resident mem-  
29 bers of the bar of the state. The judge of the Supreme Court who is  
30 senior in length of service on said Court, other than the Chief Justice,  
31 shall also be a 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  
35 districts. Until July 4, 1973, and thereafter unless otherwise pro-

36 vided by law, District Judicial Nominating Commissions shall be com-  
37 posed and selected as follows: There shall be not less than three nor  
38 more than six appointive members, as provided by law, and an equal  
39 number of elective members on each such commission, all of whom  
40 shall be electors of the district. The appointive members shall be  
41 appointed by the Governor. The elective members shall be elected  
42 by the resident members of the bar of the district. The district judge  
43 of such district who is senior in length of service shall also be a mem-  
44 ber of such commission and shall be its chairman.

45 "Due consideration shall be given to area representation in the  
46 appointment and election of Judicial Nominating Commission mem-  
47 bers. Appointive and elective members of Judicial Nominating  
48 Commissions shall serve for six year terms, shall be ineligible for a  
49 second six year term on the same commission, shall hold no office of  
50 profit of the United States or of the state during their terms, shall be  
51 chosen without reference to political affiliation, and shall have such  
52 other qualifications as may be prescribed by law. As near as may be,  
53 the terms of one-third of such members shall expire every two years.

54 "SECTION 17. Members of all courts shall have such tenure in  
55 office as may be fixed by law, but terms of Supreme Court Judges shall  
56 be not less than eight years and terms of District Court Judges shall  
57 be not less than six years. Judges shall serve for one year after ap-  
58 pointment and until the first day of January following the next  
59 judicial election after the expiration of such year. They shall at such  
60 judicial election stand for retention in office on a separate ballot  
61 which shall submit the question of whether such judge shall be re-  
62 tained in office for the tenure prescribed for such office and when such  
63 tenure is a term of years, on their request, they shall, at the judicial  
64 election next before the end of each term, stand again for retention  
65 on such ballot. Present Supreme Court and District Court Judges,  
66 at the expiration of their respective terms, may be retained in office  
67 in like manner for the tenure prescribed for such office. The General  
68 Assembly shall prescribe the time for holding judicial elections.

69 "SECTION 18. Judges of the Supreme Court and District Court  
70 shall receive salaries from the state, shall be members of the bar of the  
71 state and shall have such other qualifications as may be prescribed by  
72 law. Judges of the Supreme Court and District Court shall be in-  
73 eligible to any other office of the state while serving on said court and  
74 for two years thereafter, except that District Judges shall be eligible  
75 to the office of Supreme Court Judge. Other judicial officers shall be  
76 selected in such manner and shall have such tenure, compensation  
77 and other qualification as may be fixed by law. The General  
78 Assembly shall prescribe mandatory retirement for Judges of the  
79 Supreme Court and District Court at a specified age and shall provide  
80 for adequate retirement compensation. Retired judges may be sub-  
81 ject to special assignment to temporary judicial duties by the Supreme  
82 Court, as provided by law."

1 SEC. 2. The foregoing proposed amendment to the Constitution  
2 of Iowa, having been adopted and agreed to by the Fifty-eighth (58th)  
3 General Assembly, thereafter duly published, and now adopted and  
4 agreed to by the Fifty-ninth (59th) General Assembly in this Joint  
5 Resolution, shall be submitted to the people at a special election to be  
6 held for that purpose at the same time and in conjunction with the

7 primary election to be held for the selection of political party candi-  
 8 dates for public office in the year nineteen hundred sixty-two (1962).  
 9 The submission at said special election shall in all respects be governed  
 10 and conducted as prescribed by law for the submission of a Constitu-  
 11 tional amendment at a general election.

## CHAPTER 344

### PROPOSED CONSTITUTIONAL AMENDMENT IN RE COMPOSITION OF GENERAL ASSEMBLY

(First time passed by G. A.)

S. J. R. 16

A JOINT RESOLUTION proposing a constitutional amendment to the constitution of the state of Iowa relating to the composition of the general assembly, the basis of representation of the members thereof, and to amend such constitution by repeal of section six (6), article three (III) thereof, section thirty-four (34) of such article three (III) thereof and the 1904 and 1928 amendments thereto, sections thirty-five (35) and thirty-six (36) of such article three (III), and the 1904 amendment to each such section, and section thirty-seven (37) of said article three (III), and proposing substitutes in lieu thereof.

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

1 SECTION 1. The following amendment to the Constitution of the  
 2 State of Iowa is hereby proposed.

3 "Section six (6) of Article three (III), section thirty-four (34) of  
 4 Article three (III) and the 1904 and 1928 amendments thereto, sec-  
 5 tions thirty-five (35) and thirty-six (36) of Article three (III) and  
 6 the 1904 amendment to each such section, and section thirty-seven  
 7 (37) of Article three (III) are hereby repealed and the following  
 8 proposed in lieu thereof:

9 "SECTION 6. The senate shall consist of fifty-eight (58) senators,  
 10 one (1) senator elected from each senatorial district. For each re-  
 11 districting, changed senatorial districts shall be so classified by lot  
 12 by the redistricting authority so that as nearly as possible one-half  
 13 of the senators shall be elected every two (2) years.

14 "If a senatorial district is unchanged or is reduced in size and  
 15 no new territory is added to it, and the incumbent senator resides  
 16 in the district of reduced size or the unchanged district, he shall be  
 17 permitted to complete the term for which he was elected, and the  
 18 senatorial district shall remain in the same class of districts.

19 "The redistricting authority shall provide in its redistricting  
 20 statement, law, or court order for the cutting short of terms of sena-  
 21 tors, where necessary. Any senator whose term is cut short by a re-  
 22 districting shall not be compensated for the uncompleted part of his  
 23 term.

24 "SECTION 34. The house of representatives shall consist of ninety-  
 25 nine (99) members, one (1) elected from each county as county lines  
 26 existed on January 1, 1961.

27 "SECTION 35. Senatorial districts shall meet the following re-  
 28 quirements:

29 "1. Each shall have a population, as shown by the most recent  
 30 decennial United States census, equal to that of every other district,  
 31 a deviation of no more than ten (10) percent from the population  
 32 unit (the state population divided by fifty-eight (58) ) being allowed.

33 "2. Each shall consist of compact and contiguous territory; areas

34 joined only at the point of a corner shall not be regarded as contig-  
35 uous.

36 "3. So far as practicable, a county shall not be divided unless it  
37 is entitled to more than one (1) district, and senatorial district lines  
38 shall conform to township and voting district boundaries.

39 "SECTION 36. In 1965 and in the year ending in three (3) of each  
40 decade thereafter, the senatorial districts shall be redistricted.

41 "By November fifteen (15) in 1964 and in the year ending in two  
42 (2) of each decade thereafter, a ten (10) member redistricting com-  
43 mission shall be appointed to redistrict senatorial districts. The  
44 state central committee of the two (2) political parties casting the  
45 largest number of votes for governor in the last preceding election  
46 shall each appoint five (5) qualified voters. If a party fails to submit  
47 such names to the secretary of state by November fifteen (15), the  
48 supreme court shall promptly appoint the members from such party.  
49 Compensation for members of the commission shall be established by  
50 law.

51 "By February one (1) of the year following its appointment, the re-  
52 districting commission shall file with the secretary of state a state-  
53 ment of its action, including the boundaries and classification of sena-  
54 torial districts. To be valid, this statement must be signed by seven  
55 (7) members. The general assembly may amend this statement or  
56 enact a substitute, but such action must be taken by May one (1) of  
57 such year.

58 "If the redistricting commission does not file its redistricting state-  
59 ment by February one (1) of the year following its appointment, the  
60 general assembly shall redistrict the senatorial districts in a single  
61 legislative enactment by May one (1) of such year.

62 "If the commission and the general assembly fail to redistrict with-  
63 in the time allotted, the supreme court shall redistrict by October one  
64 (1) of such year. The action of the court shall be entered and certi-  
65 fied to the secretary of state by court order, which shall be final.

66 "Before June one (1) of such year, any ten (10) members of the  
67 general assembly may petition the supreme court to determine wheth-  
68 er the redistricting of the commission or the general assembly sub-  
69 stantially complies with the redistricting provisions of the constitu-  
70 tion. If the redistricting substantially complies, the court shall so  
71 notify the secretary of state, and the decision shall be final. If the  
72 court determines that the redistricting does not substantially comply,  
73 it shall redistrict as provided in the preceding paragraph of this  
74 section.

75 "SECTION 37. Redistricting shall take effect beginning for the  
76 nomination and election of senators for the next regular session of  
77 the general assembly following the adoption of the redistricting state-  
78 ment, law, or court order. When a congressional or senatorial district  
79 shall be composed of two (2) or more counties, it shall not be entirely  
80 separated by any county belonging to another district, and no county  
81 shall be divided in forming a congressional district."

1 SEC. 2. The foregoing proposed amendment to the Constitution  
2 of the State of Iowa is hereby referred to the legislature to be chosen  
3 at the next general election, and the secretary of state is directed to  
4 cause the same to be published as provided by law for three (3)  
5 months previous to the time of making such choice.

## CHAPTER 345

## CONSTITUTIONAL CONVENTION AMENDMENT

(First time passed by G. A.)

H. J. R. 5

A JOINT RESOLUTION proposing a constitutional amendment relating to constitutional convention.

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

1 SECTION 1. The following amendment to the Constitution of the  
2 State of Iowa is hereby proposed:

3 Section three (3) of Article ten (X) of the Constitution of the State  
4 of Iowa is repealed and the following adopted in lieu thereof:

5 SECTION 3. At the general election to be held in the year one  
6 thousand nine hundred and seventy, and in each tenth year thereafter,  
7 and also at such times as the General Assembly may, by law, provide,  
8 the question, "Shall there be a Convention to revise the Constitution,  
9 and propose amendment or amendments to same?" shall be decided  
10 by the electors qualified to vote for members of the General Assembly;  
11 and in case a majority of the electors so qualified, voting at such elec-  
12 tion, for and against such proposition, shall decide in favor of a Con-  
13 vention for such purpose, the General Assembly, at its next session,  
14 shall provide by law for the election of delegates to such Convention,  
15 and for submitting the results of said Convention to the people, in  
16 such manner and at such time as the General Assembly shall pro-  
17 vide; and if the people shall approve and ratify such amendment or  
18 amendments, by a majority of the electors qualified to vote for mem-  
19 bers of the General Assembly, voting thereon, such amendment or  
20 amendments shall become a part of the constitution of this state. If  
21 two or more amendments shall be submitted at the same time, they  
22 shall be submitted in such a manner that electors may vote for or  
23 against each such amendment separately.

## CHAPTER 346

## AMENDMENT TO CONSTITUTION OF UNITED STATES

S. J. R. 18

JOINT RESOLUTION ratifying a proposed amendment to the Constitution of the United States of America relating granting representation in the electoral college to the District of Columbia.

WHEREAS, both Houses of the Eighty-sixth Congress of the United States of America by a constitutional majority of two-thirds thereof, made the following proposition to amend the Constitution of the United States of America in the following words, to wit:

## "JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States granting representation in the electoral college to the District of Columbia.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each house con-

curing therein), that the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

“ARTICLE

1 “SECTION 1. The District constituting the seat of the Government  
2 of the United States shall appoint in such manner as the Congress  
3 may direct:

4 A number of electors of President and Vice-President equal to the  
5 whole number of Senators and Representatives in Congress to which  
6 the District would be entitled if it were a State, but in no event more  
7 than the least populous State; they shall be in addition to those ap-  
8 pointed by the States, but they shall be considered, for the purposes  
9 of the election of President and Vice-President, to be electors ap-  
10 pointed by a State; and they shall meet in the District and perform  
11 such duties as provided by the twelfth article of amendment.

1 SEC. 2. The Congress shall have the power to enforce this article  
2 by appropriate legislation,” THEREFORE,

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

1 SECTION 1. **Ratification.** That the said proposed amendment to  
2 the constitution of the United States of America as set forth herein  
3 be and the same is hereby ratified and consented to by the state of  
4 Iowa and by the General Assembly thereof.

1 SEC. 2. **Certification.** Be it further resolved and enacted, that the  
2 certified copies of this enactment and resolution be forwarded by the  
3 Governor of this state to the Secretary of State of the United States  
4 at Washington, D. C., and to the presiding officers of each house of  
5 the Congress of the United States.

Approved March 17, 1961.

CHAPTER 347

BAND SHELL ON CAPITOL GROUNDS

S. J. R. 31

A JOINT RESOLUTION authorizing the state executive council to accept, as a gift, a completed structure for public use to advance culture and music.

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

1 SECTION 1. The state executive council is authorized to accept on  
2 behalf of the people of Iowa, the gift of a structure erected on the  
3 capitol grounds for public performances, commonly known as a “band  
4 shell” or “outdoor theater”. Such structure shall be approved in  
5 design and location by the executive council and the capitol planning  
6 commission prior to January 1, 1962, and suitable guarantees of  
7 completion given before the start of construction.

8 The gift of such structure shall be without reservation by the



9 donor and shall upon final acceptance by the council become a part  
10 of the capitol buildings and subject to the same laws and regulations.

Approved April 3, 1961.

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CHAPTER 348

THE OAK AS STATE TREE

H. J. R. 10

A JOINT RESOLUTION to designate "The Oak" as the official state tree for the state of Iowa.

WHEREAS, many states have not only adopted certain flowers and birds as their state flowers and state birds, but have also adopted certain trees as their state trees, and

WHEREAS, the state of Iowa does not now have an official state tree; now, therefore,

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

1 SECTION 1. "THE OAK" is hereby designated and shall hereafter  
2 be officially known as the state tree of Iowa.

Approved March 13, 1961.

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CHAPTER 349

YAMANASHI PREFECTURE

S. J. R. 30

A JOINT RESOLUTION recognizing Yamanashi Prefecture as Iowa's sister state in Japan.

WHEREAS, President Eisenhower, in 1956, inaugurated the "People-to-People" program to establish greater friendship and understanding between the peoples of the United States and other nations through the medium of direct personal contact; and

WHEREAS, to implement this program the state of Iowa, through its General Assembly, desires to recognize the Yamanashi Prefecture as our international "Sister State" in Japan; and

WHEREAS, the governor of Iowa has invited the governor of Yamanashi Prefecture to visit Iowa when he is in the United States in 1961; and

WHEREAS, the General Assembly of the state of Iowa desires to formally confirm this international "Sister State" relationship with Yamanashi Prefecture; NOW THEREFORE

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

1 SECTION 1. That we recognize Yamanashi Prefecture as our in-  
2 ternational "Sister State" under the "People-to-People" program for

3 the purpose of creating lasting friendship between the people of the  
4 state of Iowa and the people of Yamanashi Prefecture.

Approved April 12, 1961.

## CHAPTER 350

### HIGHWAY STUDY COMMITTEE

#### S. J. R. 36

A JOINT RESOLUTION to create a highway study committee to continue and review the work of the highway study committee appointed pursuant to the provisions of chapter four hundred twenty-six (426), Acts of the Fifty-eighth General Assembly, and to make an appropriation for such committee.

WHEREAS, the study assigned to the aforesaid highway study committee was of such magnitude that it was impossible for the committee to study thoroughly all the subjects assigned and the reports of the consulting agencies, and

WHEREAS, the highway study committee recommended that a similar study committee be created to serve for the next biennium in order to review, complete and keep current the work of the committee, and

WHEREAS, the general assembly recognized the importance of effectively utilizing the material and data compiled by the consulting agencies engaged for such study and the more than two hundred million dollars which is spent on state and local highways, roads and streets in this state each year; Now Therefore,

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

1 SECTION 1. That a highway study committee consisting of eleven  
2 members is hereby created. The purposes of this committee shall be:  
3 1. To review the work of the highway study committee created  
4 by chapter four hundred twenty-six (426), Acts of the Fifty-eighth  
5 General Assembly;  
6 2. To complete whatever studies necessary to carry out the purposes  
7 of such Act;  
8 3. To study and review the findings and recommendations of the  
9 Automotive Safety Foundation and Public Administration Service.

1 SEC. 2. The committee shall be composed of three members of the  
2 senate to be appointed by the president of the senate, three members  
3 of the house to be appointed by the speaker of the house, two municipal  
4 officials selected by the governing board of the Iowa League of Mu-  
5 nicipalities, two county officials to be selected by the State Associa-  
6 tion of County Officers, a member of the state highway commission  
7 to be chosen by the commission and the chief engineer of the state  
8 highway commission. Vacancies on the committee shall be filled by  
9 the original appointing authority.

1 SEC. 3. The committee shall choose a chairman from its members  
2 and shall adopt rules for the conduct of its meetings. The commit-  
3 tee is authorized to use the necessary personnel and facilities of any

4 agency of the state and to employ such aids and employees as are  
5 necessary to conduct its business and to fix the compensation of such  
6 employees. The committee may hold public hearings, shall have ac-  
7 cess to all official records, may subpoena witnesses and compel the  
8 production of books, papers, or other documents, pertaining to its  
9 investigation and study. Witnesses shall be entitled to witness fees  
10 and actual travel expenses as audited and approved by the committee.  
11 The committee may appoint subcommittees of one or more members  
12 to hold hearings and conduct investigations in any part of the state.  
13 Any member of the committee shall have the power to administer  
14 oaths.

1 SEC. 4. The committee shall make a report of its findings and rec-  
2 ommendations, accompanied by proposed legislation, to the governor  
3 and all members of the Sixtieth General Assembly by December 15th,  
4 1962.

1 SEC. 5. Members of the committee shall be reimbursed for the  
2 actual necessary expenses incurred by them in the discharge of their  
3 duties. There is hereby appropriated from the Road Use Tax Fund  
4 the sum of five thousand (5,000) dollars or so much thereof as may  
5 be necessary to carry out the provisions of this Act. The compensa-  
6 tion of the employees of the committee and for expenses of such  
7 committee shall be paid out of the state treasury on vouchers to be  
8 approved by the chairman or secretary of the committee and audited  
9 according to law.

Approved May 12, 1961.

## CHAPTER 351

## RULES OF CIVIL PROCEDURE

IN THE MATTER OF THE RULES OF CIVIL PROCEDURE	REPORT OF THE SUPREME COURT OF THE STATE OF IOWA
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*To the Fifty-ninth General Assembly of the State of Iowa:*

In accordance with sections 684.18 and 684.19, Code of Iowa, 1958, and chapter 367, Laws of the 58th General Assembly, the Supreme Court of Iowa has prescribed and herewith reports to you rules of practice and procedure for proceedings of a civil nature in courts of this state and has adopted and herewith reports to you rules for the administration of courts other than the Supreme Court.

In the consideration and formulation of these rules the Supreme Court has had the valuable assistance of an advisory committee of the following able lawyers and district judges:

T. M. Ingersoll, Chairman, Cedar Rapids

W. L. Beecher, Waterloo

Judge Folsom Everest, Council Bluffs

Wendell B. Gibson, Des Moines

Edward C. Halbach, Clinton

Albert V. Hass, Chariton

Alan Loth, Fort Dodge

George C. Murray, Sheldon

John S. Redd, Sidney

Judge G. Belvel Richter, Waukon

Henry J. TePaske, Orange City

Allan D. Vestal, Iowa City

Judge Matthew Westrate, Muscatine

Judge Bruce M. Snell, Ida Grove, was a member of the committee until he became a member of the Supreme Court at the beginning of 1961

All members of the committee served without compensation.

The Comment which follows some of the rules reported herewith does not form part of the rules but is explanatory thereof.

Other rules, both of practice and procedure and for administration of the courts, are under consideration.

Respectfully submitted

THE SUPREME COURT OF IOWA

By S/ T. G. Garfield  
Chief Justice

Des Moines  
January 30, 1961

1 **RULE 117 Motion days—disposition of motions.**

2 RULES 117(a) and (b), now in effect, are superseded by the  
3 following:

4 (a) The judges of each judicial district shall provide by rule for  
5 at least one motion day to be held each month in each county, when  
6 all motions made prior to trial on issues of fact on file ten days or  
7 more shall be deemed submitted unless by other rule, statute or order  
8 of court entered for good cause shown another time for submission  
9 is fixed. Such motions not orally argued for any reason shall be  
10 deemed submitted without argument unless they are then, or have  
11 previously been, set down for argument at some time somewhere in  
12 the judicial district not more than ten days thereafter, when they  
13 must be submitted without further postponement. Each motion filed  
14 shall set out the specific points upon which it is based. A concise  
15 memorandum brief may be appended if it is desired to cite supporting  
16 rules, statutes or other authorities.

17 (b) The court may hear and rule on any motion prior to motion  
18 day so as not to delay completing the issues or trial of the case.

19 (c) No change in present Iowa rule.

20 (d) Rule 117(d) is changed by inserting a comma in lieu of the  
21 period at the end and adding "including a special appearance."

22 RULE 117 is amended by adding the following subparagraph thereto:

23 (e) The clerk of each court shall maintain a motion calendar on  
24 which every "motion" within the purview of (d), above, shall be  
25 entered. It shall be arranged to show (1) docket, page and cause  
26 number of action in which filed, (2) abbreviated title of the case  
27 with surname of the first-named party on each side, (3) counsel of  
28 record for parties, (4) denomination of the "motion," (5) date filed,  
29 (6) party by whom filed, (7) date entered on calendar, and (8) date  
30 of disposition by ruling, order or otherwise. Separate motion cal-  
31 endars for law, equity or other divisions may be maintained.

1 RULE 136 is revised to read:

2 136. **Pretrial conference.** After issues are joined the court may  
3 in its discretion, and shall on written request of any attorney in the  
4 case, direct all attorneys in the action to appear before it for a con-  
5 ference to consider, so far as applicable to the particular case:

6 (a) The necessity or desirability of amending pleadings by formal  
7 amendment or pretrial order;

8 (b) Agreeing to admissions of facts, documents or records not  
9 really controverted, to avoid unnecessary proof;

10 (c) Limiting the number of expert witnesses;

11 (d) Settling any facts of which the court is to be asked to take  
12 judicial notice;

13 (e) Stating and simplifying the factual and legal issues to be  
14 litigated;

15 (f) Specifying all damage claims in detail as of the date of the  
16 conference;

17 (g) All proposed exhibits and mortality tables and proof thereof;

18 (h) Consolidation, separation for trial, and determination of  
19 points of law;

20 (i) Questions relating to voir dire examination of jurors and

- 21 selection of alternate jurors, to serve if a juror becomes incapacitated;  
 22 (j) Possibility of settlement;  
 23 (k) Filing of advance briefs when required;  
 24 (l) Any other matter which may aid, expedite or simplify the  
 25 trial of any issue.  
 26 The pretrial judge may direct the parties to the action to be present  
 27 or immediately available at the time of conference.

*Comment:* Rule 136 in its present form has implicit in it most of the matters set forth in revised rule 136 but it is believed the procedure will be more effectively employed if more matters to be considered at pretrial are specified.

1 RULE 174 is revised to read:

2 174. Jury fees. If trial is by a jury after change pursuant to rule  
 3 167 the court shall certify the amount of county expenses incurred for  
 4 meals, lodging, mileage and fees of jurors and the county where the  
 5 action was brought shall pay the county where it was tried the sum  
 6 so certified. However, the amount certified shall not exceed the  
 7 amount taxable as costs if the action had been commenced in the  
 8 county where trial is held.

*Comment:* Old rule 174, providing for payment of \$3 per day for each juror who tried the case, is deemed inadequate and unfair to the county where the trial is held. The legislature might consider amending Code section 623.1 relating to jury fees in criminal actions transferred to another county for trial.

1 177. Demand for jury trial.

2 (a) No change in present Iowa rule.

1 RULE 177(b) is revised to read:

2 (b) A party desiring jury trial of an issue must make written  
 3 demand therefor by filing a separate instrument clearly designating  
 4 such demand not later than ten days after the last pleading directed  
 5 to that issue. A copy thereof must be filed for each adverse party  
 6 appearing and it shall be mailed or delivered by the clerk in the man-  
 7 ner provided by rule 82.

8 (c) and (d) No change in present Iowa rule.

1 RULE 178.1, reading as follows, is prescribed:

2 178.1 Reporter's fee—small cases. No court reporter shall be  
 3 provided in the trial of actions when the amount in controversy as  
 4 shown by the pleadings is three hundred dollars or less, unless the  
 5 party demanding one shall pay the clerk in advance the taxable fee  
 6 of the reporter for one day, at the beginning of each day. Amounts  
 7 so paid shall be taxed as costs in the case, unless otherwise ordered by  
 8 the court.

1 RULE 181, now in effect, is superseded by the following:

2 181. Certificate of readiness for trial. If a certificate of readi-  
 3 ness for trial of any action is filed, the action shall be entered on the  
 4 Ready Calendar List. If parties stipulate for trial assignment, the  
 5 certificate shall be filed with the stipulation.

6 The certificate shall be in substantially the following form:  
 7 In the..... Court of..... Iowa  
 8                                   Law                                   )  
 9       Caption                   Equity                           ) No.....  
 10                                   Probate                           )

Certificate of Readiness for Trial

11 The undersigned hereby certifies that:  
 12 1. The issues are joined and the case is ready for trial in all re-  
 13 spects;  
 14 2. Necessary use of discovery rules has been completed and the  
 15 taking of desired depositions concluded;  
 16 3. The adverse party has had reasonable time to obtain inspections,  
 17 examinations and reports under rules 131 to 133;  
 18 4. Sufficient time has elapsed to afford the adverse party reasonable  
 19 opportunity to be ready for trial;  
 20 5. Pretrial conference (a) has or (b) has not been held;  
 21 6. Settlement of the case (a) has or (b) has not been discussed; and  
 22 7. Assignment for trial (a) by jury upon timely demand filed  
 23 or (b) by the court is requested.  
 24 Dated this..... day of....., 19.....

25 .....  
 26                                   Attorney for.....  
 27                                   P. O. Address.....  
 28                                   Telephone No.....

29 Strike 3 and (a) or (b) of 5, 6 and 7 if not applicable.  
 30 A copy of the certificate must be filed for each adverse party appear-  
 31 ing and it shall be mailed or delivered by the clerk in the manner  
 32 provided by rule 82.  
 33 Objections must be filed, if at all, within seven days after the date  
 34 of mailing or delivery of copy of certificate. Hearing thereon shall be  
 35 held at the earliest practicable date and the action shall not be re-  
 36 moved from the Ready Calendar List unless the objector establishes  
 37 that it is not ready for trial notwithstanding reasonable diligence on  
 38 his part, or other good cause is shown.

1     RULE 181.1, reading as follows, is prescribed:  
 2     181.1 Ready calendar list. The clerk shall maintain a current  
 3 list of pending actions wherein a certificate of readiness for trial has  
 4 been filed. It shall be known as the Ready Calendar List and be avail-  
 5 able for public examination. It shall be arranged in columnar form  
 6 to show: (1) caption of cause, (2) docket, page and cause number, (3)  
 7 date of filing of certificate of readiness, (4) jury or nonjury case, and  
 8 (5) if removed from list, date of such removal. If removed by order  
 9 of court the clerk may re-list it only upon the filing of a new certificate  
 10 of readiness. If not so removed, actions will remain on list until final  
 11 disposition.

1     RULE 181.2, reading as follows, is prescribed:  
 2     181.2 Trial Assignments.  
 3       (a) Initial assignment day—actions having precedence. District  
 4 and superior courts shall provide by rule for an initial assignment day  
 5 to be held at an hour and day certain, not more than fourteen days be-  
 6 fore, nor more than three days after, the first day of each scheduled  
 7 term. Actions on the Ready Calendar List shall have precedence in

8 the assignment for trial of civil and special actions, except those en-  
 9 titled to priority under a statute. No action shall have precedence  
 10 if objections under rule 181 have been filed and not determined or if  
 11 the time for filing such objections has not expired. Insofar as prac-  
 12 ticable actions are to be assigned in the order in which the petitions  
 13 were filed. The court may assign a case for trial even though no cer-  
 14 tificate of readiness for trial has been filed. Municipal courts shall in  
 15 like manner provide for an initial assignment day and assign cases  
 16 for trial.

17 (b) *Local court rules.* Subject to provisions of (a) hereof, courts  
 18 may adopt local rules (1) designating days for holding additional  
 19 calendar calls and assigning cases for trial, giving precedence so far  
 20 as practicable to actions as in (a), (2) providing for the supervision  
 21 of the calendar by one or more judges, for separate supervision of  
 22 calls and assignment of cases by judges assigned to the law, equity or  
 23 probate division of the court, and (3) prescribing such other pro-  
 24 cedures as are deemed expedient for the orderly and efficient admini-  
 25 stration of court business.

26 (c) *No notice of assignment days required—holidays.* Notice  
 27 of days of assignment or calendar calls may be by any reasonable  
 28 means but shall not be required except when the court orders a change  
 29 to a day other than prescribed by local rule. If any such day falls on  
 30 a legal holiday it shall take place at the same hour on the next succeed-  
 31 ing judicial day without notice.

*Comment:* For definition of civil and special actions see Code section  
 611.2.

1 RULE 181.3, reading as follows, is prescribed:

2 181.3 **Duty to notify court.**

3 (a) *Of settlements.* Whenever a case assigned for trial has been  
 4 settled it shall be the duty of the attorneys or parties appearing in per-  
 5 son to so notify the court immediately.

6 (b) *Of conflicting engagements and termination thereof.* When  
 7 a case assigned for trial is reached and an attorney of record therein  
 8 is then actually engaged in a trial in another court, it shall be his duty  
 9 to so inform the court who may hold the trial of such case in abeyance  
 10 until the engagement is concluded. As soon as the attorney is free  
 11 from such engagement it shall be his duty to notify the court im-  
 12 mediately and stand ready to proceed with trial of the case.

1 183. **Causes for continuance.** Before the period at the end of  
 2 rule 183(a) there is inserted "and the court approves."

*Comment:* It is felt no continuance should be granted without court  
 approval.

1 196. **Instructions.**

2 RULE 196 is amended by striking the first sentence and substituting  
 3 the following therefor:

4 The court shall instruct the jury as to the law applicable to all  
 5 material issues in the case and such instructions shall be in writing,  
 6 in consecutively numbered paragraphs, and shall be read to the jury  
 7 without comment or explanation; provided, however, that in actions  
 8 triable to a jury where the amount in controversy as shown by the



9 pleadings is three hundred dollars or less, and in any action where  
10 the parties so agree, the instructions may be oral.

1 RULE 215.1, reading as follows, is prescribed:

2 215.1 Uniform rule for dismissal for want of prosecution. It is  
3 the declared policy that in the exercise of reasonable diligence every  
4 civil and special action, except under unusual circumstances, shall be  
5 brought to issue and tried within one year from the date it is filed and  
6 docketed and in most instances within a shorter time.

7 All cases at law or in equity where the petition has been filed more  
8 than one year prior to July 15 of any year shall be for trial at the  
9 next term commencing after August 15 of said year. The clerk  
10 shall prior to August 15 give notice to counsel of record as provided  
11 in rule 82 of:

- 12 (a) the docket number,
- 13 (b) the names of parties,
- 14 (c) counsel appearing,
- 15 (d) date of filing petition,

16 and the notice shall state that such case will be for trial and subject  
17 to dismissal if not tried in the next succeeding term pursuant to this  
18 rule. All such cases shall be assigned and tried or dismissed without  
19 prejudice at plaintiff's costs unless satisfactory reasons for want of  
20 prosecution or grounds for continuance be shown by application and  
21 ruling thereon after notice and not ex parte. This rule shall not apply  
22 to cases (a) pending on appeal from a court of record to a higher  
23 court or under order of submission to the court; (b) in which pro-  
24 ceedings subsequent to judgment or decree are pending; (c) which  
25 have been stayed pursuant to the Soldiers and Sailors Civil Relief Act;  
26 (d) which have been filed but in which plaintiff has been unable by  
27 due diligence to obtain service of original notice; (e) where a party  
28 is paying a claim pursuant to written stipulation on file or court order;  
29 and (f) awaiting the action of a referee, master or other court ap-  
30 pointed officer; provided, however, that a finding as to (a) through (f)  
31 is made and entered of record.

32 No continuance under this rule shall be by stipulation of parties  
33 alone but must be by order of court. Where appropriate the order of  
34 continuance shall be to a date or term certain.

1 RULE 227.1, reading as follows, is prescribed:

2 227.1 Taxation of costs. Where an action is disposed of without  
3 payment, or provision for assessment, of court costs the clerk shall  
4 at once enter judgment for costs against the plaintiff.

1 RULE 297 is amended by striking the words "two hundred dollars"  
2 and inserting in lieu thereof "five hundred dollars."

*Comment:* Under this change the amount stated in rule 297 corre-  
sponds with the amount stated in Code sections 638.41 and 668.33.

1 RULE 340 Record on appeal. There is added to rule 340 the fol-  
2 lowing paragraph designated:

3 (j) *Agreed record.* Instead of proceeding under the foregoing  
4 paragraphs (a) to (f) the parties may, promptly after taking an  
5 appeal, present for his approval to the judge before whom the case  
6 was tried, or if he is not available to any other judge of the same  
7 court, an agreed record on appeal. It shall show how the questions

8 arose and were decided in the trial court. It shall either set out so  
 9 much of the facts pleaded or proved as are necessary to a decision of  
 10 such questions and to proper disposition of the appeal, or contain an  
 11 abstract of the relevant proceedings which will enable the supreme  
 12 court to decide the appeal. It shall include an abstract or copy of the  
 13 judgment or order appealed from and a brief index of contents. Such  
 14 agreed record, when approved by said judge, shall be the record on  
 15 appeal and the appellant shall cause it to be printed, filed with the  
 16 clerk of the trial court and transmitted to the clerk of the supreme  
 17 court in accordance with rule 342.

1 RULE 370 is superseded by the following:

2 370. General provisions, comments and footnotes.

3 (a) The past, present and future tense shall each include the  
 4 others; the masculine, feminine and neuter gender shall include the  
 5 others; and the singular and plural number shall each include the  
 6 other.

7 (b) Rule and subdivision headings do not in any manner affect  
 8 the scope, meaning or intent of the provisions of these rules.

9 (c) All references to sources, comments, and footnotes are in-  
 10 corporated solely for convenience in the use of the rules and do not  
 11 form a part thereof.

1 RULE 372 is prescribed:

2 372. Rules by trial courts. Each district, superior and municipal  
 3 court, by action of a majority of its judges, may from time to time  
 4 make and amend rules governing its practice not inconsistent with  
 5 these rules. A copy of all rules in effect July 4, 1961, and any amend-  
 6 ments thereafter made by any such court shall be transmitted to the  
 7 clerk of the supreme court. In all cases not provided for by rule  
 8 courts may regulate their practice in any manner not inconsistent  
 9 with these rules.

#### ACKNOWLEDGEMENTS

I, Carroll Lane, Secretary of the Senate of the State of Iowa, hereby  
 acknowledge delivery to me on the 30th day of January, 1961 (January  
 29, 1961, having been a Sunday), of the Report of the Supreme Court of  
 Iowa, of which the foregoing is a duplicate copy.

S/ Carroll Lane  
 Secretary of the Senate  
 Fifty-ninth General Assembly  
 of the State of Iowa

I, William R. Kendrick, Chief Clerk of the House of Representatives  
 of the State of Iowa, hereby acknowledge delivery to me on the 30th day  
 of January, 1961 (January 29, 1961, having been a Sunday), of the Report  
 of the Supreme Court of Iowa, of which the foregoing is a duplicate copy.

S/ William R. Kendrick  
 Chief Clerk of the House of  
 Representatives, Fifty-ninth  
 General Assembly of the State  
 of Iowa

## CERTIFICATE

I, W. L. Mooty, do hereby certify that I am the President of the Senate of the Fifty-ninth General Assembly of the State of Iowa; and I, Carroll A. Lane, do hereby certify that I am the Secretary of the Senate of the Fifty-ninth General Assembly of the State of Iowa, and we do hereby jointly certify that as such President and Secretary that on the 30th day of January, 1961, the Supreme Court of the State of Iowa reported to said Senate, and filed with it, the attached and foregoing modifications, amendments, revisions and additions to the Rules of Civil Procedure, heretofore reported by said Supreme Court to the Fiftieth General Assembly of the State of Iowa;

THAT the date of making said report to the Fifty-ninth General Assembly was within the twenty days subsequent to the convening of the regular session of the Fifty-ninth General Assembly;

THAT no other report pertaining to the Rules of Civil Procedure was made or filed by said Supreme Court with said Senate;

THAT no other or different changes, modifications, amendments, revisions or additions to the Rules of Civil Procedure were made or enacted at such regular session of said Fifty-ninth General Assembly.

Signed this 6th day of May, 1961, being the last legislative day of the Fifty-ninth General Assembly.

S/ W. L. Mooty  
President of the Senate

S/ Carroll A. Lane  
Secretary of the Senate  
SENATE  
Fifty-ninth General Assembly  
of the State of Iowa

## CERTIFICATE

I, Henry C. Nelson, do hereby certify that I am the Speaker of the House of Representatives of the Fifty-ninth General Assembly of the State of Iowa; and I, William R. Kendrick, do hereby certify that I am the Chief Clerk of the House of Representatives of the Fifty-ninth General Assembly of the State of Iowa, and we do hereby jointly certify that as such Speaker and Chief Clerk that on the 30th day of January, 1961, the Supreme Court of the State of Iowa reported to said House of Representatives, and filed with it, the attached and foregoing modifications, amendments, revisions and additions to the Rules of Civil Procedure, heretofore reported by said Supreme Court to the Fiftieth General Assembly of the State of Iowa;

THAT the date of making said report to the Fifty-ninth General Assembly was within the twenty days subsequent to the convening of the regular session of the Fifty-ninth General Assembly;

THAT no other report pertaining to the Rules of Civil Procedure was made or filed by said Supreme Court with said House of Representatives;

THAT no other or different changes, modifications, amendments, revisions or additions to the Rules of Civil Procedure were made or enacted at such regular session of said Fifty-ninth General Assembly.

Signed this 6th day of May, 1961, being the last legislative day of the Fifty-ninth General Assembly.

S/ Henry C. Nelson  
Speaker of the House

S/ William R. Kendrick  
Chief Clerk  
HOUSE OF REPRESENTATIVES  
Fifty-ninth General Assembly  
of the State of Iowa

**TABLE OF SENATE AND HOUSE FILES  
AND JOINT RESOLUTIONS**

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