

State of Iowa

1967

ACTS AND JOINT RESOLUTIONS

PASSED AT THE

REGULAR SESSION

OF THE

Sixty-second General Assembly

OF THE

STATE OF IOWA



CHARLES W. BARLOW
CODE EDITOR

WAYNE A. FAUPEL
DEPUTY CODE EDITOR

Published by the
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Des Moines

CERTIFICATE

STATE OF IOWA
Office of Code Editor

We, Charles W. Barlow and Wayne A. Faupel, Editors 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 Sixty-second General Assembly of the State of Iowa.

Charles W. Barlow
Wayne A. Faupel

July, 1967.

Section 622.59 of the 1966 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.”

EFFECTIVE DATES OF ACTS

Article III, §26, of the Constitution of Iowa was amended in 1966 to change the minimum time lapse, before the effective date after passage, from July 4 to July 1. Section 3.7 of the Code of Iowa was amended by this session to conform with this change (chs. 83 and 84). Therefore, all Acts in this volume passed by the G. A. before July 1, 1967, and approved, or allowed to become law without approval, before that date, which did not sooner take effect by publication, were effective on July 1, 1967.

However, many Acts were passed by the G. A. before July 1, 1967, but were not approved until after that date. These Acts were effective August 15, 1967, as provided in chapter 85 hereof, except as noted in said Act and chapter 78. Those Acts passed on, or after, July 1, 1967, are effective on July 1, 1968, unless sooner put into effect by publication, as provided by Article III, §26 as amended. See opinion issued November 2, 1967, by Attorney General Richard C. Turner.

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v
STATE OFFICERS

STATE ROSTER

List of elective state officers, judges of the supreme, district 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 Sixty-second General Assembly in accordance with the requirements of Code section 14.10(3), 1966 Code of Iowa.

OFFICERS, COMMISSIONS AND BOARDS

ELECTIVE OFFICERS

Name and Office	County from which originally chosen
GOVERNOR	
Harold E. Hughes	Ida
LIEUTENANT GOVERNOR	
Robert D. Fulton	Black Hawk
SECRETARY OF STATE	
Melvin D. Synhorst	Polk
AUDITOR OF STATE	
Lloyd R. Smith	Polk
TREASURER OF STATE	
Paul Franzenburg	Grundy
SECRETARY OF AGRICULTURE	
L. B. Liddy	Van Buren
ATTORNEY GENERAL	
Richard C. Turner	Pottawattamie
Oscar Strauss, First Assistant	Polk
Richard E. Hoesemeyer, Solicitor General	Polk
Elizabeth Nolan, Assistant	Johnson
David Elderkin, Assistant	Polk
William Claerhout, Assistant	Polk
Fred Hendrickson, Assistant	Polk
Joseph Zeller, Assistant	Polk
Julian Garrett, Assistant	Polk
Harry M. Griger, Assistant	Polk
David B. Hendrickson, Assistant	Polk
Charles Campbell, Assistant	Polk
Larry Seekington, Assistant	Polk
James Martin, Assistant	Polk
David Sather, Assistant	Polk
James Graham, Assistant (Hwy.)	
Robert Lego, Assistant (Hwy.)	
L. Michael McGrane, Assistant (Hwy.)	
George W. Murray, Special Assistant	Polk
Robert N. Merillat, Special Assistant	Greene
Roger H. Ivie, Special Assistant	Johnson
Donald Bennett, Special Assistant	Polk
Lorna L. Williams, Special Assistant	Polk

STATE OFFICERS—Continued

APPOINTIVE OFFICERS

Name and Office	City or town from which originally chosen	Term Ending
ACCOUNTANCY BOARD		
Earl W. Druehl	Davenport	June 30, 1969
Richard G. Peebler	Des Moines	June 30, 1970
Roger R. Cloutier	Des Moines	June 30, 1968

ADJUTANT GENERAL		
Major General Junior F. Miller	Des Moines	June 30, 1971
Colonel Joseph G. May	Des Moines	June 30, 1971

ADVISORY INVESTMENT BOARD (Iowa Public Employees Retirement System)		
Dale K. DeKoster	Melbourne	June 30, 1973
George Foerstner	Amana	June 30, 1969
William F. Poorman	Des Moines	June 30, 1971
Senator Howard Reppert	Des Moines	June 30, 1969
Representative Al Mensing	Lowden	

AERONAUTICS COMMISSION		
Ray Nyemaster, Chairman	Des Moines	June 30, 1973
Glenn Miller	Des Moines	None
Forest F. McDonald, Commissioner	Jefferson	June 30, 1971
Laurence A. Straley, Commissioner	Clinton	June 30, 1973
George O. Bryant, Commissioner	Emmetsburg	June 30, 1969
Norbert D. Baltes, Commissioner	Charles City	June 30, 1969
Frank Berlin, Director		

COMMISSION ON ALCOHOLISM		
Ray Harrison, Chairman	Des Moines	June 30, 1969
Robert C. Hickie	Waverly	June 30, 1969
Leo B. Sedlacek, M.D.	Cedar Rapids	June 30, 1969
Judge Louis Fautsch	Dubuque	June 30, 1971
Arthur P. Long, M.D.	Des Moines	
Ross C. King	Clinton	June 30, 1971
Rev. Wayne Shoemaker	Fort Dodge	June 30, 1969
Senator Vernon H. Kyhl	Parkersburg	June 30, 1971
John C. McQueen, M.D.	Iowa City	June 30, 1971

COMMISSION ON THE AGING*		
Robert D. Blue, Chairman	Eagle Grove	June 30, 1971
Dr. W. W. Morris, Vice Chairman	Iowa City	June 30, 1969
Mrs. Thelma Kass, Secretary	Davenport	June 30, 1971
Arthur Downing	Des Moines	June 30, 1969
Dr. Clarence W. Tompkins	Fort Dodge	June 30, 1969
Honorable Otha D. Wearin	Hastings	June 30, 1969
Dr. Edward Jakubauskas	Ames	June 30, 1971

*See page xviii for legislative members.

APPEAL BOARD (Public Contracts and Bonds)		
Lloyd R. Smith	Auditor of State	
Paul Franzenburg	Treasurer of State	
Marvin R. Selden, Jr.	Comptroller	

STATE OFFICERS—Continued

Name and Office	City or town from which originally chosen	Term Ending
APPEAL BOARD		
(Education, Control and Fair Board Contracts)		
Marvin R. Selden, Jr.	Comptroller, Chairman	
Albert A. Augustine	Des Moines	June 30, 1971
Edmund A. McGinn	Council Bluffs	June 30, 1969

ARCHITECTURAL EXAMINERS		
Harold F. Bianco, Chairman	Mason City	June 30, 1971
Charles V. Richardson, Vice Chairman	Davenport	June 30, 1971
Eugene C. O'Neil, Secretary-Treasurer	Des Moines	June 30, 1972
Gerald I. Griffith	Des Moines	June 30, 1972
Edward H. Healey	Cedar Rapids	June 30, 1972
Lucille Long, Executive Secretary	Des Moines	

ARMORY BOARD		
(Appointed by the Armory Advisory Council)		
Lieutenant General Ray C. Fountain	Des Moines	
Mr. Lumund Wilcox	Jefferson	
Mr. Robert L. Brice	Waterloo	
Major General Walter L. Anderson	Boone	
Brigadier General Roger W. Gilbert	Des Moines	Pleasure of the Governor
Colonel Fred W. Tinker	Sioux City	All indefinite
Lieutenant Colonel Roger J. Harrison	Clinton	
Brigadier General Harry E. Stedman	Des Moines	
Major General Frank P. Williams	Cedar Falls	
Major General Junior F. Miller	Des Moines	
Chairman of the Board		

IOWA STATE ARTS COUNCIL		
David E. Archie	Charles City	June 30, 1969
Arthur J. Davis	Fort Dodge	June 30, 1968
Kathryn Graham	Sioux City	June 30, 1968
Robert W. Greenleaf	Centerville	June 30, 1968
David Kruidenier	Des Moines	June 30, 1969
Marion C. Lichty	Waterloo	June 30, 1968
Raymond D. Reed	Ames	June 30, 1970
Helen Reppert	Des Moines	June 30, 1970
James S. Schramm	Burlington	June 30, 1969
Peter O. Stamats	Cedar Rapids	June 30, 1969

BANKING BOARD		
John Chrystal	Coon Rapids	June 30, 1969
W. M. Goodyear	Lake City	June 30, 1969
A. E. Peters	Newton	June 30, 1969
William P. Ronan	Decorah	June 30, 1969

BASIC SCIENCE BOARD		
Dr. Leland P. Johnson	Des Moines	June 30, 1973
Dr. W. Bernard King	Ames	June 30, 1973
Elmer W. Hertel	Waverly	June 30, 1969
Kenneth MacDonald	Iowa City	June 30, 1969
Rev. Warren E. Nye, Ph.D.	Dubuque	June 30, 1971
Irving Y. Fishman, Ph.D.	Grinnell	June 30, 1971

STATE OFFICERS—Continued

Name and Office	City or town from which originally chosen	Term Ending
IOWA BONUS BOARD		
Lloyd R. Smith	Auditor of State	
Paul Franzenburg	Treasurer of State	
Major General Junior F. Miller	Adjutant General	
Glen M. Dugger	Adjutant, Department of Iowa, American Legion	
CAR DISPATCHER		
Jack R. Langford	Ankeny	At the pleasure of the Governor
CIVIL DEFENSE ADVISORY COUNCIL		
F. O. "Whitey" Rosenberger, Chairman	Sioux City	July 4, 1968
Richard C. Morgan, Vice Chairman	Des Moines	July 4, 1969
Dick O. Ludwig	Laurens	July 4, 1969
Harold F. Olsan	Ames	July 4, 1968
Jack G. Silverman	Fairfield	July 4, 1968
Floyd Nelson	Ames	July 4, 1970
Homer Ankrum	Webster	July 4, 1970
Lloyd Turner	Waterloo	July 4, 1970
Rex Gross	Colo	July 4, 1970
CIVIL RIGHTS COMMISSION		
Harry D. Harper, M.D.	Fort Madison	June 30, 1971
Mrs. Elizabeth S. Kruidenier	Des Moines	June 30, 1971
Lawrence S. Slotsky	Sioux City	June 30, 1971
Donald E. Boles, Ph.D.	Ames	June 30, 1969
Mrs. Merle E. Full	Iowa City	June 30, 1969
Rev. Phillip A. Hamilton, S.T.L.	Dubuque	June 30, 1969
Mrs. June Parker Goldman	Forest City	June 30, 1969
CLERK OF THE SUPREME COURT		
Helen Lyman	Des Moines	Dec. 31, 1970
CODE EDITOR		
Charles W. Barlow	Mason City	Dec. 31, 1970
Wayne A. Faupel, Deputy	Clear Lake	
COMMERCE COMMISSION		
Dick A. Witt, Chairman	Des Moines	June 30, 1973
Bernard J. Martin	Des Moines	June 30, 1969
Frank B. Means	Manilla	June 30, 1971
Leo J. Steffen, Chief Counsel		
COMMISSION FOR THE BLIND		
Mrs. Alvin H. Kirsner	Des Moines	June 30, 1969
William S. Wimer	Des Moines	June 30, 1971
W. C. Hahle	Sumner	June 30, 1970
Kenneth Jernigan, Director	Des Moines	
COMPTROLLER		
Marvin R. Selden, Jr.	Des Moines	At the pleasure of the Governor

STATE OFFICERS—Continued

Name and Office	City or town from which originally chosen	Term Ending
CONSERVATION COMMISSION		
Rev. Laurence N. Nelson, Chairman	Bellevue	June 30, 1969
Ed Weinheimer	Fontanelle	June 30, 1973
Mike F. Zack	Mason City	June 30, 1969
Earl E. Jarvis	Wilton Junction	June 30, 1971
Dr. Keith A. McNurlen	Ames	June 30, 1971
James R. Hamilton	Storm Lake	June 30, 1969
William E. Noble	Oelwein	June 30, 1973
Everett B. Speaker, Director		

BOARD OF CONTROL

James W. Harrington, Chairman	Des Moines	June 30, 1971
M. J. Brown, Administrative Assistant	Des Moines	
Robert B. Smith, Fiscal Assistant	Des Moines	
Frank N. Bunker, Chief of Architectural and Engineering Services	Des Moines	
Carroll Price	Knoxville	June 30, 1973
Russell Wilson	Des Moines	June 30, 1969

DEPARTMENT OF PUBLIC DEFENSE

Junior F. Miller, Executive Director

MILITARY DIVISION

Major General Junior F. Miller, Adjutant General

CIVIL DEFENSE DIVISION

George W. Orr, Director

STATE OFFICE OF ECONOMIC OPPORTUNITY(This office has merged with the Iowa Manpower Development Council,
under the direction of John M. Ropes, as of May 1, 1967.)**EMPLOYMENT AGENCY LICENSE COMMISSION**

Melvin D. Synhorst	Secretary of State
Harry W. Dahl	Industrial Commissioner
B. Dale Parkins	Labor Commissioner

EMPLOYMENT SAFETY COMMISSION

Arlo Myers (Employers)	Burlington	June 30, 1969
H. C. Vorseggern (Employers)	Newton	June 30, 1969
Melvin J. Smith (Employees)	Iowa City	June 30, 1969
R. C. Lary (Employers)	Bloomfield	June 30, 1971
Burdette B. Coalvan (Employees)	Des Moines	June 30, 1971
Carl G. Dahl (Employees)	Waterloo	June 30, 1971
Clinton Ruby (Employees)	Fort Dodge	June 30, 1973
William C. Leachman (Employers)	Des Moines	June 30, 1973

EMPLOYMENT SECURITY COMMISSION

J. W. Janssen, Chairman	Hubbard	June 30, 1971
Henry E. Carter, Vice Chairman	Burlington	June 30, 1969
Cecil A. Reed	Cedar Rapids	June 30, 1973

STATE OFFICERS—Continued

Name and Office	City or town from which originally chosen	Term Ending
ENGINEERING EXAMINERS		
Henry M. Black, Chairman	Ames	June 30, 1969
Harold W. Johnson, Vice Chairman	Des Moines	June 30, 1969
Robert D. Reckard	Rock Rapids	June 30, 1971
Eldo W. Schornhorst, Jr.	Spencer	June 30, 1971
Noel W. Willis	Iowa City	June 30, 1971
Stephen C. Robinson, Secretary		

EXECUTIVE COUNCIL

Harold E. Hughes	Ida Grove
Melvin D. Synhorst	Des Moines
Lloyd R. Smith	Des Moines
Paul Franzenburg	Conrad
L. B. Liddy	Keosauqua
Stephen C. Robinson, Secretary	

FAIR BOARD

H. M. Duncan, President	Columbus Junction
C. C. Wagler, Vice President	Bloomfield
Thomas N. Scott, Treasurer	Dallas Center
Kenneth R. Fulk, Secretary	Des Moines
Don Greiman	Garner
Charles F. Iles	Des Moines
Howard Waters	Danville
C. J. Matthiessen	Monticello
George E. Janssen	Eldora
W. L. Yount	Altoona
Jean M. Kleve	Humboldt
G. W. Prince	Guthrie Center
Harold E. Hughes, Governor of Iowa	
W. Robert Parks, President, Iowa State University, Ames	
L. B. Liddy, Secretary of Agriculture	

FIRE MARSHAL

Wilbur J. Johnson	Ottumwa
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GEOLOGICAL BOARD

Harold E. Hughes, Governor
Lloyd R. Smith, Auditor of State
Howard R. Bowen, President, State University of Iowa
W. Robert Parks, President, Iowa State University of Science and Technology
John O. Chellevoid, President, Iowa Academy of Science
H. Garland Hershey, Director

GEOLOGIST

Dr. H. Garland Hershey	Iowa City	At the pleasure of the Geological Board
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BOARD OF HEALTH

Ex-Officio Members:	
Harold E. Hughes, Governor	
Melvin D. Synhorst, Secretary of State	
Lloyd R. Smith, Auditor of State	
Paul Franzenburg, Treasurer of State	
L. B. Liddy, Secretary of Agriculture	

STATE OFFICERS—Continued

Name and Office	City or town from which originally chosen	Term Ending
BOARD OF HEALTH—Continued		
Members:		
Franklin H. Top, M.D.	Iowa City	June 30, 1968
W. M. Krigsten, M.D.	Sioux City	June 30, 1969
P. J. Laube, M.D.	Dubuque	June 30, 1968
E. E. Gamet, M.D.	Lamoni	June 30, 1970
G. A. Whetstine, D.O.	Wilton Junction	June 30, 1970
Albert J. Soucek, D.D.S.	Iowa City	June 30, 1969
George C. Christensen, D.V.M.	Ames	June 30, 1968
Charles D. Mullinex, B.S.	Cedar Rapids	June 30, 1970
Virginia Galbreath, R.N.	Des Moines	June 30, 1969

COMMISSIONER OF HEALTH

Dr. Arthur P. Long, M.D. Des Moines

HEALTH DEPARTMENT

Practice Acts Examining Boards

Barber Examiners

Leslie W. Jones Burlington June 30, 1969
 Merlyn V. Boyken Waterloo June 30, 1968
 A. E. Morehouse Cedar Rapids June 30, 1970

Chiropractic Examiners

Jack Droz Wellman June 30, 1969
 M. O. Hoogestraat, D.C. Parkersburg June 30, 1968
 Dr. George T. Lammers Iowa Falls June 30, 1970

Cosmetology Examiners

Vera Barnhart Ottumwa June 30, 1969
 Margaret Holub Central City June 30, 1970
 Richard Poindexter Burlington June 30, 1968

Dental Examiners

Dr. LeRoy Larson Fort Dodge June 30, 1971
 Dr. Carl Ostrem Des Moines June 30, 1972
 Dr. Anthony J. Kalb Dubuque June 30, 1968
 Dr. Morris B. Katzoff Cedar Rapids June 30, 1970
 Dr. Clarency C. Wyse Wayland June 30, 1969

Embalmer Examiners

John A. Christensen Ida Grove June 30, 1969
 Maurice J. Tierney Dubuque June 30, 1970
 James A. Vander Ploeg Sheldon June 30, 1970

Medical Examiners

Frank R. Peterson, M.D. Cedar Rapids June 30, 1972
 Elwood P. Russell, M.D. Burlington June 30, 1968
 John K. MacGregor, M.D. Mason City June 30, 1973
 George H. Scanlon, M.D. Iowa City June 30, 1971
 Ronald K. Woods, D.O. Des Moines June 30, 1968
 Roger B. Anderson, D.O. Sioux City June 30, 1969
 John W. Billingsley, M.D. Newton June 30, 1970
 James L. Coffey, M.D. Emmetsburg June 30, 1969

STATE OFFICERS—Continued

Name and Office	City or town from which originally chosen	Term Ending
<i>Nurse Examiners</i>		
Sister Mary Brigid Condon, R.S.M., R.N., M.S.	Davenport	June 30, 1971
Virginia Turner, R.N., B.S.N.	Waterloo	June 30, 1968
E. Frances Stoney, R.N., M.A.	Burlington	June 30, 1968
Sister Mary Suzanne Wickenkamp, Ch.M., R.N., M.S.	Ottumwa	June 30, 1970
Sara J. Fishel, R.N., B.S.N.	Cedar Rapids	June 30, 1969
Ben Suga, R.N., M.A.	Clarinda	June 30, 1972
<i>Optometry Examiners</i>		
Dr. Paul R. Sears	Fort Dodge	June 30, 1969
Dr. Paul W. Thielking	Des Moines	June 30, 1968
Dr. Alfred L. Klein	Spirit Lake	June 30, 1969
<i>Podiatry Examiners</i>		
Dr. Gerald L. Smith	Waterloo	June 30, 1969
Robert R. Carnes, D.S.C.	Cedar Rapids	June 30, 1968
C. B. Dunshee, D.S.C.	Oskaloosa	June 30, 1970

IOWA HOSPITAL AND OTHER HEALTH FACILITIES

James A. Anderson	Fort Dodge	June 30, 1968
Charles E. Butrick	Davenport	June 30, 1969
George Christensen	Marne	June 30, 1968
Donald J. Conroy	Des Moines	June 30, 1970
Elmer DenHerder	Sioux Center	June 30, 1970
Mrs. Don L. Dluosch	Storm Lake	June 30, 1968
Roland B. Enos	Waterloo	June 30, 1971
Dr. Jack P. Fickel	Red Oak	June 30, 1971
Mrs. Burton Field	Waterloo	June 30, 1971
Thomas J. Gilloon	Dyersville	June 30, 1970
Joseph Gowdy	Nevada	June 30, 1969
Charles F. Harvey	Des Moines	June 30, 1969
Merill E. Hunt	Des Moines	June 30, 1968
Paul H. Keiser	Burlington	June 30, 1969
K. E. Lister, M.D.	Ottumwa	June 30, 1968
Alixé P. Nuzum	Des Moines	June 30, 1969
Deana Shulman	Waterloo	June 30, 1969
Homer Skinner, M.D.	Carroll	June 30, 1969
Van B. Snyder	Muscatine	June 30, 1969
Kenneth C. Thatcher	Cumming	June 30, 1971
Marguerite Thomas, R.N.	Burlington	June 30, 1970
Dr. J. P. Trotzig	Akron	June 30, 1970
H. B. Willard, D.O.	Manchester	June 30, 1971
Bernice Wolf	Mason City	June 30, 1970

HIGHER EDUCATION FACILITIES COMMISSION*

Dr. Irwin J. Lubbers	Des Moines	June 30, 1971
Mrs. Georgia C. Nye	Cedar Rapids	June 30, 1969
Robert Williams	Des Moines	June 30, 1971

*See page xviii for legislative members.

HIGHWAY COMMISSION

Harry J. Bradley, Jr., Chairman	Des Moines	June 30, 1969
Derby D. Thompson	Burlington	June 30, 1971
Robert C. Barry	Danbury	June 30, 1971
John R. Hansen	Manning	
Koert Voorhees	Cedar Falls	June 30, 1971
Howard E. Gunderson, Chief Engineer	Ames	

STATE OFFICERS—Continued

Name and Office	City or town from which originally chosen	Term Ending
HISTORY AND ARCHIVES DEPARTMENT		
Jack W. Musgrove, Curator	Des Moines	
Joan Muysken, Editor of Annals	Des Moines	

HISTORICAL SOCIETY

Dale Ahern	Decorah	June 25, 1968
Iver Christoffersen	Cedar Falls	June 25, 1968
J. Leo Connolly	Council Bluffs	June 25, 1968
Eugene Garbee	Fayette	June 25, 1968
Mel M. Graham	Audubon	June 25, 1968
Ruth Hollingshead	Albia	June 25, 1968
Donald R. Murphy	Des Moines	June 25, 1968
Jack W. Musgrove	Des Moines	June 30, 1972
John C. Pryor	Burlington	June 25, 1968
Erwin D. Sias	Sioux City	June 25, 1968

INDUSTRIAL COMMISSIONER

Harry W. Dahl	Des Moines	June 30, 1973
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INSURANCE COMMISSIONER

Lorne R. Worthington	Lamoni	June 30, 1971
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INTER-AGENCY LIAISON COMMITTEE

Russell Wilson, Chairman	Des Moines	At the pleasure of their respective departments
Dr. Arthur P. Long	Des Moines	
Russell Bobzin	Des Moines	
Carl Gernetzky	Des Moines	
Edward Kelley	Des Moines	
Merrill Hunt	Des Moines	
Arthur Downing	Des Moines	
Richard Smith	Des Moines	

IOWA COMMISSION ON INTERSTATE COOPERATION*

Russell L. Wilson	Des Moines
Melvin H. Wolf	Waterloo
Marvin R. Selden, Jr., Comptroller	

*See page xviii for legislative members.

IOWA DEVELOPMENT COMMISSION

Carroll E. Worlan, Director	Des Moines	
Marvin M. Schmidt	Des Moines	June 30, 1970
William S. Farnar	Carroll	June 30, 1969
Hugh H. Hannah	Davenport	June 30, 1968
E. A. Hayes	Mount Pleasant	June 30, 1970
John Tinley	Shenandoah	June 30, 1968
Ray E. Rodeen	Sioux City	June 30, 1971
Vacancy		

(Two members of each house of the 62nd General Assembly to hold office until the convening of the next Legislative Session)

Andrew J. Frommelt (Senator) (D).....	Dubuque
C. Joseph Coleman (Senator) (D)	Clare
E. H. DenHerder (Representative) (R).....	Sioux Center
Vincent Steffen (Representative) (D).....	New Hampton

STATE OFFICERS—Continued

Name and Office	City or town from which originally chosen	Term Ending
JUDICIAL STATISTICIAN		
Clarence A. Kading	Knoxville	At the pleasure of the Supreme Court

LABOR COMMISSIONER		
B. Dale Parkins	Des Moines	June 30, 1969

LAW EXAMINERS		
Richard C. Turner, Attorney General, Chairman		
Charles F. Swisher	Waterloo	June 30, 1969
Jake S. More	Harlan	June 30, 1968
E. S. Tesdell, Jr.	Des Moines	June 30, 1968
Robert R. Eidsmoe	Sioux City	June 30, 1968
Wilbur R. Dull	Ottumwa	June 30, 1969

LIBRARY BOARD OF TRUSTEES		
Harold E. Hughes, Governor		
T. G. Garfield, Supreme Court Justice		
Paul F. Johnston, Superintendent of Public Instruction		
Librarian, Law:		
Geraldine Dunham	Des Moines	
Librarian, Traveling:		
Ernestine Grafton	Des Moines	
Librarian, Medical:		
Mrs. Marion Samp		

LIBRARY		
(Board of Trustees of State Traveling)		
Jeanne A. Gee, Chairman	Shenandoah	June 30, 1969
Mrs. John W. Crabb	Jamaica	June 30, 1972
Arie M. Verrips	Sioux Center	June 30, 1970
Nate Levinson	Mason City	June 30, 1968
William R. Sheridan	Keokuk	June 30, 1971

LIQUOR COMMISSION		
Homer Adcock, Chairman	Des Moines	June 30, 1971
Walter E. Edelen	Garner	June 30, 1971
Rev. Carl G. Sinning	Manning	June 30, 1973

MERIT SYSTEM COUNCIL		
Walter W. Moeller, Chairman	Bettendorf	Dec. 31, 1968
Ben A. Henry	Des Moines	Dec. 31, 1967
James D. Brand	Des Moines	Dec. 31, 1969

MINE INSPECTOR		
W. Dean Aubrey	Ottumwa	June 30, 1971

STATE MINING BOARD		
Nels G. Grandquist	Des Moines	June 30, 1968
J. R. Hamm	Centerville	June 30, 1968
Dr. John Lemish	Ames	June 30, 1968
Harold L. Zelms	Fort Dodge	June 30, 1968
William J. Evans	Des Moines	June 30, 1968

STATE OFFICERS—Continued

Name and Office	City or town from which originally chosen	Term Ending
MISSISSIPPI RIVER PARKWAY PLANNING COMMISSION		
Joseph Carew	Dubuque	June 30, 1969
Loren W. Hamann	St. Olaf	June 30, 1971
Richard Norpel	Bellevue	June 30, 1971
Stephen Delaney	Clinton	June 30, 1971
Mark E. Scott	West Point	June 30, 1971
John McCormally	Burlington	June 30, 1971

NATURAL RESOURCES COUNCIL

Othie R. McMurray, Director	Ankeny	
Dr. H. Garland Hershey	Iowa City	June 30, 1973
Stanley L. Haynes	Mason City	June 30, 1971
L. Guy Young	Bedford	June 30, 1971
William G. Murray	Ames	June 30, 1971
Louis P. Culver	Dunlap	June 30, 1969
J. Robert Downing	Indianola	June 30, 1969
Justin Rogers	Spirit Lake	June 30, 1969
Clifford M. Naser	Fort Dodge	June 30, 1973
Joseph W. Howe	Iowa City	June 30, 1973

PAROLE BOARD

Fred H. Moore	Spencer	June 30, 1969
George Paul	Brooklyn	June 30, 1973
John Andrews	Des Moines	June 30, 1971
R. W. Bobzin, Secretary	Des Moines	

PERSONNEL DIRECTOR

Ray O. Pratt	Des Moines	Indefinite
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PHARMACY EXAMINERS

Clarence B. Caldwell	Pella	June 30, 1969
Charles A. Hughes	Emmetsburg	June 30, 1968
Thomas Kenefick	Eagle Grove	June 30, 1970

PRINTING BOARD

Melvin D. Synhorst, Secretary of State		Ex-Officio
Lloyd R. Smith, Auditor of State		Ex-Officio
Richard C. Turner, Attorney General		Ex-Officio
LeRoy E. Vanderwicken	Grundy Center	June 30, 1969
R. R. Jackson	Spencer	June 30, 1968
J C Moore, Superintendent	Winterset	
Carl Ball, Assistant Superintendent	Mystic	

PUBLIC INSTRUCTION

Sherman W. Hirschler, First District	Fairfield	Jan. 2, 1968
C. W. Antes, Second District	West Union	Jan. 2, 1968
Mrs. Virgil Shepard, Third District	Allison	Jan. 2, 1970
John D. Warin, Fourth District	Maloy	Jan. 2, 1970
Dr. James N. Walter, Fifth District	Ames	Jan. 2, 1972
C. E. Judd, Sixth District	Thompson	Jan. 2, 1968
Dr. Jack D. Fickle, Seventh District	Red Oak	Jan. 2, 1972
Lester D. Menke, Eighth District	Calumet	Jan. 2, 1970
Mrs. Earl G. Sievers, appointed by the Governor		

STATE OFFICERS—Continued

Name and Office	City or town from which originally chosen	Term Ending
SUPERINTENDENT OF PUBLIC INSTRUCTION		
Paul F. Johnston, Superintendent, Des Moines		
LeRoy N. Jensen, Assistant Superintendent of Instruction		
W. T. Edgran, Assistant Superintendent of Administration		
David Bechtel, Administrative Assistant to the Superintendent		
Leonard C. Abels, Development and Planning Consultant		
COMMISSIONER OF PUBLIC SAFETY		
Jack M. Fulton	Cedar Rapids	June 30, 1971
REAL ESTATE COMMISSION		
Melvin D. Synhorst, Secretary of State, Chairman		
Stephen G. Darling	Iowa City	June 30, 1971
Gery M. Martin	Sioux City	June 30, 1971
Max E. Guernsey	Waterloo	June 30, 1969
William C. Knapp	Des Moines	June 30, 1969
George C. Clarkson, Director		
BOARD OF REGENTS		
Stanley Redeker, President	Boone	June 30, 1973
Wayne Richey, Executive Secretary	Des Moines	None
David A. Dancer, Assistant Executive Secretary	Des Moines	June 30, 1968
Melvin H. Wolf	Waterloo	June 30, 1969
Ned E. Perrin	Mapleton	June 30, 1973
Mrs. Joseph Rosenfield	Des Moines	June 30, 1969
Jonathan B. Richards	Red Oak	June 30, 1969
Casey Loss	Algona	June 30, 1971
Thomas A. Loudon	Keokuk	June 30, 1971
William B. Quarton	Cedar Rapids	June 30, 1971
Ralph H. Wallace	Mason City	June 30, 1973
REPORTER OF SUPREME COURT		
Charles W. Barlow, Reporter	Mason City	Dec. 31, 1970
Alice Foarde, Deputy	Des Moines	Dec. 31, 1970
SOCIAL WELFARE BOARD		
Arthur Downing, Chairman	Des Moines	June 30, 1971
Henry C. Gering, Vice Chairman	West Des Moines	June 30, 1973
Mrs. Irene Mae Smith	Ottumwa	June 30, 1969
R. H. Whitlatch, Secretary		
Jacob B. Mincks, Advisory Member		
SOIL CONSERVATION BOARD		
Donald Johnson, Chairman	Fairfield	June 30, 1971
William H. Greiner, Director	Des Moines	None
Frank H. Mendell, Advisor	Des Moines	Ex-Officio
Dr. Marvin A. Anderson	Ames	Ex-Officio
Fred Cherry	Rowley	June 30, 1973
Bryan Weberg	Kiron	June 30, 1969
M. Wayne Casey	Peterson	June 30, 1971
L. B. Liddy, Secretary of Agriculture		
SUPERINTENDENT OF BUILDINGS AND GROUNDS		
William Gall	At the pleasure of the Executive Council	

STATE OFFICERS—Continued

Name and Office	City or town from which originally chosen	Term Ending
TAX COMMISSION		
Earl A. Burrows, Jr.	Burlington	June 30, 1971
Lynn Potter	Cresco	June 30, 1969
X. T. Prentis	Mount Ayr	Jan. 1, 1968

By an Act of the Sixty-second General Assembly, chapter 342, this commission will be the Department of Revenue, under the supervision of one director, appointed by the Governor, to begin January 1, 1968. The terms of the above members of the Tax Commission have been altered by chapter 342, to conclude on January 1, 1968.

UNIFORM STATE LAWS

George Lindeman	Waterloo	June 30, 1968
Allan Vestal	Iowa City	June 30, 1968

VOTING MACHINE COMMISSION

Marvin Gould	Ames	Oct. 15, 1967
E. S. McMillin	Ottumwa	Feb. 3, 1969
Dolores A. Rogers	Iowa City	Feb. 3, 1969

WATCHMAKING EXAMINERS

Kenneth Waldruff	Griswold	June 30, 1969
Richard J. Elliott	Waukon	June 30, 1969
Leo E. Langley	Williamsburg	June 30, 1968
Lloyd A. Hambleton	Fort Dodge	June 30, 1968
James R. Williams	Storm Lake	June 30, 1970

WATER POLLUTION CONTROL COMMISSION

Lee Albaugh	Charles City	June 30, 1973
Robert R. Buckmaster	Waterloo	June 30, 1969
Carol B. Curtis	Newton	June 30, 1973
Robert L. Morris, Ph.D.	Iowa City	June 30, 1971
Ambrose I. Muenchrath	Earling	June 30, 1969

LEGISLATIVE INTERIM STUDY COMMITTEES

SIXTY-SECOND GENERAL ASSEMBLY

DEPARTMENTAL RULES REVIEW COMMITTEE

ch. 17A

		Term Ending
Elizabeth Shaw, Davenport (R)	House Member	June 30, 1969
Charles Grassley, New Hartford (R)	House Member	June 30, 1971
Ray Bailey, Clarion (D)	House Member	June 30, 1969
Lucas J. DeKoster, Hull (R)	Senate Member	June 30, 1969
Adolph W. Elvers, Elkader (D)	Senate Member	June 30, 1971
Alan Shirley, Perry (D)	Senate Member	June 30, 1971

ADVISORY INVESTMENT COMMITTEE

IOWA EMPLOYMENT SECURITY COMMISSION

§97B.8

A. L. Mensing, Lowden (R)	House Member	June 30, 1969
Howard C. Reppert, Jr., Des Moines (D)	Senate Member	

LEGISLATIVE INTERIM COMMITTEES—Continued

Term Ending

IOWA STATE FAIR AND WORLD FOOD EXPOSITION

62 G. A., ch. 472

Leroy S. Miller, Shenandoah (R)	House Member	June 30, 1969
Vince Mayberry, Fort Dodge (D)	House Member	June 30, 1969
J. Henry Lucken, LeMars (R)	Senate Member	June 30, 1969
Franklin S. Main, Lamoni (D)	Senate Member	June 30, 1969

HIGHER EDUCATION FACILITIES COMMISSION

ch. 261

William P. Winkelman, Lohrville (R)	House Member	June 30, 1969
Bass Van Gilst, Oskaloosa, (D)	Senate Member	June 30, 1971

CAPITOL PLANNING COMMISSION

ch. 18A

Fred B. Hanson, Osage (R)	House Member	June 30, 1971
William Darrington, Persia (R)	House Member	June 30, 1969
Hugh H. Clarke, Belmont (R)	Senate Member	June 30, 1971
Stanley M. Heaberlin, Pleasantville (D)	Senate Member	June 30, 1971

LEGISLATIVE RESEARCH

§2.49

Leroy S. Miller, Shenandoah (R)	House Member	June 30, 1969
Charles P. Miller, Burlington (D)	House Member	June 30, 1969
Marvin W. Smith, Paullina (R)	House Member	June 30, 1969
Leroy H. Petersen, Grimes (R)	House Member	June 30, 1969
Dale M. Cochran, Eagle Grove (D)	House Member	June 30, 1969
Kenneth Benda, Hartwick (R)	Senate Member	June 30, 1969
Donald S. McGill, Melrose (D)	Senate Member	June 30, 1969
John P. Kibbie, Emmetsburg (D)	Senate Member	June 30, 1969
Arthur A. Neu, Carroll (R)	Senate Member	June 30, 1969
H. Kenneth Nurse, Hartley (D)	Senate Member	June 30, 1969

INTERSTATE COOPERATION

ch. 28B

John Camp, Clinton (R)	House Member	June 30, 1969
Harold O. Fischer, Wellsburg (R)	House Member	June 30, 1969
Dale L. Tieden, Garnavillo (R)	House Member	June 30, 1969
Henry W. Busch, Waverly (R)	House Member	June 30, 1969
James T. Caffrey, Des Moines (D)	House Member	June 30, 1969
Merle W. Hagedorn, Royal (D)	Senate Member	June 30, 1969
Vernon H. Kyhl, Parkersburg (R)	Senate Member	June 30, 1969
Donald W. Murray, Bancroft (D)	Senate Member	June 30, 1969
Max E. Reno, Bonaparte (D)	Senate Member	June 30, 1969
Howard C. Reppert, Jr., Des Moines (D)	Senate Member	June 30, 1969

COMMISSION ON THE AGING

ch. 249B

Gordon Stokes, LeMars (R)	House Member	June 30, 1971
Clair Strand, Grinnell (R)	House Member	June 30, 1971
Cleve L. Carnahan, Ottumwa (D)	House Member	June 30, 1969
James E. Briles, Corning (R)	Senate Member	June 30, 1970
Gene F. Condon, Waterloo (D)	Senate Member	June 30, 1969
John W. Patton, Aurora (D)	Senate Member	June 30, 1969

LEGISLATIVE INTERIM COMMITTEES—Continued

Term Ending

BUDGET AND FINANCIAL CONTROL

§2.41

Elmer H. DenHerder, Sioux Center (R)	House Member	June 30, 1971
Ray C. Cunningham, Ames (R)	House Member	June 30, 1971
Keith H. Dunton, Thornburg (D)	House Member	June 30, 1969
William Gannon, Mingo (D)	House Member	June 30, 1969
Conrad Ossian, Red Oak (R)	House Member	June 30, 1969
Lee Gaudineer, Des Moines (D)	Senate Member	June 30, 1971
Joseph B. Flatt, Winterset (R)	Senate Member	June 30, 1971
Seeley G. Lodwick, Wever (R)	Senate Member	June 30, 1971
Joseph W. Cassidy, Walcott (D)	Senate Member	June 30, 1969
George E. O'Malley, Des Moines (D)	Senate Member	June 30, 1969

MEDICAL ASSISTANCE TO THE AGED ADVISORY COUNCIL

§249A.5

Elmer H. DenHerder, Sioux Center (R)	House Member	June 30, 1969
Cleve L. Carnahan, Ottumwa (D)	House Member	June 30, 1969
Gilbert E. Klefstad, Council Bluffs (D)	Senate Member	June 30, 1969
Ernest Kosek, Cedar Rapids (R)	Senate Member	June 30, 1969

LAW ENFORCEMENT ACADEMY COUNCIL

62 G. A., ch. 112

Harold A. Thordsen, Davenport (R)	House Member	June 30, 1969
Warren J. Kruck, Boone (D)	Senate Member	June 30, 1971

COMMITTEE TO STUDY TRUCK RATE RECIPROCITY

62 G. A., ch. 473

C. Raymond Fisher, Grand Junction (R)	House Member	June 30, 1969
Edgar H. Holden, Davenport (R)	House Member	June 30, 1969
Vernon N. Bennett, Des Moines (D)	House Member	June 30, 1969
Robert J. Burns, Iowa City (D)	Senate Member	June 30, 1969
William F. Denman, Des Moines (D)	Senate Member	June 30, 1969
Clifton C. Lamborn, Maquoketa (R)	Senate Member	June 30, 1969

JUDICIAL DEPARTMENT

JUSTICES OF THE SUPREME COURT

(Justices listed according to seniority)

Name	Office Address	Term Ending
T. G. Garfield, Chief Justice	Ames	June 30, 1973
Robert L. Larson	Iowa City	Dec. 31, 1974
Bruce M. Snell	Ida Grove	Dec. 31, 1974
C. Edwin Moore	Des Moines	June 30, 1973
William C. Stuart	Chariton	Dec. 31, 1972
M. L. Mason	Mason City	Dec. 31, 1974
Maurice E. Rawlings	Sioux City	Dec. 31, 1974
Francis H. Becker	Dubuque	Dec. 31, 1974
Clay LeGrand	Davenport	Dec. 31, 1968

JUDICIAL DEPARTMENT—Continued

JUDGES OF THE DISTRICT COURT

(Judges listed according to seniority)

Name	Office Address	Term Ending
First Judicial District		
J. R. Leary	Fort Madison	June 30, 1971
W. L. Huiskamp	Keokuk	June 30, 1971
George O. Van Allen	Mount Pleasant	June 30, 1971
William S. Cahill	Burlington	Dec. 31, 1968
Second Judicial District		
Charles N. Pettit	Bloomfield	June 30, 1971
Edward P. Powers	Centerville	Dec. 31, 1970
A. V. Hass	Chariton	Dec. 31, 1972
Arthur A. McGiverin	Ottumwa	Dec. 31, 1972
Third Judicial District		
H. J. Kittleman	Creston	June 30, 1971
Thomas S. Bown	Corydon	Dec. 31, 1972
James E. Hughes	Lenox	Dec. 31, 1972
Fourth Judicial District		
George M. Paradise	Sioux City	June 30, 1971
Lawrence W. McCormick	Sioux City	June 30, 1971
Donald M. Pendleton	Sioux City	Dec. 31, 1972
C. F. Stilwill	Sioux City	Dec. 31, 1968
Fifth Judicial District		
Hobart E. Newton	Stuart	June 30, 1971
Maurice C. Herrick	Indianola	Dec. 31, 1972
Robert O. Frederick	Winterset	Dec. 31, 1968
Sixth Judicial District		
R. G. Yoder	Sigourney	June 30, 1971
Harold J. Fleck	Newton	June 30, 1971
L. R. Carson	Oskaloosa	June 30, 1971
Seventh Judicial District		
M. L. Sutton	Clinton	June 30, 1971
Arthur F. Janssen	Maquoketa	June 30, 1971
Nathan Grant	Davenport	June 30, 1971
Lowell D. Phelps	Davenport	Dec. 31, 1970
Robert K. Stohr	Muscatine	Dec. 31, 1972
James R. Havercamp	Davenport	Dec. 31, 1968
Eighth Judicial District		
B. J. Maxwell	Tipton	June 30, 1971
Clair E. Hamilton	Iowa City	June 30, 1971
William R. Eads	Cedar Rapids	Dec. 31, 1970
Warren J. Rees	Anamosa	Dec. 31, 1970
Harold D. Vietor	Cedar Rapids	Dec. 31, 1972
J. Paul Naughton	Marengo	Dec. 31, 1972
Ninth Judicial District		
Ray C. Fountain	Des Moines	June 30, 1971
Wade Clarke	Des Moines	June 30, 1971
Don L. Tidrick	Des Moines	June 30, 1971
Gibson C. Holliday	Des Moines	June 30, 1971
John N. Hughes, Jr.	Des Moines	Dec. 31, 1972
Harry Perkins, Jr.	Des Moines	Dec. 31, 1972
Waldo F. Wheeler	Des Moines	Dec. 31, 1972
Dale S. Missildine	Des Moines	Dec. 31, 1972

JUDICIAL DEPARTMENT—Continued

Name	Office Address	Term Ending
Tenth Judicial District		
George C. Heath	Waterloo	June 30, 1971
Blair C. Wood	Waterloo	June 30, 1971
Peter Van Metre	Waterloo	June 30, 1971
Carroll E. Engelkes	Grundy Center	June 30, 1971
Eleventh Judicial District		
Harvey Uhlenhopp	Hampton	June 30, 1971
E. J. Kelley	Ames	June 30, 1971
Paul E. Hellwege	Boone	Dec. 31, 1972
Edward J. Flattery	Fort Dodge	Dec. 31, 1972
Twelfth Judicial District		
C. H. Wild	Waverly	June 30, 1971
L. E. Plummer	Northwood	June 30, 1971
John F. Stone	Mason City	Dec. 31, 1972
B. C. Sullivan	Rockford	Dec. 31, 1972
Thirteenth Judicial District		
G. B. Richter	Waukon	June 30, 1971
E. B. Shaw	Oelwein	June 30, 1971
Thomas H. Nelson	Dubuque	Dec. 31, 1972
John C. Oberhausen	Dubuque	Dec. 31, 1972
Joseph C. Keefe	Decorah	Dec. 31, 1972
Fourteenth Judicial District		
G. W. Stillman	Algona	June 30, 1971
Joseph P. Hand	Emmetsburg	June 30, 1971
Richard W. Cooper	Storm Lake	June 30, 1971
Murray S. Underwood	Spencer	Dec. 31, 1968
Fifteenth Judicial District		
R. Kent Martin	Atlantic	June 30, 1971
Bennett Cullison	Harlan	June 30, 1971
Folsom Everest	Council Bluffs	June 30, 1971
Leroy H. Johnson	Red Oak	June 30, 1971
Harold L. Martin	Hamburg	Dec. 31, 1968
Sixteenth Judicial District		
R. K. Brannon	Denison	June 30, 1971
A. J. Braginton	Manson	June 30, 1971
David Harris	Jefferson	Dec. 31, 1970
Seventeenth Judicial District		
M. C. Farber	Marshalltown	June 30, 1971
John W. Tobin	Vinton	June 30, 1971
Eighteenth Judicial District		
A. R. Nelson	Cherokee	June 30, 1971
James P. Kelley	LeMars	Dec. 31, 1970
Edward F. Kennedy	Sibley	Dec. 31, 1970

JUDICIAL DEPARTMENT—Continued

JUDGES OF THE MUNICIPAL COURTS

Ames.....	John L. McKinney
Burlington.....	Arthur D. Peterson
Cedar Falls.....	Forest E. Eastman
Cedar Rapids.....	Loren M. Hullinger, Jr. Howard McLaughlin
Clinton.....	David F. Halbach
Council Bluffs.....	Allan Ardell Ross F. Caniglia
Davenport.....	Bertram B. Metcalf Phillip Steffin, Jr.
Des Moines.....	Howard W. Brooks Luther T. Glanton, Jr. Harry B. Grund Ray Harrison
Dubuque.....	Karl Kenline Frank D. Gilloon, Jr.
Marshalltown.....	R. M. O'Bryan
Ottumwa.....	Charles C. Ayres, Jr.
Sioux City.....	John M. Fachman John E. Hutchinson
Waterloo.....	Ben G. Howrey William W. Parker

CONGRESSIONAL DIRECTORY

UNITED STATES SENATORS

Bourke B. Hickenlooper	Cedar Rapids	Dec. 31, 1968
Jack Miller	Sioux City	Dec. 31, 1972

REPRESENTATIVES IN CONGRESS

District			
1	Fred Schwengel	Davenport	Dec. 31, 1968
2	John Culver	Marion	Dec. 31, 1968
3	H. R. Gross	Waterloo	Dec. 31, 1968
4	John Kyl	Bloomfield	Dec. 31, 1968
5	Neal Smith	Altoona	Dec. 31, 1968
6	Wiley Mayne	Sioux City	Dec. 31, 1968
7	William J. Scherle	Henderson	Dec. 31, 1968

GENERAL ASSEMBLY
SENATORS IN GENERAL ASSEMBLY

NAME	Address	Age	Occupation	Dis.	Counties Composing District	Former Legislative Service
Balloun, Charles F.	Toledo	62	Farmer	25	Benton, Tama	59, 60, 60X, 61
Benda, Kenneth	Hartwick	48	Banker	18	Iowa, Poweshiek	60, 60X, 61
*Briles, James E.	Corning	40	Auctioneer	5	Adams, Montgomery, Taylor, Union	56, 57, 58, 59, 60, 60X, 61
*Buren, John Leonard	Forest City	53	Salesman	43	Hancock, Winnebago, Worth	61
*Burns, Robert J.	Oxford	44	Salesman	17	Johnson	61
*Cassidy, Joseph W.	Walcott	44	Area Manager	15	Scott	61
Clarke, Hugh H.	Belmond	48	Agricultural Business Executive	34	Hamilton, Wright	None
*Coleman, C. Joseph	Clare	43	Farmer	35	Webster	57, 58, 59, 60, 60X, 61
*Condon, Gene F.	Waterloo	38	Labor Union Official	32	Black Hawk	61
DeHart, Pearle P.	Ames	68	Retired Tax Consultant	27	Story	None
*DeKoster, Lucas J.	Hull	48	Lawyer, Insurance Agent	49	Lyon, Sioux	61
Denman, William F.	Des Moines	41	Lawyer	20	Polk	56, 59, 60, 60X, 61
Dodds, Robert R.	Danville	42	Farmer	7	Des Moines	57, 58, 59, 60, 60X, 61
*Elders, Adolph W.	Elkader	55	Farmer, Realtor, Insurance	38	Allamakee, Clayton	59, 60, 60X, 61
*Ely, John M., Jr.	Cedar Rapids	47	Buyer	24	Linn	59, 60, 60X, 61
Erskine, Alden J.	Sioux City	65	Automobile Maintenance	37	Woodbury	None
*Flatt, Joseph B.	Winterset	45	Merchant	12	Adair, Cass, Madison	58, 59, 60, 60X, 61
*Floy, Delbert W.	Thornton	39	Farmer	42	Cerro Gordo	61
Frey, Tom J.	Neola	65	Newspaper Publisher	13	Pottawattamie	54, 55, 56, 57
Frommelt, Andrew G.	Dubuque	45	Insurance, Real Estate	30	Dubuque	55, 56, 57, 58, 59, 60, 60X, 61
†Gaudineer, Lee	Des Moines	34	Lawyer	20	Polk	61
Glenn, Gene W.	Ottumwa	38	Lawyer	9	Wapello	61
*Hagedorn, Merle W.	Royal	55	Farmer, Real Estate	46	Buena Vista, Clay	56, 57, 58, 59, 60, 60X, 61
*Heaberlin, Stanley M.	Pleasantville	58	Farmer	11	Marion, Warren	61
*Heying, H. L.	West Union	52	Farmer, Industrialist, Businessman	39	Fayette, Winneshiek	61
Hill, Eugene M.	Newton	53	Farmer	19	Jasper	58, 59, 60, 60X, 61
Hougen, Chester O.	Cedar Falls	59	Merchant, Lawyer	32	Black Hawk	59, 60, 60X
Jepsen, Roger W.	Davenport	38	Manager Insurance Co.	15	Scott	None
*Kibbie, John P.	Emmetsburg	37	Farmer	45	Emmet, Palo Alto, Pocahontas	59, 60, 60X, 61
*Klefstad, Gilbert E.	Council Bluffs	47	Electrician	13	Pottawattamie	58, 61
Kosek, Ernest	Cedar Rapids	59	Investment Banker	24	Linn	52, 52X, 53, 54, 55, 56, 57
*Kruck, Warren J.	Boone	45	Mechanical Contractor	28	Boone, Greene	61
*Kyh, Vern H.	Parkersburg	58	Auto Dealer	41	Floyd, Mitchell, Butler	60, 60X, 61
Lamborn, Clinton C.	Maquoketa	47	Road Contractor	23	Jackson, Jones	None
Lange, Elmer F.	Sac City	49	Dairy Manufacturing Executive	36	Calhoun, Ida, Sac	59, 60, 60X, 61
Lisle, Vern	Clarinda	60	Manufacturer	6	Fremont, Mills, Page	53, 54, 55, 56, 57, 58, 59, 60, 60X, 61
Lodwick, Seeley G.	Wever	46	Farm Manager	1	Lee	60, 60X, 61

SENATORS IN GENERAL ASSEMBLY--Continued

NAME	Address	Age	Occupation	Dis.	Counties Composing District	Former Legislative Service
*Lucken, J. Henry	LeMars	70	Retired Farmer	47	Cherokee, Plymouth	52, 52X, 53, 54, 55, 56, 57, 58, 59, 60, 60X, 61
*McGill, Donald S.	Melrose	60	Farmer	4	Appanoose, Lucas, Monroe	61
*Main, Franklin S.	Lamoni	50	Farmer	3	Clarke, Decatur, Ringgold, Wayne	57, 58, 59, 60, 60X, 61
Messerly, Francis	Cedar Falls	53	Building Contractor	32	Black Hawk	59, 60, 60X, 61
*Mills, Max Milo	Marshalltown	46	Lawyer, Businessman	26	Marshall	61
*Murray, Donald W.	Bancroft	43	Farm Manager Supplier	44	Humboldt, Kossuth	61
Neu, Arthur A.	Carroll	33	Lawyer	29	Carroll, Crawford	None
*Nurse, H. Kenneth	Hartley	48	Insurance Supervisor, Real Estate	48	Dickinson, O'Brien, Osceola	61
O'Malley, George E.	Des Moines	61	Lawyer	20	Polk	53, 54, 55, 56, 57, 58, 59, 60, 60X, 61
*Patton, John W.	Aurora	61	Farmer	31	Buchanan, Delaware	61
Potgeter, James A.	Steamboat Rock	36	Grain Elevator and Farm Supplier	33	Hardin, Franklin, Grundy	None
Reichardt, William J.	Des Moines	36	Retail Clothing	20	Polk	61
*Reno, Max E.	Bonaparte	40	Insurance, Auctioneer	2	Davis, Jefferson, Van Buren	61
*Reppert, Howard C., Jr.	Des Moines	48	Businessman	20	Polk	56, 57, 58, 60, 60X, 61
Rigler, Robert R.	New Hampton	43	Banker	40	Bremer, Chickasaw, Howard	56, 57, 58, 59, 60, 60X, 61
Riley, Tom	Cedar Rapids	37	Lawyer	24	Linn	59, 60, 60X, 61
Schaben, James F.	Dunlap	40	Livestock Auct. Market	22	Harrison, Shelby, Monona	None
Shaff, Roger J.	Camanche	56	Farmer and Banker	16	Clinton	None
*Shirley, Alan	Perry	29	Lawyer	21	Audubon, Dallas, Guthrie	61
Stanley, David	Muscatine	38	Lawyer	14	Cedar, Muscatine	58, 59, 60, 60X, 61
Stephens, Richard L.	Crawfordsville	62	Farmer, Livestock Producer	8	Henry, Louisa, Washington	57, 58, 59, 60, 60X, 61
†Van Eaton, Charles S.	Sioux City	77	Semiretired	37	Woodbury	51, 52, 52X, 53, 54, 55, 56, 59, 60, 60X
*Van Gilst, Bass	Oskaloosa	55	Farmer	10	Keokuk, Mahaska	61
Walsh, John M.	Dubuque	26	Department Store Mgr.	30	Dubuque	None

*Holdover Senators in the Sixty-second General Assembly.

†Elected for a term of two years in 1966.

‡Elected to fill a vacancy of a holdover Senator.

REPRESENTATIVES IN GENERAL ASSEMBLY

NAME	Address	Age	Occupation	County	Former Legislative Service
Allen, Laurence E.	Council Bluffs	36	Heating Contractor	Pottawattamie	None
Andersen, Leonard C.	Sioux City	55	Real Estate and Insurance	Woodbury	59, 60, 60X
Bailey, Ray V.	Clarion	53	Lawyer-Property Manager	Wright	61
Baker, Donald E.	Boone	36	Electronics Technician	Boone	61
Baringer, Maurice E.	Oelwein	45	Animal Nutritionist	Fayette	59, 60, 60X, 61

REPRESENTATIVES IN GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	County	Former Legislative Service
Battles, Lynn, Sr.	Maquoketa	56	Farmer, Cattleman	Jackson	None
Beardsley, Harry W.	West Des Moines	46	Insurance Executive	Polk	None
Bennett, Vernon N.	Des Moines	30	Business Representative for Union	Polk	None
Bergman, Irvin L.	Harris	56	Farmer	Lyon, Osceola	None
Bowin, Donald A.	Waterloo	37	Theater Manager	Black Hawk	None
Breitbach, Alfred P., Sr.	Farley	69	Retired Dairy Supervisor	Dubuque	60, 60X, 61
Busch, Henry W.	Waverly	46	Farmer, Realtor	Bremer	60, 60X, 61
Caffrey, James T.	Des Moines	57	Production Worker	Polk	61
Camp, John	Bryant	51	Farm Management	Clinton	58, 59, 60, 60X
Carnahan, Cleve L.	Ottumwa	71	Retired	Wapello	59, 60, 60X, 61
Christensen, Perry L.	Kent	34	Farmer	Clarke, Union	None
Clark, Russell D.	Denison	51	Elevator Owner	Crawford	None
Cochran, Dale M.	Eagle Grove	38	Farmer, Businessman	Webster	61
Coffman, William J.	North English	48	Insurance	Iowa	57, 58, 59, 60, 60X, 61
Conklin, W. Charlene	Waterloo	37	Housewife	Black Hawk	None
Cunningham, Ray C.	Ames	73	Retired (YMCA)	Story	57, 58, 59, 60, 60X
Curran, Leigh R.	Mason City	60	Farmer, Bank Director	Cerro Gordo	59, 60, 60X
Darrington, William E.	Persia	62	Farmer	Harrison	54, 55, 56, 57, 58, 59, 60, 60X
DenHerder, Elmer H.	Sioux Center	58	Farmer	Sioux	57, 58, 59, 60, 60X, 61
Diehl, Robert H.	Albert City	43	Lawyer	Buena Vista	None
Distelhorst, Milton	Burlington	45	Farm Owner-Operator	Des Moines	61
Doderer, Minnette Frerichs	Iowa City	43	Politician	Johnson	60X, 61
Duffy, John L.	Dubuque	66	Lawyer	Dubuque	52, 52X, 53, 56, 57, 58, 59, 60, 60X, 61
Dunton, Keith H.	Thornburg	51	Farmer, Businessman	Keokuk	58, 59, 60, 60X, 61
Edgington, Floyd P., Sr.	Sheffield	68	Retired Farmer	Franklin	55, 56, 57, 58, 59, 60, 60X, 61
Fischer, Harold O.	Wellsburg	49	Insurance, Realtor	Grundy	58, 59, 60, 60X, 61
Fisher, C. Raymond	Grand Junction	59	Farmer	Greene	58, 59, 60, 60X, 61
Franklin, A. June	Des Moines	36	Real Estate, Insurance	Polk	None
Freeman, Lester M.	Spirit Lake	56	Resort Operator	Clay, Dickinson	None
Fullerton, Bert	Correctionville	64	Farmer	Woodbury	None
Gallagher, James V.	Waterloo	33	Telephone Co.	Black Hawk	61
Gannon, William J.	Mingo	29	Farmer	Jasper	61
Gittins, Harry R.	Council Bluffs	56	Director of County Institutional Affairs	Pottawattamie	59, 60, 60X
Glenn, Charles F.	West Des Moines	32	Lawyer	Polk	None
Graham, J. Wesley	Ida Grove	64	Farm Manager	Sac, Ida	59, 60, 60X, 61
Grassley, Charles E.	New Hartford	33	Farmer	Butler	58, 59, 60, 60X, 61
Hanson, Fred B.	Osage	78	Secretary-Manager County Fair	Howard, Mitchell	59, 60, 60X
Hanson, Harley	Vinton	50	Farmer	Benton	None
Harbor, William H.	Henderson	46	Grain Elevator Owner	Fremont, Mills	56, 57, 58
Hicklin, Edwin A.	Wapello	44	Lawyer	Louisa, Muscatine	None
Hill, William	Marshalltown	36	Lawyer, Pastor	Marshall	None
Holden, Edgar H.	Davenport	53	Business Executive	Scott	None

REPRESENTATIVES IN GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	County	Former Legislative Service
Hullinger, Arlo	Leon	45	Farmer	Decatur, Wayne	61
Johnson, Harvey W.	Exira	62	Farmer	Audubon, Guthrie	56, 58, 60, 60X
Johnston, Dan	Des Moines	28	Lawyer	Polk	None
Kiilsholm, Karl E.	Algona	42	Farmer	Kossuth	None
King, J. E.	Albia	66	Banker	Monroe, Lucas	None
Kitner, Art	Independence	47	Farmer	Buchanan	None
Klein, James T.	Lake Mills	29	Planning Analyst	Winnebago, Worth	None
Kluever, Lester L.	Atlantic	46	Lawyer	Cass	57, 58, 59, 60, 60X, 61
Knight, Harold L.	Humboldt	55	Consultant	Humboldt, Pocahontas	None
Koch, Edgar J.	Sioux City	41	Insurance, Realtor	Woodbury	None
Langland, Walter V.	Spring Grove, Minnesota	39	Dairy Farmer	Winneshiek	None
Lee, Richard E.	Webster City	40	Lawyer	Hamilton	None
Lipsky, Joan	Cedar Rapids	47	Housewife	Linn	None
Maloney, James E.	Bondurant	28	Insurance Agent	Polk	None
Mayberry, Darwin V.	Fort Dodge	50	Poultry Processor	Webster	61
McCartney, Ralph F.	Charles City	42	Lawyer	Floyd	None
McCray, Paul B.	Davenport	56	Insurance Agent	Scott	None
McIntyre, Scott, Jr.	Cedar Rapids	33	Insurance Executive	Linn	None
McNamara, Walter L.	Cedar Rapids	34	Lawyer	Linn	61
Mensing, A. L.	Lowden	70	Retired	Cedar	54, 55, 56, 57, 58, 59, 60, 60X
Middleswart, James I.	Indianola	54	Farmer	Warren	None
Millen, Floyd H.	Farmington	47	President Gravel Co.	Jefferson, Van Buren	60, 60X, 61
Miller, Charles P.	Burlington	48	Chiropractor	Des Moines	60, 60X, 61
Miller, Leroy S.	Shenandoah	52	Realtor	Page	60, 60X, 61
†Miller, Raymond J.	Dubuque	49	Farmer	Dubuque	None
Miller, Roy A.	Monticello	63	Farm Manager	Jones	60, 60X
Moffitt, Delmont	Mystic	55	Farmer	Appanoose, Davis	59, 60, 60X
Mohrfeld, Fred	Toledo	55	Retired	Tama	None
Mowry, John L.	Marshalltown	61	Lawyer	Marshall	57, 58, 59, 60, 60X
Nelson, Harold V.	Aurelia	67	Farmer	Cherokee	61
Nielsen, Alfred	Defiance	65	Farmer	Shelby	60, 60X, 61
Nolin, Karl	Ralston	59	Manager Farmer Co-op. Assn.	Carroll	None
O'Malley, Bernard J.	Des Moines	29	Lawyer	Polk	61
Ossian, Conrad	Red Oak	66	Businessman, Farmer	Adams, Montgomery	57, 58, 59, 60, 60X, 61
Palmer, William D.	Des Moines	32	Insurance Asst. District Manager	Polk	61
Patton, James E.	Manchester	71	Farm Manager	Delaware	58, 59, 60, 60X, 61
Pelton, Charles H.	Clinton	26	Lawyer	Clinton	None
Petersen, Leroy H.	Grimes	51	Farmer	Dallas	59, 60, 60X
Peterson, Louis A.	Lawton	57	Farmer	Woodbury	59, 60, 60X
Pierson, George N.	Oskaloosa	62	Farmer, Businessman	Mahaska	None
Poncy, Charles N.	Ottumwa	44	School Maintenance	Wapello	None
Radl, Richard M.	Lisbon	54	Mechanical Engineer	Linn	61
Redfern, Carroll I.	Donnellson	61	Real Estate, Accountant	Lee	61
†Reed, Cecil A.	Cedar Rapids	53	Floor Sanding Contractor	Linn	None

REPRESENTATIVES IN GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	County	Former Legislative Service
Renda, Thomas A.	Des Moines	29	Lawyer	Polk	61
Roe, Thomas S.	Waukon	50	Salesman	Allamakee	61
Roorda, Norman	Monroe	38	Farmer	Jasper	None
Sanders, Leo I.	Estherville	72	Circulation Manager, Newspaper	Emmet, Palo Alto	None
Schmarje, Clarence F.	Muscatine	55	Manufacturer	Louisa, Muscatine	None
Schroeder, Laverne W.	McClelland	33	Farmer	Pottawattamie	None
Shaw, Elizabeth	Davenport	43	Lawyer-Housewife	Scott	None
Shepherd, Stanley T.	Farmington	63	Retired Executive	Lee	None
Smith, Marvin W.	Paullina	65	Retired Farmer, Teacher	O'Brien	57, 58, 59, 60, 60X, 61
Sorg, N. F.	Marion	57	Pharmacist	Linn	None
Steffen, Vincent B.	New Hampton	38	Manufacturing	Chickasaw	60, 60X, 61
Stokes, Gordon	LeMars	68	Farmer	Plymouth	59, 60, 60X, 61
Story, Melvin E.	Waterloo	60	Retired	Black Hawk	None
Strand, Clair	Grinnell	57	Retired Grocer	Poweshiek	None
Stromer, Delwyn D.	Garner	36	Farmer	Hancock	None
Strothman, Charles F.	New London	65	Farmer	Henry	60, 60X, 61
Sullivan, Charles K.	Sioux City	58	Sales Executive	Woodbury	None
Tapscott, John	Des Moines	36	Advertising Director	Polk	None
Thordsen, Harold A.	Davenport	58	Realtor	Scott	None
Tieden, Dale L.	Garnavillo	44	Business Manager	Clayton	61
*Utzig, Arnold	Dubuque	73	Retired	Dubuque	50, 50X, 51, 52, 52X, 53, 54, 55, 56, 57, 61
Van Drie, Rudy	Ames	35	Shopper Publisher	Story	None
Van Nostrand, Maurice	Avoca	41	Editor, Grain Dealer	Pottawattamie	60, 60X
Van Roekel, Gerrit	Pella	67	Retired	Marion	None
Varley, Andrew	Stuart	32	Farmer	Adair, Madison	None
Vetter, Keith L.	Washington	48	Water Conditioner Dealer	Washington	60, 60X
Voorhees, Donald E.	Waterloo	36	Medical Representative	Black Hawk	None
Watson, E. M.	Diagonal	54	Banker	Ringgold, Taylor	None
Waugh, Jewell	Whiting	56	Agriculture	Monona	None
Welden, Richard W.	Iowa Falls	58	Contractor	Hardin	None
Winkelman, William P.	Lohrville	33	Farmer, Businessman	Calhoun	60, 60X, 61
Wolfe, Harold E.	Clear Lake	66	Retired Police Chief	Cerro Gordo	None
Wood, Warren K.	Davenport	34	Lawyer	Scott	None
Yoder, Earl M.	Iowa City	39	General Contractor	Johnson	None

*Deceased.

†Elected to fill vacancy.

‡Resigned.

CONDITION OF STATE TREASURY

Receipts, Disbursements and Balances in the Several Funds For Each Year of the Biennial Period Ending June 30, 1966

Fiscal Year Ending June 30, 1965

	Balance June 30, 1964	Total Receipts and Transfers	Total Available	Total Warrants Redeemed Treasurer's Checks Issued and Transfers	Balance June 30, 1965
General Revenue	\$ 53,036,819.07	\$214,357,546.43	\$ 267,394,365.50	\$159,704,832.23	\$ 56,524,636.57
Transfers				51,164,896.70	
Trust Funds	64,796,766.66	153,174,905.03	278,404,576.68	202,477,275.36	75,927,301.32
Transfers		60,432,904.99			
Special Funds (Comptroller Warrants)	202,373,185.72	274,397,030.39	476,770,216.11	248,667,266.51	218,334,941.31
Transfers				9,268,008.29	
Special Funds (Treasurer's Checks)	11,739,204.75	9,171,905.44	20,911,110.19	7,159,057.18	13,752,053.01
Transfers					
TOTAL	\$331,945,976.20	\$711,534,292.28	\$1,043,480,268.48	\$678,441,336.27	\$365,038,932.21

Balance July 1, 1964	\$ 331,945,976.20
Receipts and Transfers	711,534,292.28
Total	\$1,043,480,268.48
Disbursements and Transfers	678,441,336.27
Balance June 30, 1965	\$ 365,038,932.21

Fiscal Year Ending June 30, 1966

	Balance June 30, 1965	Total Receipts and Transfers	Total Available	Total Warrants Redeemed Treasurer's Checks Issued and Transfers	Balance June 30, 1966
General Revenue	\$ 56,524,636.57	\$295,387,051.99	\$ 351,911,688.56	\$188,121,705.78	\$106,381,934.74
Transfers				57,407,998.04	
Trust Funds	75,927,301.32	170,382,384.74	323,199,099.78	227,233,262.64	95,965,837.14
Transfers		76,889,413.72			
Special Funds (Comptroller Warrants)	218,834,941.31	322,816,528.01	541,651,469.32	271,566,267.25	250,603,786.39
Transfers				19,481,415.68	
Special Funds (Treasurer's Checks)	13,752,053.01	6,023,968.13	19,776,021.14	7,638,498.06	12,137,523.08
Transfers					
TOTAL	\$365,038,932.21	\$871,499,346.59	\$1,236,538,278.80	\$771,449,147.45	\$465,089,131.35

Balance July 1, 1965	\$ 365,038,932.21
Receipts and Transfers	871,499,346.59
Total	\$1,236,538,278.80
Disbursements and Transfers	771,449,147.45
Balance June 30, 1966	\$ 465,089,131.35

APPROPRIATIONS TO STATE DEPARTMENTS

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

DEPARTMENT	SECTION	DEPARTMENT	SECTION
Aging, Commission on	1	Library, Law	28
Agriculture Department	2	Library, Medical	29
Alcoholism Commission	3	Library, Traveling	30
Archeologist	4	Lieutenant Governor	17
Attorney General	50	Liquor Control Commission	31, 46
Auditor of State	5	Merit Employment Department	32
Blind, Commission for	56	Mines and Minerals	33
Car Dispatcher	63	Mississippi River Parkway Commission	34
Civil Defense Administration	6	National Guard and State Guard	39
Civil Rights Commission	7	Natural Resources Council	60
Code Editor	54	Parole, Board of	35
Commerce Commission	8, 45	Pharmacy Examiners	47
Comptroller	9	Pioneer Lawmakers	36
District Court Judges	51	Printing Board	37
Economic Opportunity	12	Public Buildings and Grounds, Superintendent of	38
Employment Security Commission	13	Public Defense Department	39
Executive Council	14	Public Instruction, Department of	40, 57
Fair Board	15	Public Safety, Department of	55
Geological Survey	59	Real Estate Commission	48
Governments Council	10	Reciprocity Board	49
Governor	16	Secretary of State	41
Handicapped Employment	18	Soil Conservation	61
Health Department	19, 20	Soldiers' Bonus Board	58
Higher Education Facilities Commission	21	Spanish-American War Veterans	42
Historical Society	22	Supreme Court	52
History and Archives	23	Supreme Court, Clerk of	53
Hoover Birthplace Foundation	24	Supreme Court, Reporter of	54
Industrial Commissioner	25	Tax Commission	43
Insurance Department	26	Treasurer of State	44
Iowa Development Commission	11	War Orphans' Aid	58
Labor, Bureau of	27		

LAWS

OF THE

Sixty-second 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 SECOND DAY OF JULY, A. D. 1967, IN THE
ONE HUNDRED TWENTY-FIRST YEAR OF THE STATE.

APPROPRIATIONS

For additional appropriations, see chapters
88, 97, 112, 113, 121, 162, 171,
233, 244, 250, 251, 356.

CHAPTER 1

DEPARTMENTAL APPROPRIATIONS

S. F. 853

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1967 and ending June 30, 1969, funds for various departments and various divisions thereof of the state of Iowa, for the purposes provided by law, and relating to the judicial and peace officers' retirement systems and to salaries of various statutory positions, and to amend various sections of the Code relating to departments receiving appropriations under this Act.

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

ADMINISTRATION AND SERVICE DEPARTMENTS

AGING, COMMISSION ON

1	SECTION 1. For the commission on aging there is hereby appropri-	
2	ated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1967 and ending June 30, 1969 the sum of twenty-	
4	five thousand (25,000) dollars, or so much thereof as may be neces-	
5	sary, to be used in the following manner:	
6	For salary of executive secretary	\$ 11,000.00
7	For other salaries	1,530.00

8	For support, maintenance, and miscellaneous pur-	
9	poses	\$ 12,470.00
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the commission on aging..	\$ 25,000.00

AGRICULTURE, DEPARTMENT OF

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 bien-	
3	niun beginning July 1, 1967 and ending June 30, 1969 the sum of one	
4	million six hundred fifty-nine thousand nine hundred sixty (1,659,960)	
5	dollars, or so much thereof as may be necessary, to be used in the fol-	
6	lowing manner:	
7	1. GENERAL ADMINISTRATION	
8	Main office, plant pest control, crop pest control, egg inspection,	
9	poultry association—short courses and achievement shows, vegetable	
10	growers association, weather bureau, dairy specialists and bacteriolo-	
11	gists, entomology, hatchery inspection, restaurant and hotel inspec-	
12	tion, disposal of dead animals, motor fuel chemists and fertilizer law:	
13	For salary of secretary of agriculture	\$ 16,000.00
14	For other salaries	535,300.00
15	[Section sixty-six (66) of this Act shall not apply to	
16	the position of marketing director]	
17	For support, maintenance, and miscellaneous pur-	
18	poses	220,000.00
19	For plant pest control	25,000.00
20	Total for general administration	\$ 796,300.00
21	2. ANIMAL HEALTH AND VETERINARY	
22	For salary of chief of animal health	\$ 12,000.00
23	For other salaries	232,100.00
24	For control or eradication of contagious and infec-	
25	tious livestock diseases, including Bang's disease, travel-	
26	ing expenses, assistant state veterinarians (per diem	
27	and expenses), indemnities, veterinary examiners, and	
28	miscellaneous purposes including a brucellosis program	86,950.00
29	Total for animal health and veterinary	\$ 331,050.00
30	3. MEAT AND POULTRY INSPECTION	
31	For salaries	\$ 148,570.00
32	For support, maintenance, and miscellaneous pur-	
33	poses	122,000.00
34	Total for meat and poultry inspection	\$ 270,570.00
35	4. AGRICULTURE MARKETING DIVISION	
36	For salaries	\$ 65,750.00
37	For support, maintenance, and miscellaneous pur-	
38	poses	35,400.00
39	Total for agriculture marketing division	\$ 101,150.00
40	5. AGRICULTURAL STATISTICS	
41	For state aid	\$ 37,020.00

CH. 1] LAWS OF THE SIXTY-SECOND GENERAL ASSEMBLY

42	6. BEE INSPECTION		
43	For state aid	\$	22,770.00
44	7. BEEF PRODUCERS' ASSOCIATION		
45	For state aid	\$	20,000.00
46	8. CROP IMPROVEMENT		
47	For state aid	\$	3,500.00
48	9. DAIRY ASSOCIATION		
49	For state aid	\$	20,000.00
50	10. DAIRY CALF CLUB		
51	For state aid	\$	2,000.00
52	11. HORTICULTURAL SOCIETIES		
53	For state aid	\$	16,500.00
54	12. IOWA SHEEP ASSOCIATION		
55	For state aid	\$	14,500.00
56	13. MARKET NEWS (POULTRY)		
57	For state aid	\$	4,600.00
58	14. SWINE BREEDERS' ASSOCIATION		
59	For state aid	\$	20,000.00
60	Grand total of all appropriations for all purposes for		
61	each year of the biennium for the department of agri-		
62	culture	\$	1,659,960.00

ALCOHOLISM, COMMISSION ON

1	SEC. 3. For the commission on alcoholism there is hereby appro-		
2	priated from the general fund of the state for each year of the bien-		
3	niennium beginning July 1, 1967 and ending June 30, 1969 the sum of		
4	thirty-five thousand one hundred forty (35,140) dollars, or so much		
5	thereof as may be necessary, to be used in the following manner:		
6	For salary of director	\$	9,700.00
7	For other salaries		13,990.00
8	For support, maintenance, and miscellaneous pur-		
9	poses		11,450.00
10	Grand total of all appropriations for all purposes for		
11	each year of the biennium for the office of the commis-		
12	sion on alcoholism	\$	35,140.00

ARCHEOLOGIST, STATE

1	SEC. 4. For the state archeologist there is hereby appropriated		
2	from the general fund of the state for each year of the biennium be-		
3	ginning July 1, 1967 and ending June 30, 1969 the sum of twenty-one		
4	thousand one hundred forty (21,140) dollars, or so much thereof as		
5	may be necessary, to be used in the following manner:		
6	For salaries, support, maintenance, and miscellaneous		
7	purposes	\$	21,140.00
8	Grand total of all appropriations for all purposes for		
9	each year of the biennium for the state archeologist.....	\$	21,140.00

AUDITOR OF STATE

1	SEC. 5. For the office of auditor of state there is hereby appropri-	
2	ated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1967 and ending June 30, 1969 the sum of five hun-	
4	dred ninety-five thousand six hundred eighty-five (595,685) dollars,	
5	or so much thereof as may be necessary, to be used in the following	
6	manner:	
7	1. GENERAL OFFICE	
8	For salary of state auditor	\$ 16,000.00
9	For other salaries	447,130.00
10	For support, maintenance, and miscellaneous pur-	
11	poses	108,225.00
		<hr/>
12	Total for general office	\$ 571,355.00
13	2. SAVINGS AND LOAN DIVISION	
14	For salaries	\$ 17,080.00
15	For support, maintenance, and miscellaneous pur-	
16	poses	7,250.00
		<hr/>
17	Total for savings and loan division	\$ 24,330.00
		<hr/>
18	Grand total of all appropriations for all purposes for	
19	each year of the biennium for the office of auditor of	
20	state	\$ 595,685.00

CIVIL DEFENSE DIVISION,
DEPARTMENT OF PUBLIC DEFENSE

1	SEC. 6. For the civil defense division, department of public de-	
2	fense, there is hereby appropriated from the general fund of the state	
3	for each year of the biennium beginning July 1, 1967 and ending June	
4	30, 1969 the sum of sixty-six thousand four hundred ninety (66,490)	
5	dollars, or so much thereof as may be necessary, to be used in the fol-	
6	lowing manner:	
7	For salary of director	\$ 10,500.00
8	For other salaries	40,990.00
9	For support, maintenance, and miscellaneous pur-	
10	poses	15,000.00
		<hr/>
11	Grand total of all appropriations for all purposes for	
12	each year of the biennium for the civil defense division,	
13	department of public defense	\$ 66,490.00

CIVIL RIGHTS COMMISSION, IOWA

1	SEC. 7. For the Iowa civil rights commission there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1967 and ending June 30, 1969 the sum of	
4	eighty-five thousand (85,000) dollars, or so much thereof as may be	
5	necessary, to be used in the following manner:	
6	For salaries	\$ 64,500.00

7	For support, maintenance, and miscellaneous pur-	
8	poses	\$ 20,500.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the Iowa civil rights com-	
11	mission	\$ 85,000.00
12	Section one hundred five A point five (105A.5), Code 1966, is hereby	
13	amended by adding thereto the following:	
14	"10. To receive, administer, dispense and account for any funds that	
15	may be voluntarily contributed to the commission and any grants that	
16	may be awarded the commission for furthering the purposes of this	
17	Act with the approval of the executive council."	

COMMERCE COMMISSION, IOWA STATE

1	SEC. 8. For the department of the commerce commission there is	
2	hereby appropriated from the general fund of the state for each year	
3	of the biennium beginning July 1, 1967 and ending June 30, 1969 the	
4	sum of two hundred twelve thousand one hundred twenty (212,120)	
5	dollars, or so much thereof as may be necessary, to be used in the fol-	
6	lowing manner:	
7	GENERAL ADMINISTRATION	
8	For salaries of commissioners [three (3) at thirteen	
9	thousand (13,000) dollars each]	\$ 39,000.00
10	For salary of secretary	12,000.00
11	For other salaries	125,440.00
12	[Section sixty-six (66) of this Act shall not apply to	
13	one (1) each of the following positions in the utilities	
14	division: engineer VIII, engineer IX, chief accountant,	
15	rate and tariff analyst, and superintendent]	
16	For support, maintenance, and miscellaneous pur-	
17	poses	35,680.00
18	Grand total of all appropriations for all purposes for	
19	each year of the biennium for the division of the depart-	
20	ment of the commerce commission provided by this sec-	
21	tion	\$ 212,120.00

COMPTROLLER, OFFICE OF STATE

1	SEC. 9. For the office of state comptroller there is hereby appro-	
2	priated from the general fund of the state for each year of the bien-	
3	niium beginning July 1, 1967 and ending June 30, 1969 the sum of one	
4	million one hundred ninety-two thousand four hundred seventy-five	
5	(1,192,475) dollars, or so much thereof as may be necessary, to be	
6	used in the following manner:	
7	1. GENERAL OFFICE	
8	For salary of state comptroller	\$ 20,000.00
9	For other salaries	254,370.00
10	For support, maintenance, and miscellaneous pur-	
11	poses	37,000.00
12	Total for general office	\$ 311,370.00

13	2. DATA PROCESSING	
14	For salaries	\$ 489,490.00
15	For support, maintenance, and miscellaneous pur-	
16	poses	391,615.00
17	Total for data processing	\$ 881,105.00
18	Grand total of all appropriations for all purposes for	
19	each year of the biennium for the office of state comp-	
20	troller	\$ 1,192,475.00

COUNCIL OF STATE GOVERNMENTS

1	SEC. 10. For the council of state governments there is hereby ap-	
2	propriated from the general fund of the state for each year of the bi-	
3	ennium beginning July 1, 1967 and ending June 30, 1969 the sum of	
4	twelve thousand five hundred (12,500) dollars, or so much thereof as	
5	may be necessary, to be used in the following manner:	
6	For support of the council of state governments	\$ 12,500.00
7	Grand total of all appropriations for all purposes for	
8	each year of the biennium for the council of state gov-	
9	ernments	\$ 12,500.00

DEVELOPMENT COMMISSION, THE IOWA

1	SEC. 11. For the Iowa development commission there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1967 and ending June 30, 1969 the sum of	
4	eight hundred twenty-five thousand (825,000) dollars, or so much	
5	thereof as may be necessary, to be used in the following manner:	
6	For salaries	\$ 318,300.00
7	[The commission shall appoint a director at a salary	
8	not to exceed twenty thousand (20,000) dollars.]	
9	For support, maintenance, and miscellaneous pur-	
10	poses	381,700.00
11	For agricultural product promotion	100,000.00
12	For municipal planning assistance	25,000.00
13	Any balance of the appropriations for municipal plan-	
14	ning assistance and agricultural product promotion re-	
15	maining at the end of the ensuing biennium shall not	
16	revert to the general fund as provided by chapter eight	
17	(8), Code 1966, but shall be extended to June 30, 1971.	
18	Grand total of all appropriations for all purposes for	
19	each year of the biennium for the Iowa development	
20	commission	\$ 825,000.00

ECONOMIC OPPORTUNITY, OFFICE OF

1	SEC. 12. For the office of economic opportunity there is hereby	
2	appropriated from the general fund of the state for each year of the	

3	biennium beginning July 1, 1967 and ending June 30, 1969 the sum of	
4	twenty-five thousand one hundred thirty (25,130) dollars, or so much	
5	thereof as may be necessary, to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous	
7	purposes (to match to the extent required, the federal	
8	funds to be expended by the United States treasury, for	
9	the Economic Opportunity Act of 1964 and all amend-	
10	ments thereto)	\$ 25,130.00
11	Grand total of all appropriations for all purposes for	
12	each year of the biennium for the office of economic	
13	opportunity	\$ 25,130.00

EMPLOYMENT SECURITY COMMISSION

1	SEC. 13. For the Iowa employment security commission for the	
2	administration of chapters ninety-seven (97) and ninety-seven C	
3	(97C) and section two hundred ninety-four point fifteen (294.15) of	
4	the Code, there is hereby appropriated from the general fund of the	
5	state of Iowa for each year of the biennium beginning July 1, 1967 and	
6	ending June 30, 1969 the sum of ninety-two thousand five hundred	
7	sixty-eight (92,568) dollars, or so much thereof as may be necessary,	
8	to be used in the following manner:	
9	For salaries, support, maintenance, and miscellaneous	
10	purposes for the administration of chapters ninety-	
11	seven (97) and ninety-seven C (97C) and section two	
12	hundred ninety-four point fifteen (294.15) of the Code..\$	92,568.00

13	The salary for two (2) members of the Iowa employ-	
14	ment security commission shall be thirteen thousand	
15	(13,000) dollars and the salary of one (1) member shall	
16	be twelve thousand (12,000) dollars for each year of the	
17	biennium beginning July 1, 1967 and ending June 30,	
18	1969, and of this amount two thousand five hundred	
19	(2,500) dollars shall be compensation for administer-	
20	ing chapter ninety-seven B (97B) of the Iowa statutes,	
21	and such sums shall be in full compensation for all serv-	
22	ices, and provisions made in any other Act or statutes	
23	for compensation of the members of the Iowa employ-	
24	ment security commission shall be ineffective and void.	
25	Grand total of all appropriations for all purposes for	
26	each year of the biennium for the Iowa employment	
27	security commission	\$ 92,568.00

EXECUTIVE COUNCIL

1	SEC. 14. For the office of the executive council there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1967 and ending June 30, 1969 the sum of	
4	six hundred ninety-three thousand one hundred (693,100) dollars, or	
5	so much thereof as may be necessary, to be used in the following	
6	manner:	
7	For salary of secretary	\$ 12,500.00

8	For other salaries	\$ 299,950.00
9	For support, maintenance, and miscellaneous pur-	
10	poses	380,650.00
11	Grand total of all appropriations for all purposes for	
12	each year of the biennium for the office of the executive	
13	council	\$ 693,100.00

FAIR BOARD, IOWA STATE

1 SEC. 15. For the state fair board there is hereby appropriated
 2 from the general fund of the state for each year of the biennium be-
 3 ginning July 1, 1967 and ending June 30, 1969 the sum of two hundred
 4 eighty thousand (280,000) dollars, or so much thereof as may be neces-
 5 sary, to be used in the following manner:

6	1. FAIR BOARD, IOWA STATE	
7	The salary of the secretary of the state fair board	
8	shall be twelve thousand five hundred (12,500) dollars	
9	per annum to be paid out of the fund of the state fair	
10	board.	
11	For maintenance, insurance, and operating expenses..\$	60,000.00
12	For premiums	10,000.00
13	Total for maintenance, insurance, operating expenses,	
14	and premiums	\$ 70,000.00
15	2. AGRICULTURAL SOCIETIES (LOCAL FAIRS)	
16	For state aid to agricultural societies	\$ 210,000.00

17 The appropriations for state aid to agricultural soci-
 18 eties shall be deemed conditional on full compliance with
 19 all other statutes which regulate and prescribe the con-
 20 ditions under which such aid is payable. In no case shall
 21 any county receive more than two thousand one hundred
 22 (2,100) dollars, except that in a county where there are
 23 two (2) definitely separate county extension offices, each
 24 such society shall receive state aid in such amount as it
 25 would be entitled to if it were the only society in the
 26 county. In counties having more than one (1) fair en-
 27 titled to state aid, the state aid available for the county
 28 shall be prorated to said fairs on the basis of cash pre-
 29 miums paid by said fairs.

30	Total for state aid to agricultural societies	\$ 210,000.00
31	Grand total of all appropriations for all purposes ex-	
32	cept capital for each year of the biennium for the state	
33	fair board	\$ 280,000.00

GOVERNOR

1 SEC. 16. 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, 1967 and ending June 30, 1969 the sum of three hun-
 4 dred six thousand five hundred twenty-five (306,525) dollars, or so

CH. 1] LAWS OF THE SIXTY-SECOND GENERAL ASSEMBLY

5	much thereof as may be necessary, to be used in the following manner:	
6	1. GENERAL OFFICE	
7	For salary of the governor	\$ 30,000.00
8	For other salaries	157,000.00
9	For governor's expenses incurred by him in connec-	
10	tion with the duties of governor	5,000.00
11	For support, maintenance, and miscellaneous pur-	
12	poses	44,525.00
		<hr/>
13	Total for general office	\$ 236,525.00
14	2. STATE PLANNING	
15	For salaries, support, maintenance, and miscellaneous	
16	purposes	\$ 70,000.00
		<hr/>
17	Total for state planning	\$ 70,000.00
		<hr/>
18	Grand total of all appropriations for all purposes for	
19	each year of the biennium for the office of the governor.	\$ 306,525.00

LIEUTENANT GOVERNOR

1	SEC. 17. For the office of the lieutenant governor there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1967 and ending June 30, 1969 the sum of	
4	seven thousand (7,000) dollars, or so much thereof as may be neces-	
5	sary, to be used in the following manner:	
6	For the lieutenant governor's per diem and expenses	
7	incurred by him while performing the duties of lieuten-	
8	ant governor including travel, postage, and secretarial	
9	or clerical assistance. The lieutenant governor shall re-	
10	ceive eighty (80.00) dollars per diem.....	\$ 7,000.00
		<hr/>
11	Grand total of all appropriations for all purposes for	
12	each year of the biennium for the office of lieutenant	
13	governor	\$ 7,000.00

HANDICAPPED, COMMISSION ON EMPLOYMENT OF

1	SEC. 18. For the commission on employment of the handicapped	
2	there is hereby appropriated from the general fund of the state for	
3	each year of the biennium beginning July 1, 1967 and ending June 30,	
4	1969 the sum of thirty-six thousand two hundred ninety (36,290) dol-	
5	lars, or so much thereof as may be necessary, to be used in the follow-	
6	ing manner:	
7	For salaries	\$ 26,890.00
8	For support, maintenance, and miscellaneous pur-	
9	poses	\$ 9,400.00
		<hr/>
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the commission on em-	
12	ployment of the handicapped	\$ 36,290.00

HEALTH, STATE DEPARTMENT OF

1	SEC. 19. For the department of health there is hereby appropri-	
2	ated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1967 and ending June 30, 1969 the sum of five hun-	
4	dred sixteen thousand three hundred sixty-five (516,365) dollars, or so	
5	much thereof as may be necessary, to be used in the following manner:	
6	1. CENTRAL ADMINISTRATIVE DIVISION	
7	For salary of commissioner	\$ 22,500.00
8	For other salaries	94,900.00
9	For support, maintenance, and miscellaneous pur-	
10	poses	69,855.00
		<hr/>
11	Total for central administrative division	\$ 187,255.00
12	2. LICENSING AND CERTIFICATION DIVISION	
13	(Including barbers', chiropractic, cosmetology, dental,	
14	embalmers', optometry and podiatry examining boards)	
15	For salaries	\$ 91,890.00
16	For support, maintenance, and miscellaneous pur-	
17	poses	44,650.00
		<hr/>
18	Total for licensing and certification division	\$ 136,540.00
19	3. RECORDS AND STATISTICS DIVISION	
20	For salaries	\$ 158,290.00
21	For support, maintenance, and miscellaneous pur-	
22	poses	27,400.00
		<hr/>
23	Total for records and statistics division	\$ 185,690.00
24	4. EUGENICS BOARD	
25	For salaries	\$ 6,680.00
26	For support, maintenance, and miscellaneous pur-	
27	poses	200.00
		<hr/>
28	Total for eugenics board	\$ 6,880.00
		<hr/>
29	Grand total of all appropriations for all purposes	
30	other than capital for each year of the biennium for the	
31	administrative division of the department of health pro-	
32	vided by this section	\$ 516,365.00

HEALTH, STATE DEPARTMENT OF

1	SEC. 20. For the department of health there is hereby appropri-	
2	ated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1967 and ending June 30, 1969 the sum of nine hun-	
4	dred seven thousand one hundred sixty-five (907,165) dollars, or so	
5	much thereof as may be necessary, to be used in the following manner:	
6	1. CHRONIC ILLNESS AND AGING SERVICE	
7	For salaries	\$ 28,720.00
8	For support, maintenance, and miscellaneous pur-	
9	poses	850.00
		<hr/>
10	Total for chronic illness and aging service	\$ 29,570.00

CH. 1] LAWS OF THE SIXTY-SECOND GENERAL ASSEMBLY

11	2. COMMUNITY HEALTH SERVICE		
12	For salaries	\$	150,420.00
13	For support, maintenance, and miscellaneous pur-		
14	poses		26,100.00
15	Total for community health service	\$	176,520.00
16	3. ENVIRONMENTAL ENGINEERING SERVICE (including		
17	water pollution commission)		
18	For salaries	\$	245,460.00
19	For support, maintenance, and miscellaneous pur-		
20	poses		23,400.00
21	Total for environmental engineering service	\$	268,860.00
22	4. GENERAL HEALTH SERVICE		
23	For salaries	\$	87,870.00
24	For support, maintenance, and miscellaneous pur-		
25	poses		4,245.00
26	Total for general health service	\$	92,115.00
27	5. HEALTH FACILITIES SERVICE		
28	For salaries	\$	156,080.00
29	For support, maintenance, and miscellaneous pur-		
30	poses	\$	18,000.00
31	Total for health facilities service	\$	174,080.00
32	6. PREVENTIVE MEDICAL SERVICE		
33	For salaries	\$	132,420.00
34	For support, maintenance, and miscellaneous pur-		
35	poses		33,600.00
36	Total for preventive medical service	\$	166,020.00
37	Grand total of all appropriations for all purposes for		
38	each year the biennium for the health and welfare divi-		
39	sions of the department of health provided by this sec-		
40	tion	\$	907,165.00

HIGHER EDUCATION FACILITIES COMMISSION

1	SEC. 21. For the higher education facilities commission there is		
2	hereby appropriated from the general fund of the state for each year		
3	of the biennium beginning July 1, 1967 and ending June 30, 1969 the		
4	sum of sixty-three thousand (63,000) dollars, or so much thereof as		
5	may be necessary, to be used in the following manner:		
6	For salary of director	\$	15,000.00
7	For other salaries		34,500.00
8	For support, maintenance, and miscellaneous pur-		
9	poses		13,500.00
10	Grand total of all appropriations for all purposes for		
11	each year of the biennium for the higher education fa-		
12	cilities commission	\$	63,000.00

HISTORICAL SOCIETY, THE STATE

1 SEC. 22. For the historical society at Iowa City there is hereby
 2 appropriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1967 and ending June 30, 1969 the sum of
 4 one hundred thirty-two thousand four hundred twenty (132,420) dol-
 5 lars, or so much thereof as may be necessary, to be used in the follow-
 6 ing manner:

7	For salary of director	\$	12,000.00
8	For other salaries		35,470.00
9	For support, maintenance, and miscellaneous pur-		
10	poses		74,950.00
11	For the board of curators		10,000.00
<hr/>			
12	Grand total of all appropriations for all purposes for		
13	each year of the biennium for the historical society at		
14	Iowa City	\$	132,420.00

HISTORY AND ARCHIVES, IOWA STATE DEPARTMENT OF

1 SEC. 23. For the department of history and archives there is here-
 2 by appropriated from the general fund of the state for each year of
 3 the biennium beginning July 1, 1967 and ending June 30, 1969 the sum
 4 of one hundred seventy-six thousand six hundred ten (176,610) dol-
 5 lars, or so much thereof as may be necessary, to be used in the follow-
 6 ing manner:

7	For salary of curator	\$	11,000.00
8	For other salaries		137,110.00
9	For support, maintenance, and miscellaneous pur-		
10	poses		28,500.00
<hr/>			
11	Grand total of all appropriations for all purposes for		
12	each year of the biennium for the department of history		
13	and archives	\$	176,610.00

HERBERT HOOVER BIRTHPLACE FOUNDATION, INC.

1 SEC. 24. For the Herbert Hoover birthplace foundation, inc. there
 2 is hereby appropriated from the general fund of the state for each
 3 year of the biennium beginning July 1, 1967 and ending June 30, 1969
 4 the sum of three thousand (3,000) dollars, 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	\$	3,000.00
<hr/>			
8	Grand total of all appropriations for all purposes for		
9	each year of the biennium for the Herbert Hoover birth-		
10	place foundation, inc.	\$	3,000.00

INDUSTRIAL COMMISSIONER

1 SEC. 25. For the industrial commissioner there is hereby appro-
 2 priated from the general fund of the state for each year of the bien-
 3 nium beginning July 1, 1967 and ending June 30, 1969 the sum of one

4	hundred forty thousand three hundred fifty (140,350) dollars, or so	
5	much thereof as may be necessary, to be used in the following manner:	
6	For salary of commissioner	\$ 13,500.00
7	For other salaries	109,400.00
8	For support, maintenance, and miscellaneous pur-	
9	poses	17,450.00
<hr/>		
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the industrial commis-	
12	sioner	\$ 140,350.00

INSURANCE DEPARTMENT OF IOWA

1	SEC. 26. For the office of the insurance commissioner there is here-	
2	by appropriated from the general fund of the state for each year of	
3	the biennium beginning July 1, 1967 and ending June 30, 1969 the sum	
4	of three hundred twenty-two thousand six hundred thirty (322,630)	
5	dollars, or so much thereof as may be necessary, to be used in the fol-	
6	lowing manner:	
7	For salary of commissioner	\$ 15,000.00
8	For other salaries	268,300.00
9	For support, maintenance, and miscellaneous pur-	
10	poses	39,330.00
<hr/>		
11	Grand total of all appropriations for all purposes for	
12	each year of the biennium for the office of the insurance	
13	commissioner	\$ 322,630.00

LABOR, BUREAU OF

1	SEC. 27. For the bureau of labor there is hereby appropriated	
2	from the general fund of the state for each year of the biennium be-	
3	ginning July 1, 1967 and ending June 30, 1969 the sum of three hun-	
4	dred thirty-one thousand (331,000) dollars, or so much thereof as may	
5	be necessary, to be used in the following manner:	
6	For salary of commissioner	\$ 12,000.00
7	For other salaries	209,500.00
8	For support, maintenance, and miscellaneous pur-	
9	poses [including twenty-two thousand five hundred	
10	(22,500) dollars for expenses of the employment safety	
11	commission under chapter eighty-eight A (88A) of the	
12	Code]	109,500.00
<hr/>		
13	Grand total of all appropriations for all purposes for	
14	each year of the biennium for the bureau of labor	\$ 331,000.00

LAW LIBRARY, IOWA STATE

1	SEC. 28. For the Iowa state law library there is hereby appropri-	
2	ated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1967 and ending June 30, 1969 the sum of sixty-eight	
4	thousand nine hundred eighty (68,980) dollars, or so much thereof as	
5	may be necessary, to be used in the following manner:	

6	For salary of librarian [average annual amount with	
7	a salary of nine thousand (9,000) dollars the first year	
8	of the biennium and a salary of ten thousand (10,000)	
9	dollars the second year of the biennium]	\$ 9,500.00
10	For other salaries	24,190.00
11	For support, maintenance, and miscellaneous pur-	
12	poses	35,290.00
<hr/>		
13	Grand total of all appropriations for all purposes for	
14	each year of the biennium for the Iowa state law	
15	library	\$ 68,980.00

MEDICAL LIBRARY, IOWA STATE

1	SEC. 29. For the Iowa state medical library there is hereby appro-	
2	priated from the general fund of the state for each year of the bien-	
3	niennium beginning July 1, 1967 and ending June 30, 1969 the sum of	
4	forty-eight thousand seven hundred forty (48,740) dollars, or so much	
5	thereof as may be necessary, to be used in the following manner:	
6	For salary of librarian [average annual amount with	
7	a salary of nine thousand (9,000) dollars the first year	
8	of the biennium and a salary of ten thousand (10,000)	
9	dollars the second year of the biennium]	\$ 9,500.00
10	For other salaries	22,240.00
11	For support, maintenance, and miscellaneous pur-	
12	poses	17,000.00
<hr/>		
13	Grand total of all appropriations for all purposes for	
14	each year of the biennium for the Iowa state medical	
15	library	\$ 48,740.00

TRAVELING LIBRARY, IOWA STATE

1	SEC. 30. For the Iowa state traveling library there is hereby ap-	
2	propriated from the general fund of the state for each year of the bi-	
3	ennium beginning July 1, 1967 and ending June 30, 1969 the sum of	
4	one hundred thirty thousand fifty (130,050) dollars, or so much there-	
5	of as may be necessary, to be used in the following manner:	
6	For salary of librarian [average annual amount with	
7	a salary of ten thousand (10,000) dollars the first year	
8	of the biennium and a salary of ten thousand five hun-	
9	dred (10,500) dollars the second year of the biennium] ..	\$ 10,250.00
10	For other salaries	81,800.00
11	For support, maintenance, and miscellaneous pur-	
12	poses	38,000.00
<hr/>		
13	Grand total of all appropriations for all purposes for	
14	each year of the biennium for the Iowa state traveling	
15	library	\$ 130,050.00

LIQUOR CONTROL COMMISSION

1 SEC. 31. For the liquor control commission there is hereby appro-
 2 priated from the general fund of the state for each year of the bien-
 3 nium beginning July 1, 1967 and ending June 30, 1969 the sum of five
 4 million two hundred ninety-nine thousand two hundred seventy
 5 (5,299,270) dollars, or so much thereof as may be necessary, to be
 6 used in the following manner:

7 GENERAL OPERATIONS
 8 For salaries of commissioner [three (3) at twelve
 9 thousand (12,000) each]\$ 36,000.00
 10 For other salaries 4,310,410.00
 11 For support, maintenance, and miscellaneous pur-
 12 poses 952,860.00

13 Grand total of all appropriations for all purposes
 14 other than capital for each year of the biennium for the
 15 division of the liquor control commission provided by
 16 this section\$ 5,299,270.00

MERIT EMPLOYMENT DEPARTMENT, IOWA

1 SEC. 32. For the Iowa merit employment department there is here-
 2 by appropriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1967 and ending June 30, 1969 the sum of
 4 one hundred twenty-one thousand two hundred twenty-five (121,225)
 5 dollars, or so much thereof as may be necessary, to be used in the fol-
 6 lowing manner:

7 For salaries\$ 103,525.00
 8 For support, maintenance, and miscellaneous pur-
 9 poses 17,700.00

10 Grand total of all appropriations for all purposes for
 11 each year of the biennium for the Iowa merit employ-
 12 ment department\$ 121,225.00

MINES AND MINERALS, DEPARTMENT OF

1 SEC. 33. For the department of mines and minerals there is hereby
 2 appropriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1967 and ending June 30, 1969 the sum of
 4 forty-two thousand three hundred seventy (42,370) dollars, or so
 5 much thereof as may be necessary, to be used in the following manner:

6 1. STATE MINING BOARD
 7 For salaries, support, maintenance, and miscellaneous
 8 purposes\$ 15,000.00

9 Total for state mining board\$ 15,000.00

10 2. MINE INSPECTORS
 11 For salary of mine inspector\$ 8,500.00
 12 For other salaries 12,210.00

13	For support, maintenance, and miscellaneous pur-	
14	poses	6,660.00
15	Total for mine inspectors	<u>\$ 27,370.00</u>
16	Grand total of all appropriations for all purposes for	
17	each year of the biennium for the department of mines	
18	and minerals	\$ 42,370.00

MISSISSIPPI RIVER PARKWAY COMMISSION

1	SEC. 34. For the Mississippi river parkway commission there is	
2	hereby appropriated from the general fund of the state for each year	
3	of the biennium beginning July 1, 1967 and ending June 30, 1969 the	
4	sum of five thousand (5,000) dollars, or so much thereof as may be	
5	necessary, to be used in the following manner:	
6	For salaries, support, maintenance, and miscellaneous	
7	purposes	<u>\$ 5,000.00</u>
8	Grand total of all appropriations for all purposes for	
9	each year of the biennium for the Mississippi river	
10	parkway commission	\$ 5,000.00

PAROLE, BOARD OF

1	SEC. 35. For the office of the board of parole there is hereby appro-	
2	priated from the general fund of the state for each year of the bien-	
3	niium beginning July 1, 1967 and ending June 30, 1969 the sum of five	
4	hundred nineteen thousand four hundred fifty (519,450) dollars, or so	
5	much thereof as may be necessary, to be used in the following manner:	
6	For salaries of board members [three (3) at nine	
7	thousand (9,000) dollars each]	\$ 27,000.00
8	For salary of secretary and superintendent of parole	
9	agents	12,500.00
10	For other salaries	379,610.00
11	For support, maintenance, and miscellaneous pur-	
12	poses	<u>100,340.00</u>
13	Grand total of all appropriations for all purposes for	
14	each year of the biennium for the board of parole	\$ 519,450.00

PIONEER LAWMAKERS

1	SEC. 36. For the pioneer lawmakers there is hereby appropriated	
2	from the general fund of the state for each year of the biennium be-	
3	ginning July 1, 1967 and ending June 30, 1969 the sum of one hundred	
4	fifty (150) dollars, or so much thereof as may be necessary, to be used	
5	in the following manner:	
6	For salaries, support, and miscellaneous purposes	<u>\$ 150.00</u>
7	Grand total of all appropriations for all purposes for	
8	each year of the biennium for the pioneer lawmakers.....	\$ 150.00

PRINTING BOARD, THE

1	SEC. 37. For the state printing board there is hereby appropriated	
2	from the general fund of the state for each year of the biennium be-	
3	ginning July 1, 1967 and ending June 30, 1969 the sum of one hundred	
4	ten thousand seven hundred eighty (110,780) dollars, or so much	
5	thereof as may be necessary, to be used in the following manner:	
6	For salary of superintendent	\$ 12,000.00
7	For other salaries	40,690.00
8	For support, maintenance, and miscellaneous pur-	
9	poses	58,090.00
10	Provided that funds appropriated for the general	
11	office by this section, in the discretion of the printing	
12	board, may be used to pay the cost of printing of the	
13	"Iowa Official Register", "Proceedings of the Iowa	
14	Academy of Science", "Iowa Welcomes You" booklet,	
15	and other 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	\$ 110,780.00

PUBLIC BUILDINGS AND GROUNDS, SUPERINTENDENT OF

1	SEC. 38. For the office of the superintendent of public buildings	
2	and grounds there is hereby appropriated from the general fund of the	
3	state for each year of the biennium beginning July 1, 1967 and ending	
4	June 30, 1969 the sum of nine hundred forty-five thousand eight hun-	
5	dred twenty (945,820) dollars, or so much thereof as may be neces-	
6	sary, to be used in the following manner:	
7	For salaries	\$ 783,390.00
8	For support, maintenance, and miscellaneous pur-	
9	poses	27,430.00
10	For maintenance, repairs, replacements, alterations,	
11	or equipment of public buildings and grounds of the	
12	state of Iowa, subject to approval of the executive coun-	
13	cil	135,000.00
14	Grand total of all appropriations for all purposes	
15	other than capital for each year of the biennium for the	
16	office of the superintendent of public buildings and	
17	grounds	\$ 945,820.00

PUBLIC DEFENSE, DEPARTMENT OF

1	SEC. 39. For the department of public defense there is hereby ap-	
2	propriated from the general fund of the state for each year of the bi-	
3	ennium beginning July 1, 1967 and ending June 30, 1969 the sum of	
4	one million two hundred thirty-six thousand one hundred twenty	
5	(1,236,120) dollars, or so much thereof as may be necessary, to be	
6	used in the following manner:	
7	For salaries	\$ 565,400.00

8	For support, maintenance, purchase of state owned	
9	aircraft, and miscellaneous purposes including not more	
10	than one hundred fifty thousand dollars (\$150,000.00)	
11	for the replacement of one aircraft which shall be the	
12	only aircraft to be assigned to the military department	
13	for the support of administrative flights of the gover-	
14	nor	\$ 670,720.00
<hr/>		
15	Grand total of all appropriations for all purposes for	
16	each year of the biennium for the department of public	
17	defense	\$ 1,236,120.00

PUBLIC INSTRUCTION, DEPARTMENT OF

1	SEC. 40. 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, 1967 and ending June 30, 1969 the sum of	
4	one million two hundred twenty-nine thousand three hundred fifty	
5	(1,229,350) dollars, or so much thereof as may be necessary, to be used	
6	in the following manner:	
7	1. GENERAL OFFICE	
8	For salary of superintendent of public instruction.....	\$ 21,000.00
9	For other salaries	769,000.00
10	[The salary of any employee of the department of	
11	public instruction shall not exceed eighty-five (85) per-	
12	cent of the salary of the superintendent.]	
13	For support, maintenance, and miscellaneous pur-	
14	poses	234,200.00
<hr/>		
15	Total for general office	\$ 1,024,200.00
16	2. VOCATIONAL EDUCATION	
17	For salaries	\$ 170,000.00
18	For support, maintenance, and miscellaneous pur-	
19	poses	35,150.00
<hr/>		
20	Total for vocational education	\$ 205,150.00
<hr/>		
21	Grand total of all appropriations for all purposes	
22	other than capital for each year of the biennium for the	
23	divisions of the department of public instruction pro-	
24	vided by this section	\$ 1,229,350.00

SECRETARY OF STATE

1	SEC. 41. For the office of secretary of state there is hereby appro-	
2	priated from the general fund of the state for each year of the bien-	
3	niium beginning July 1, 1967 and ending June 30, 1969 the sum of one	
4	hundred seventy-one thousand (171,000) dollars, or so much thereof	
5	as may be necessary, to be used in the following manner:	
6	For salary of secretary of state	\$ 16,000.00
7	For other salaries	120,570.00
8	For support, maintenance, and miscellaneous pur-	
9	poses	34,430.00

10 Grand total of all appropriations for all purposes for
 11 each year of the biennium for the office of secretary of
 12 state\$ 171,000.00

SPANISH-AMERICAN WAR VETERANS

1 SEC. 42. 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, 1967 and ending June 30, 1969 the sum of
 4 three thousand three hundred five (3,305) dollars, or so much thereof
 5 as may be necessary, to be used in the following manner:
 6 For salaries\$ 2,580.00
 7 For support, maintenance, and miscellaneous pur-
 8 poses 725.00

9 Grand total of all appropriations for all purposes for
 10 each year of the biennium for the Spanish-American
 11 war veterans\$ 3,305.00

TAX COMMISSION, STATE

1 SEC. 43. 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, 1967 and ending June 30, 1969 the sum of four mil-
 4 lion six hundred seventy-one thousand five hundred ninety (4,671,590)
 5 dollars, or so much thereof as may be necessary, to be used in the fol-
 6 lowing manner:
 7 For salaries of commissioner [three (3) at thirteen
 8 thousand (13,000) dollars each]\$ 39,000.00
 9 For salary of commercial and industrial consultant
 10 [average annual amount with a salary of sixteen thou-
 11 sand five hundred (16,500) dollars the first year of the
 12 biennium and a salary of eighteen thousand (18,000)
 13 dollars the second year of the biennium] 17,250.00
 14 For other salaries 3,730,620.00
 15 [Section sixty-six (66) of this Act shall not apply to
 16 the position of commercial and industrial assessment
 17 consultant.]
 18 For printing and binding 265,000.00
 19 For support, maintenance, and miscellaneous pur-
 20 poses 619,720.00

21 Grand total of all appropriations for all purposes for
 22 each year of the biennium for the state tax commission..\$ 4,671,590.00

TREASURER OF STATE

1 SEC. 44. For the office of treasurer of state there is hereby appro-
 2 priated from the general fund of the state for each year of the bien-
 3 nium beginning July 1, 1967 and ending June 30, 1969 the sum of one
 4 hundred twenty-nine thousand four hundred (129,400) dollars, or so
 5 much thereof as may be necessary, to be used in the following manner:
 6 For salary of treasurer\$ 16,000.00

7	For other salaries	\$ 97,250.00
8	[Section sixty-six (66) of this Act shall not apply to	
9	the position of investment consultant]	
10	For support, maintenance, and miscellaneous pur-	
11	poses	16,150.00
12	Grand total of all appropriations for all purposes for	
13	each year of the biennium for the office of treasurer of	
14	state	\$ 129,400.00
15	Total administration and service departments	\$23,496,263.00

REGULATORY DEPARTMENTS

COMMERCE COMMISSION, IOWA STATE

1	SEC. 45. For the department of commerce commission there is	
2	hereby appropriated from the general fund of the state for each year	
3	of the biennium beginning July 1, 1967 and ending June 30, 1969 the	
4	sum of six hundred forty-five thousand two hundred thirty (645,230)	
5	dollars, or so much thereof as may be necessary, to be used in the fol-	
6	lowing manner:	
7	1. MOTOR TRANSPORTATION DIVISION	
8	For salaries	\$ 71,570.00
9	For support, maintenance, and miscellaneous pur-	
10	poses	9,250.00
11	Total for motor transportation division	\$ 80,820.00
12	2. WAREHOUSE DIVISION	
13	For salaries	\$ 86,260.00
14	For support, maintenance, and miscellaneous pur-	
15	poses	28,150.00
16	Total for warehouse division	\$ 114,410.00
17	3. UTILITIES DIVISION	
18	For salaries, support, maintenance, and miscellaneous	
19	purposes	\$ 450,000.00
20	Total for utilities division	\$ 450,000.00
21	Grand total of all appropriations for all purposes for	
22	each year of the biennium for the divisions of the de-	
23	partment of commerce commission provided by this sec-	
24	tion	\$ 645,230.00

LIQUOR CONTROL COMMISSION

1 SEC. 46. For the liquor control commission there is hereby appro-
 2 priated from the general fund of the state for each year of the bien-
 3 nium beginning July 1, 1967 and ending June 30, 1969 the sum of two
 4 hundred twenty-two thousand (222,000) dollars, or so much thereof
 5 as may be necessary, to be used in the following manner:

CH. 1] LAWS OF THE SIXTY-SECOND GENERAL ASSEMBLY

6	LIQUOR ENFORCEMENT DIVISION	
7	For salaries	\$ 168,000.00
8	For support, maintenance, and miscellaneous pur-	
9	poses	54,000.00
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the division of the liquor	
12	control commission provided by this section.....	\$ 222,000.00

PHARMACY EXAMINERS

1	SEC. 47. For the pharmacy examining board there is hereby ap-	
2	propriated from the general fund of the state for each year of the bi-	
3	ennium beginning July 1, 1967 and ending June 30, 1969 the sum of	
4	one hundred twenty thousand four hundred fifty (120,450) dollars, or	
5	so much thereof as may be necessary, to be used in the following man-	
6	ner:	
7	For salary of secretary and narcotics supervisor	\$ 10,500.00
8	For other salaries	74,340.00
9	For support, maintenance, and miscellaneous pur-	
10	poses	35,610.00
11	Grand total of all appropriations for all purposes for	
12	each year of the biennium for the pharmacy examining	
13	board	\$ 120,450.00

REAL ESTATE COMMISSION, IOWA

1	SEC. 48. For the Iowa real estate commission there is hereby ap-	
2	propriated from the general fund of the state for each year of the bi-	
3	ennium beginning July 1, 1967 and ending June 30, 1969 the sum of	
4	thirty-seven thousand five hundred (37,500) dollars, or so much there-	
5	of as may be necessary, to be used in the following manner:	
6	For salary of director	\$ 11,000.00
7	For other salaries	12,250.00
8	For support, maintenance, and miscellaneous pur-	
9	poses	14,250.00
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the Iowa real estate com-	
12	mission	\$ 37,500.00

RECIPROCITY BOARD, IOWA

1	SEC. 49. For the reciprocity board there is hereby appropriated	
2	from the general fund of the state for each year of the biennium be-	
3	ginning July 1, 1967 and ending June 30, 1969 the sum of ninety-eight	
4	thousand seven hundred ninety (98,790) dollars, or so much thereof	
5	as may be necessary, to be used in the following manner:	
6	For salary of executive secretary	\$ 12,000.00
7	For other salaries	55,690.00
8	For support, maintenance, and miscellaneous pur-	
9	poses	31,100.00

10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the reciprocity board	\$ 98,790.00
12	Total regulatory departments	\$ 1,123,970.00

**JUDICIAL DEPARTMENTS
ATTORNEY GENERAL**

1 SEC. 50. For the office of attorney general there is hereby appro-

2 priated from the general fund of the state for each year of the bien-

3 nium beginning July 1, 1967 and ending June 30, 1969 the sum of four

4 hundred seven thousand six hundred ninety (407,690) dollars, or so

5 much thereof as may be necessary, to be used in the following manner:

6	For salary of attorney general	\$ 21,000.00
7	For other salaries	314,890.00
8	For support, maintenance, and miscellaneous pur-	
9	poses	71,800.00

10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the office of attorney gen-	
12	eral	\$ 407,690.00

DISTRICT COURT JUDGES

1 SEC. 51. For the district court judges there is hereby appropriated

2 from the general fund of the state for each year of the biennium begin-

3 ning July 1, 1967 and ending June 30, 1969 the sum of one million six

4 hundred eighty-five thousand nine hundred twenty (1,685,920) dollars,

5 or so much thereof as may be necessary, to be used in the following

6 manner:

7	For salaries of the judges of the district courts of	
8	Iowa and for the state's contribution to the judicial	
9	retirement system provided for in chapter six hundred	
10	five A (605A) of the Code, in the amount of three (3)	
11	percent of such salaries and an additional state contri-	
12	bution of one hundred thousand (100,000) dollars	\$ 1,595,920.00
13	For expenses of judges in and out of districts, includ-	
14	ing those designated by order of the chief justice to	
15	attend judicial conferences, seminars, or training ses-	
16	sions	90,000.00

17 Section six hundred five point one (605.1), Code 1966,

18 is hereby amended by striking from line two (2) the

19 word "eighteen" and by inserting in lieu thereof the

20 word and figures "nineteen (19)".

21	Grand total of all appropriations for all purposes for	
22	each year of the biennium for district court judges.....	\$ 1,685,920.00

SUPREME COURT

1 SEC. 52. 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, 1967 and ending June 30, 1969 the sum of three hundred
4 eighty-five thousand one hundred ten (385,110) dollars, or so much
5 thereof as may be necessary, to be used in the following manner:

6	For salaries of judges of the supreme court of Iowa;	
7	for the state's contribution to the judicial retirement	
8	system provided for in chapter six hundred five A	
9	(605A) of the Code, in the amount of three (3) percent	
10	of such salaries and an additional state contribution of	
11	twenty-five thousand (25,000) dollars; and for other	
12	salaries	\$ 361,410.00
13	For support, maintenance, and miscellaneous pur-	
14	poses	23,450.00
15	For rules of procedure	250.00

16 Section six hundred eighty-four point seventeen
17 (684.17), Code 1966, is hereby amended by striking
18 from line three (3) the word "twenty" and by inserting
19 in lieu thereof "twenty-two (22)".

20	Grand total of all appropriations for all purposes for	
21	each year of the biennium for the supreme court.....	\$ 385,110.00

SUPREME COURT, CLERK OF

1 SEC. 53. For the office of clerk of supreme court there is hereby
2 appropriated from the general fund of the state for each year of the
3 biennium beginning July 1, 1967 and ending June 30, 1969 the sum of
4 twenty-five thousand seven hundred sixty (25,760) dollars, or so much
5 thereof as may be necessary, to be used in the following manner:

6	For salary of chief clerk	\$ 8,500.00
7	For other salaries	15,120.00
8	For support, maintenance, and miscellaneous pur-	
9	poses	2,140.00

10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the office of the clerk of	
12	supreme court	\$ 25,760.00

SUPREME COURT, REPORTER OF AND CODE EDITOR

1 SEC. 54. For the department of the reporter of the supreme court
2 and code editor there is hereby appropriated from the general fund of
3 the state for each year of the biennium beginning July 1, 1967 and
4 ending June 30, 1969 the sum of fifty-three thousand seven hundred
5 twenty (53,720) dollars, or so much thereof as may be necessary, to
6 be used in the following manner:

7	For salary of code editor	\$ 12,000.00
8	For salary of deputy code editor	12,000.00
9	For other salaries	27,920.00
10	For support, maintenance, and miscellaneous pur-	
11	poses	1,800.00

12	Grand total of all appropriations for all purposes for	
13	each year of the biennium for the department of the	
14	reporter of the supreme court and code editor.....	\$ 53,720.00
15	Total judicial departments	\$ 2,558,200.00

PUBLIC SAFETY

PUBLIC SAFETY, DEPARTMENT OF

1	SEC. 55. For the department of public safety there is hereby ap-	
2	propriated from the general fund of the state for each year of the bi-	
3	ennium beginning July 1, 1967 and ending June 30, 1969 the sum of	
4	seven million eight hundred fifty-seven thousand eight hundred forty-	
5	five (7,857,845) dollars, or so much thereof as may be necessary, to be	
6	used in the following manner:	
7	1. DIVISION OF ADMINISTRATION	
8	For salary of commissioner	\$ 15,000.00
9	For other salaries	161,040.00
10	For support, maintenance, and miscellaneous pur-	
11	poses	24,090.00
12	Total for the division of administration	\$ 200,130.00
13	2. DIVISION OF CRIMINAL INVESTIGATION	
14	For salaries and for the state's contribution to the	
15	peace officers' retirement, accident, and disability sys-	
16	tem provided in chapter ninety-seven A (97A) of the	
17	Code, in the amount of sixteen (16) percent of the sal-	
18	aries of personnel included in the system	\$ 284,710.00
19	For support, maintenance, and miscellaneous pur-	
20	poses	58,330.00
21	Total for the division of criminal investigation	\$ 343,040.00
22	3. DIVISION OF FIRE MARSHAL	
23	For salaries	\$ 94,790.00
24	For support, maintenance, and miscellaneous pur-	
25	poses	30,080.00
26	Total for the division of fire marshal.....	\$ 124,870.00
27	4. DIVISION OF HIGHWAY PATROL (including motor	
28	vehicle financial and safety responsibility and oper-	
29	ators' and chauffeurs' licenses)	
30	For salaries and for the state's contribution to the	
31	peace officers' retirement, accident, and disability sys-	
32	tem provided in chapter ninety-seven A (97A) of the	
33	Code, in the amount of sixteen (16) percent of the sal-	
34	aries of personnel included in the system	\$ 4,369,390.00
35	For support, maintenance, and miscellaneous pur-	
36	poses including liability insurance	1,696,145.00
37	Total for the division of highway patrol, including	
38	motor vehicle financial and safety responsibility and	
39	operators' and chauffeurs' licenses	\$ 6,065,535.00

CH. 1] LAWS OF THE SIXTY-SECOND GENERAL ASSEMBLY

40	5. DIVISION OF MOTOR REGISTRATION	
41	For salaries	\$ 379,170.00
42	For support, maintenance, and miscellaneous pur-	
43	poses	125,290.00
44	Total for the division of motor registration.....	\$ 504,460.00
45	6. DIVISION OF RADIO COMMUNICATION	
46	For salaries	\$ 450,440.00
47	For support, maintenance, and miscellaneous pur-	
48	poses	87,730.00
49	Total for the division of radio communication.....	\$ 538,170.00
50	7. DIVISION OF SAFETY EDUCATION	
51	For salaries	\$ 62,760.00
52	For support, maintenance, and miscellaneous pur-	
53	poses	18,880.00
54	Total for the division of safety education.....	\$ 81,640.00
55	Grand total of all appropriations for all purposes for	
56	each year of the biennium for the department of public	
57	safety and all divisions thereof.....	\$ 7,857,845.00

DIRECT EDUCATIONAL AID

BLIND, IOWA COMMISSION FOR THE

1 SEC. 56. For the office of the commission for the blind there is
 2 hereby appropriated from the general fund of the state for each year
 3 of the biennium beginning July 1, 1967 and ending June 30, 1969 the
 4 sum of three hundred thirty-one thousand two hundred ten (331,210)
 5 dollars, or so much thereof as may be necessary, to be used in the fol-
 6 lowing manner:

7	For salary of director	\$ 14,000.00
8	For other salaries	195,210.00
9	For support, maintenance, and miscellaneous pur-	
10	poses	117,000.00
11	For the training and education of multiple handi-	
12	capped blind children	5,000.00
13	Grand total of all appropriations for all purposes for	
14	each year of the biennium for the office of the commis-	
15	sion for the blind	\$ 331,210.00

PUBLIC INSTRUCTION, DEPARTMENT OF

1 SEC. 57. 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, 1967 and ending June 30, 1969 the sum of
 4 nine hundred thousand (900,000) dollars, or so much thereof as may
 5 be necessary, to be used in the following manner:

6	VOCATIONAL REHABILITATION	
7	For salaries, support, maintenance, and miscellaneous	
8	purposes	\$ 900,000.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the division of vocational	
11	rehabilitation of the department of public instruction	
12	provided by this section	\$ 900,000.00

SOLDIERS' BONUS BOARD,
WORLD WAR ORPHANS' EDUCATION AID

1	SEC. 58. For the Iowa soldiers' bonus board there is hereby appro-	
2	priated from the general fund of the state for each year of the bien-	
3	niun beginning July 1, 1967 and ending June 30, 1969 the sum of fifty-	
4	five thousand (55,000) dollars, or so much thereof as may be neces-	
5	sary, 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 thirty-five point nine (35.9) of the Code.....	\$ 55,000.00
11	Grand total of all appropriations for all purposes for	
12	each year of the biennium for the soldiers' bonus board..	\$ 55,000.00
13	Total direct education aid.....	\$ 1,286,210.00

CONSERVATION AND RESOURCES MANAGEMENT

GEOLOGICAL SURVEY

1	SEC. 59. 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	niun beginning July 1, 1967 and ending June 30, 1969 the sum of	
4	three hundred seventy-seven thousand eight hundred twenty	
5	(377,820) dollars, or so much thereof as may be necessary, to be used	
6	in the following manner:	
7	1. GENERAL OFFICE	
8	For salaries	\$ 164,320.00
9	For support, maintenance, and miscellaneous pur-	
10	poses	167,300.00
11	Total for general office	\$ 331,620.00
12	2. STREAM GAUGING	
13	For support, maintenance, and miscellaneous pur-	
14	poses	\$ 46,200.00
15	Total for stream gauging	\$ 46,200.00
16	Grand total of all appropriations for all purposes for	
17	each year of the biennium for geological survey.....	\$ 377,820.00

NATURAL RESOURCES COUNCIL, IOWA

1	SEC. 60. For the Iowa natural resources council there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1967 and ending June 30, 1969 the sum of	
4	two hundred thirty-one thousand three hundred fifty (231,350) dol-	
5	lars, or so much thereof as may be necessary, to be used in the follow-	
6	ing manner :	
7	For salaries	\$ 168,680.00
8	For support, maintenance, and miscellaneous pur-	
9	poses	62,670.00
		<hr/>
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the Iowa natural re-	
12	sources council	\$ 231,350.00

SOIL CONSERVATION

1	SEC. 61. 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, 1967 and ending June 30, 1969 the sum of seventy-six thousand	
4	two hundred (76,200) dollars, or so much thereof as may be necessary,	
5	to be used in the following manner :	
6	For salaries	\$ 48,100.00
7	For support, maintenance, and miscellaneous pur-	
8	poses	28,100.00
		<hr/>
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for soil conservation.....	\$ 76,200.00

SOIL CONSERVATION COMMITTEE

1	SEC. 62. For the soil conservation committee there is hereby ap-	
2	propriated from the general fund of the state for each year of the bi-	
3	ennium beginning July 1, 1967 and ending June 30, 1969 the sum of	
4	seven hundred sixty-five thousand (765,000) dollars, or so much there-	
5	of as may be necessary, to carry on soil conservation work in soil con-	
6	servation districts organized under the soil conservation districts law	
7	of the state of Iowa to be used in the following manner :	
8	1. For aid to soil conservation districts for district	
9	commissioners' expenses, stationery, postage, and other	
10	uses as they may be authorized by the state soil conser-	
11	vation committee [five hundred (500) dollars per dis-	
12	trict]	\$ 50,000.00
13	2. For additional aid to soil conservation districts for	
14	district commissioners' expenses, stationery, postage,	
15	and other uses as they may be authorized and approved	
16	by the state soil conservation committee, allocated on a	
17	need basis	15,000.00
18	3. For personnel (technicians and clerical), and their	
19	necessary expenses including office rental, equipment,	
20	and materials to be assigned to the soil conservation	
21	districts by the state soil conservation committee on a	
22	need basis	650,000.00

23	4. For participation in and conjunction with the fed-	
24	eral government or any of its agencies in joint opera-	
25	tions of watershed planning and development within the	
26	state of Iowa	\$ 50,000.00
27	Grand total of all appropriations for all purposes for	
28	each year of the biennium for the soil conservation	
29	committee	\$ 765,000.00
30	Total conservation and resources management.....	\$ 1,450,370.00

1 SEC. 63. The salary of the state car dispatcher shall be ten thou-
 2 sand (10,000) dollars for each year of the biennium beginning July 1,
 3 1967 and ending June 30, 1969, to be paid from the car dispatcher
 4 funds.

1 SEC. 64. The salaries of the three (3) members of the board of
 2 social welfare shall be thirteen thousand (13,000) dollars for each
 3 member for each year of the biennium beginning July 1, 1967 and
 4 ending June 30, 1969, to be paid from the funds of the department of
 5 social welfare.

1 SEC. 65. All salaries provided for in this Act are in lieu of all
 2 existing statutory salaries, for the positions provided herein, shall be
 3 payable in equal monthly or semi-monthly installments, and shall be in
 4 full compensation for all services except as otherwise expressly pro-
 5 vided and except further that expense allowances shall be authorized,
 6 any ruling of the federal internal revenue service with respect to the
 7 tax status thereof notwithstanding.

1 SEC. 66. Unless otherwise provided, no employee of any state de-
 2 partment, bureau, commission, or agency shall receive salary in excess
 3 of the salary fixed for the chief administrative officer of such depart-
 4 ment, bureau, commission, or agency.*

1 SEC. 67. Section four hundred ninety A point ten (490A.10), Code
 2 1966, is hereby amended by striking from line fifty-four (54) the
 3 words "three hundred" and inserting in lieu thereof the words "four
 4 hundred twenty-five (425)".

1 SEC. 68. Section six hundred eighty-four point seventeen (684.17),
 2 Code 1966, is hereby amended by striking from line three (3) the word
 3 "twenty" and by inserting in lieu thereof "twenty-two (22)".

1 SEC. 69. Where any provisions of the law of this state are in con-
 2 flict with this Act, the provisions of this Act shall govern for the
 3 biennium.

1 SEC. 70. This Act shall operate retroactively and retrospectively,
 2 with full force and effect, to and from July 1, 1967.

1 SEC. 71. This Act, being deemed of immediate importance, shall
 2 take effect after its passage, approval and publication in the Newton

*See sections 2, 8, 43, 44.

- 3 Daily News, a newspaper published at Newton, Iowa, and in the Van
4 Buren Register, a newspaper published at Keosauqua, Iowa.

Approved July 10, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3.9, Code of Iowa, 1966, there being no newspaper by the name of the Newton Daily News, published in Newton, Iowa, I hereby designate The Newton Daily News, published in Newton, Iowa, to publish the foregoing Act, Senate File 853.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, Senate File 853, was published in The Newton Daily News, Newton, Iowa, July 29, 1967, and in the Van Buren Register, Keosauqua, Iowa, July 27, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 2

BOARD OF CONTROL

S. F. 836

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1967 and ending June 30, 1969, to the board of control for salaries, support, maintenance, repairs, replacements, alterations, or equipment of institutions under the board of control, to provide that chapter eight (8), except section eight point five (8.5), Code 1966, shall apply to this Act, and to establish rate of billing for mental health institutes.

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 1967 and ending June 30, 1969, for the board of control of state in-
4 stitutions 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 thirty-four million eight hundred six thousand eight hundred twenty
8 (34,806,820) dollars, or so much thereof as may be necessary, to be
9 used for the following purposes, to wit:

10 MENTAL HEALTH INSTITUTE

11 Cherokee

12 1. For mental health services for the mental health institute at
13 Cherokee, Iowa, there is hereby appropriated from the general fund
14 of the state for each year of the biennium beginning July 1, 1967 and
15 ending June 30, 1969, the sum of two million nine hundred sixty-four
16 thousand eight hundred eighty (2,964,880) dollars, or so much there-
17 of as may be necessary, to be used in the following manner:

18 For salaries	\$ 2,377,880.00
19 For support, maintenance, and miscellaneous pur- 20 poses	541,000.00

21	For equipment	\$ 46,000.00
22	Total for mental health institute, Cherokee.....	\$ 2,964,880.00

23 MENTAL HEALTH INSTITUTE

24 Clarinda

25 2. For mental health services for the mental health institute at
 26 Clarinda, Iowa, there is hereby appropriated from the general fund
 27 of the state for each year of the biennium beginning July 1, 1967 and
 28 ending June 30, 1969, the sum of two million eight hundred thirty-
 29 eight thousand three hundred (2,838,300) dollars, or so much thereof
 30 as may be necessary, to be used in the following manner:

31	For salaries	\$ 2,316,800.00
32	For support, maintenance, and miscellaneous pur-	
33	poses	485,000.00
34	For equipment	36,500.00

35 Total for mental health institute, Clarinda.....\$ 2,838,300.00

36 MENTAL HEALTH INSTITUTE

37 Independence

38 3. For mental health services for the mental health institute at
 39 Independence, Iowa, there is hereby appropriated from the general
 40 fund of the state for each year of the biennium beginning July 1,
 41 1967 and ending June 30, 1969, the sum of three million two hundred
 42 eighty-nine thousand ten (3,289,010) dollars, or so much thereof as
 43 may be necessary, to be used in the following manner:

44	For salaries	\$ 2,654,010.00
45	For support, maintenance, and miscellaneous pur-	
46	poses	589,000.00
47	For equipment	46,000.00

48 Total for mental health institute, Independence.....\$ 3,289,010.00

49 MENTAL HEALTH INSTITUTE

50 Mount Pleasant

51 4. For mental health services for the mental health institute at
 52 Mount Pleasant, Iowa, there is hereby appropriated from the general
 53 fund of the state for each year of the biennium beginning July 1,
 54 1967 and ending June 30, 1969, the sum of two million seven hundred
 55 seventeen thousand four hundred seventy (2,717,470) dollars, or so
 56 much thereof as may be necessary, to be used in the following man-
 57 ner:

58	For salaries	\$ 2,195,970.00
59	For support, maintenance, and miscellaneous pur-	
60	poses	485,000.00
61	For equipment	36,500.00

62 Total for mental health institute, Mount Pleasant...\$ 2,717,470.00

63	GLENWOOD STATE SCHOOL	
64	Glenwood	
65	5. For mental health services for the Glenwood state school at	
66	Glenwood, Iowa, there is hereby appropriated from the general fund	
67	of the state for each year of the biennium beginning July 1, 1967 and	
68	ending June 30, 1969, the sum of four million three hundred fifty-six	
69	thousand five hundred ninety-five (4,356,595) dollars, or so much	
70	thereof as may be necessary, to be used in the following manner:	
71	For salaries	\$ 3,476,825.00
72	For support, maintenance, and miscellaneous pur-	
73	poses	819,770.00
74	For equipment	60,000.00
75	Total for Glenwood state school, Glenwood.....	\$ 4,356,595.00
76	STATE HOSPITAL AND SCHOOL	
77	Woodward	
78	6. For mental health services for the state hospital and school at	
79	Woodward, Iowa, there is hereby appropriated from the general fund	
80	of the state for each year of the biennium beginning July 1, 1967 and	
81	ending June 30, 1969, the sum of four million three hundred ninety-	
82	one thousand five (4,391,005) dollars, or so much thereof as may be	
83	necessary, to be used in the following manner:	
84	For salaries	\$ 3,502,235.00
85	For support, maintenance, and miscellaneous pur-	
86	poses	828,770.00
87	For equipment	60,000.00
88	Total for state hospital and school, Woodward.....	\$ 4,391,005.00
89	ANNIE WITTENMYER HOME, THE IOWA	
90	Davenport	
91	7. For the Iowa Annie Wittenmyer home at Davenport, Iowa,	
92	there is hereby appropriated from the general fund of the state for	
93	each year of the biennium beginning July 1, 1967 and ending June	
94	30, 1969, the sum of one million three hundred seven thousand four	
95	hundred (1,307,400) dollars, or so much thereof as may be necessary,	
96	to be used in the following manner:	
97	For salaries	\$ 883,400.00
98	For support, maintenance, and miscellaneous pur-	
99	poses	402,300.00
100	For equipment	21,700.00
101	Total for the Iowa Annie Wittenmyer home, Daven-	
102	port	\$ 1,307,400.00

103	JUVENILE HOME, STATE	
104	Toledo	
105	8. For the state juvenile home at Toledo, Iowa, there is hereby	
106	appropriated from the general fund of the state for each year of the	
107	biennium beginning July 1, 1967 and ending June 30, 1969, the sum	
108	of one million ninety-three thousand (1,093,000) dollars, or so much	
109	thereof as may be necessary, to be used in the following manner:	
110	For salaries	\$ 761,350.00
111	For support, maintenance, and miscellaneous pur-	
112	poses	311,650.00
113	For equipment	20,000.00
114	Total for state juvenile home, Toledo.....	\$ 1,093,000.00
115	SOLDIERS' HOME, IOWA	
116	Marshalltown	
117	9. For the Iowa soldiers' home at Marshalltown, Iowa, there is	
118	hereby appropriated from the general fund of the state for each year	
119	of the biennium beginning July 1, 1967 and ending June 30, 1969, the	
120	sum of two million two hundred thirty-two thousand nine hundred	
121	twenty (2,232,920) dollars, or so much thereof as may be necessary,	
122	to be used in the following manner:	
123	For salaries	\$ 1,704,920.00
124	For support, maintenance, and miscellaneous pur-	
125	poses	495,000.00
126	For equipment	33,000.00
127	Total for Iowa soldiers' home, Marshalltown.....	\$ 2,232,920.00
128	MEN'S REFORMATORY	
129	Anamosa	
130	10. For the men's reformatory at Anamosa, Iowa, there is hereby	
131	appropriated from the general fund of the state for each year of the	
132	biennium beginning July 1, 1967 and ending June 30, 1969, the sum	
133	of three million one hundred fifty thousand six hundred twenty-five	
134	(3,150,625) dollars, or so much thereof as may be necessary, to be	
135	used in the following manner:	
136	For salaries	\$ 1,772,610.00
137	For support, maintenance, and miscellaneous pur-	
138	poses	833,525.00
139	For equipment	59,250.00
140	For Iowa security medical facility:	
141	Salaries	\$350,240.00
142	Support, maintenance, and miscel-	
143	laneous purposes	130,000.00
144	Equipment	5,000.00
145	Total for men's reformatory, Anamosa.....	\$ 3,150,625.00

146	PENITENTIARY, STATE	
147	Fort Madison	
148	11. For the state penitentiary at Fort Madison, Iowa, there is	
149	hereby appropriated from the general fund of the state for each year	
150	of the biennium beginning July 1, 1967 and ending June 30, 1969, the	
151	sum of three million four hundred forty-four thousand seven hundred	
152	seventy-five (3,444,775) dollars, or so much thereof as may be neces-	
153	sary, to be used in the following manner:	
154	For salaries	\$ 1,944,840.00
155	For support, maintenance, and miscellaneous pur-	
156	poses	1,018,200.00
157	For equipment	35,000.00
158	For riverview release center:	
159	Salaries	\$108,535.00
160	Support, maintenance, and miscel-	
161	laneous purposes	323,200.00
162	Equipment	15,000.00
		446,735.00
163	Total for state penitentiary, Fort Madison.....	\$ 3,444,775.00
164	WOMEN'S REFORMATORY	
165	Rockwell City	
166	12. For the women's reformatory at Rockwell City, Iowa, there is	
167	hereby appropriated from the general fund of the state for each year	
168	of the biennium beginning July 1, 1967 and ending June 30, 1969, the	
169	sum of four hundred one thousand five hundred (401,500) dollars,	
170	or so much thereof as may be necessary, to be used in the following	
171	manner:	
172	For salaries	\$ 282,650.00
173	For support, maintenance, and miscellaneous pur-	
174	poses	107,850.00
175	For equipment	11,000.00
		401,500.00
176	Total for women's reformatory, Rockwell City.....	\$ 401,500.00
177	TRAINING SCHOOL FOR BOYS	
178	Eldora	
179	13. For the training school for boys at Eldora, Iowa, there is here-	
180	by appropriated from the general fund of the state for each year of	
181	the biennium beginning July 1, 1967 and ending June 30, 1969, the	
182	sum of one million nine hundred thirteen thousand eight hundred	
183	sixty (1,913,860) dollars, or so much thereof as may be necessary,	
184	to be used in the following manner:	
185	For salaries	\$ 1,409,760.00
186	For support, maintenance, and miscellaneous pur-	
187	poses	478,800.00
188	For equipment	25,300.00
		1,913,860.00
189	Total for training school for boys, Eldora.....	\$ 1,913,860.00

190

TRAINING SCHOOL FOR GIRLS

191

Mitchellville

192 14. For the training school for girls at Mitchellville, Iowa, there is
 193 hereby appropriated from the general fund of the state for each year
 194 of the biennium beginning July 1, 1967 and ending June 30, 1969, the
 195 sum of seven hundred five thousand four hundred eighty (705,480)
 196 dollars, or so much thereof as may be necessary, to be used in the fol-
 197 lowing manner:

198	For salaries	\$ 430,560.00
199	For support, maintenance, and miscellaneous pur-	
200	poses	259,420.00
201	For equipment	15,500.00

202	Total for training school for girls, Mitchellville.....	\$ 705,480.00
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203	Grand total of all appropriations for all purposes to	
204	the board of control institutions.....	\$34,806,820.00

1 SEC. 2. The budget of total expenditures for each institution un-
 2 der the control of the board of control during the biennium shall not
 3 exceed the state appropriation for each institution set forth in this
 4 Act, except that the gross salary expenditure shall be adjusted by the
 5 maintenance recovery in arriving at the total expenditure.

6 The maintenance recovery is the rental charge to employees for
 7 room, apartment, or house and meals when it is a payroll deduction
 8 and budgeted to the salary appropriation.

9 All other receipts are deposited to the state general fund and are
 10 not to be used by the institution.

1 SEC. 3. 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 allowance shall be authorized, any ruling
 5 of the federal internal revenue service with respect to the tax status
 6 therefor notwithstanding.

1 SEC. 4. The board of control, in cooperation with the board of
 2 social welfare, or its successor, is hereby instructed to continue the
 3 program study and apply the medicaid program as set forth in House
 4 File 93, Acts of the Sixty-second General Assembly, insofar as it can
 5 be utilized for the children at the state hospital-schools at Woodward
 6 and Glenwood.

1 SEC. 5. The mental health institutes' daily per diem as deter-
 2 mined by section two hundred thirty point twenty (230.20), Code
 3 1966, as amended, shall be billed at eighty (80) percent for the bi-
 4 ennium.

1 SEC. 6. The state hospital schools' daily per diem as determined
 2 by section two hundred twenty-two point seventy-three (222.73),
 3 Code 1966, as amended, shall be billed at eighty (80) percent for the
 4 biennium.

1 SEC. 7. No funds appropriated by this Act shall be used for capi-
 2 tal improvements.

1 SEC. 8. Chapter eight (8), Code 1966, shall apply to this Act,
2 except that employees whose salaries are appropriated in this Act
3 shall not come under the division of personnel under section eight
4 point five (8.5), Code 1966.

1 SEC. 9. Where any provisions of the laws of this state are in con-
2 flict with this Act, the provisions of this Act shall govern for the
3 biennium.

1 SEC. 10. This Act shall operate retroactively and retrospectively,*
2 with full force and effect, to and from July 1, 1967.

1 SEC. 11. This Act, being deemed of immediate importance, shall
2 take effect after its passage, approval and publication in the Bona-
3 parte Record Republican, a newspaper published at Bonaparte, Iowa,
4 and in the Emmetsburg Reporter, a newspaper published at Emmets-
5 burg, Iowa.

Approved July 10, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3.9, Code of Iowa, 1966, there being no newspaper by the name of the Bonaparte Record Republican, published in Bonaparte, Iowa, I hereby designate The Record-Republican, published in Bonaparte, Iowa, to publish the foregoing Act, Senate File 836.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, Senate File 836, was published in The Record-Republican, Bonaparte, Iowa, July 14, 1967, and in the Emmetsburg Reporter, Emmetsburg, Iowa, July 18, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

*According to enrolled Act.

CHAPTER 3

BOARD OF CONTROL CAPITAL IMPROVEMENTS

H. F. 758

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

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 board of control of state institutions the sum
3 of nine million (9,000,000) dollars to be used in the following manner,
4 to wit:
5 1. Oakdale—security medical facility phase I comple-
6 tion\$2,185,000.00
7 2. Medium security institution for men to be erected
8 on land now occupied by the men's reformatory at Ana-
9 mosa and operated in connection therewith on a site to be
10 selected by the executive council. (Such funds to be used

11	only for the planning, contracting, constructing, and	
12	equipping of any building or buildings used for detain-	
13	ing, care, and treatment of men and shall not include any	
14	funds for any building to be used for administrative pur-	
15	poses.)	\$3,531,250.00
16	3. To supplement any prior appropriations for capital	
17	improvement items for construction of new buildings,	
18	repairs, improvements, replacements, or alterations, or	
19	for any capital expenditures the board of control may	
20	deem necessary for the proper and necessary function of	
21	any institution under its jurisdiction	3,283,750.00
22	Total	\$9,000,000.00

1 SEC. 2. When the board of control has approved a project to be
 2 financed with funds appropriated by this Act, a description of said
 3 project and estimated cost shall be reported to the governor and state
 4 comptroller.

1 SEC. 3. Contracts, plans, and specifications or plan of operation
 2 for improvements for which funds are appropriated by this Act shall
 3 be submitted by the board of control to the governor and the state
 4 comptroller, except that items commonly known as change orders need
 5 not be submitted to the governor and the state comptroller unless such
 6 change orders actually increase the total cost of that particular
 7 project.

1 SEC. 4. Upon completion of the contract documents and the deter-
 2 mination of the total cost of any project as set forth in this Act, any
 3 unobligated balance remaining may be used to supplement any current
 4 or prior appropriation for capital improvement items for construction
 5 of new buildings, repairs, improvements, replacements or alterations,
 6 or for any other capital expenditures the board of control may deem
 7 necessary for proper and necessary function of any institution under
 8 its jurisdiction.

1 SEC. 5. The board of control, the governor, and the state comp-
 2 troller are hereby authorized to obtain federal grants to the state to be
 3 used in connection with the funds appropriated by this Act.

1 SEC. 6. Any unencumbered balance remaining as of June 30, 1971,
 2 of the appropriation of this Act shall revert to the general fund of the
 3 state as of June 30, 1971.

1 SEC. 7. If any section, subsection, paragraph, sentence, clause, or
 2 phrase of this Act is for any reason held to be unconstitutional or in-
 3 valid, such unconstitutionality or invalidity shall not affect the consti-
 4 tutionality or validity of the remaining portions of this Act. The gen-
 5 eral assembly hereby declares that it would have passed this Act and
 6 each section, subsection, paragraph, sentence, clause or phrase hereof,
 7 irrespective of whether any one or more of the sections, subsections,
 8 paragraphs, sentences, clauses or phrases be declared unconstitutional.

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 4

BOARD OF CONTROL

H. F. 757

AN ACT to appropriate funds from the general fund of the state for the biennium beginning July 1, 1967 and ending June 30, 1969, funds for the central office of the board of control.

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

1	SECTION 1. There is hereby appropriated for the board of control	
2	from the general fund of the state for each year of the biennium begin-	
3	ning July 1, 1967 and ending June 30, 1969, the sum of one million	
4	three hundred sixty thousand two hundred ten (1,360,210) dollars, or	
5	so much thereof as may be necessary, to be used in the following man-	
6	ner:	
7	For salaries of board members [three (3) at thirteen	
8	thousand (13,000) dollars each]	\$ 39,000.00
9	For other salaries	1,043,570.00
10	For support, maintenance, and miscellaneous purposes	227,640.00
11	For group home programs for Eldora, Mitchellville,	
12	Davenport, and Toledo	50,000.00
		<hr/>
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	\$1,360,210.00

1 SEC. 2. Chapter eight (8), Code 1966, shall apply to this Act.

1 SEC. 3. This Act shall operate retroactively and retrospectively,
2 with full force and effect, to and from July 1, 1967.

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 Clinton Herald, a newspaper published at Clinton, Iowa and in
4 The Cedar Rapids Gazette, a newspaper published at Cedar Rapids,
5 Iowa.

Approved July 10, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, House File 757, was published in The Clinton Herald, Clinton, Iowa, July 14, 1967, and in The Cedar Rapids Gazette, Cedar Rapids, Iowa, July 17, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 5

BOARD OF REGENTS

S. F. 838

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1967 and ending June 30, 1969 to the state board of regents for the salaries, support, maintenance, equipment, miscellaneous purposes, and repairs, replacements, and alterations of institutions under the said state board of regents.

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

1 SECTION 1. There is hereby appropriated from the general fund of
2 the state for each year of the biennium beginning July 1, 1967, and
3 ending June 30, 1969, for salaries, support, maintenance, equipment,
4 miscellaneous purposes and repairs, replacements and alterations of
5 all institutions under the control of the state board of regents, the fol-
6 lowing sums or so much thereof as may be necessary for the following
7 purposes to wit:

STATE UNIVERSITY OF IOWA

Iowa City

1 SEC. 2. For the state university of Iowa there is hereby appropri-
2 ated from the general fund of the state for each year of the biennium
3 beginning July 1, 1967, and ending June 30, 1969, the following sum
4 or so much thereof as may be necessary to be used in the following
5 manner:
6 For salaries, support, maintenance, equipment, mis-
7 cellaneous; and repairs, replacements and alterations
8 for the state university of Iowa (including lakeside
9 laboratory)\$28,530,000.00

UNIVERSITY HOSPITAL

1 SEC. 3. For the purpose of carrying out the purpose of chapter
2 two hundred fifty-five (255), Code of Iowa, there is hereby appropri-
3 ated from the general fund of the state for each year of the biennium
4 beginning July 1, 1967, and ending June 30, 1969, the following sum
5 or so much thereof as may be necessary to be used in the following
6 manner:
7 For salaries, support, maintenance, equipment, mis-
8 cellaneous; and for medical surgical treatment of indi-
9 gent patients; and for repairs, replacements and altera-
10 tions for the university hospital\$ 8,617,000.00

PSYCHOPATHIC HOSPITAL

1 SEC. 4. For the psychopathic hospital for the purpose of chapter
2 two hundred twenty-five (225), Code of Iowa, there is hereby appro-
3 priated from the general fund of the state for each year of the bien-
4 nium beginning July 1, 1967, and ending June 30, 1969, the following
5 sum or so much thereof as necessary to be used in the following
6 manner:

7 For salaries, support, maintenance, equipment, mis-
 8 cellaneous; and for the care, treatment and maintenance
 9 of committed and voluntary public patients therein; and
 10 for repairs, replacements and alterations for the psy-
 11 chopathic hospital\$ 1,897,000.00

BACTERIOLOGICAL LABORATORY

1 SEC. 5. For the bacteriological laboratory there is hereby appro-
 2 priated from the general fund of the state for each year of the bien-
 3 nium beginning July 1, 1967, and ending June 30, 1969, the following
 4 sum or so much thereof as may be necessary to be used in the manner
 5 and under the authority provided in chapter two hundred sixty-three
 6 (263), Code of Iowa:

7 For salaries, support, maintenance, equipment and
 8 miscellaneous purposes for the bacteriological labora-
 9 tory\$ 627,000.00

HOSPITAL SCHOOL

1 SEC. 6. For the hospital school there is hereby appropriated from
 2 the general fund of the state for each year of the biennium beginning
 3 July 1, 1967, and ending June 30, 1969, the following sum 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 of
 6 Iowa:

7 For salaries, support, maintenance, equipment, mis-
 8 cellaneous; and repairs, replacements, and alterations
 9 for the hospital school\$ 1,175,000.00

STATE SANATORIUM

Oakdale

1 SEC. 7. For the state sanatorium there is hereby appropriated
 2 from the general fund of the state for each year of the biennium be-
 3 ginning July 1, 1967, and ending June 30, 1969, the following sum or
 4 so much thereof as may be necessary to be used in the following
 5 manner:

6 For salaries, support, maintenance, equipment, mis-
 7 cellaneous; and repairs, replacements and alterations
 8 for the state sanatorium\$ 1,453,000.00

IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

Ames

1 SEC. 8. For the Iowa state university of science and technology,
 2 there is hereby appropriated from the general fund of the state for
 3 each year of the biennium beginning July 1, 1967, and ending June 30,
 4 1969, the following sum or so much thereof as may be necessary to be
 5 used in the following manner:

6 For salaries, support, maintenance, equipment, mis-
 7 cellaneous; and repairs, replacements, and alterations
 8 for the Iowa state university of science and technology..\$22,536,000.00

IOWA AGRICULTURAL EXPERIMENT STATION

1 SEC. 9. For the Iowa agricultural experiment station, there is
 2 hereby appropriated from the general fund of the state for each year
 3 of the biennium beginning July 1, 1967, and ending June 30, 1969, the
 4 following sum or so much thereof as may be necessary to be used in
 5 the following manner:

6 For salaries, support, maintenance, equipment, and
 7 miscellaneous purposes for the Iowa agricultural ex-
 8 periment station\$ 3,599,000.00

CO-OPERATIVE EXTENSION SERVICE IN AGRICULTURE
AND HOME ECONOMICS

1 SEC. 10. For the co-operative extension service in agricultural and
 2 home economics there is hereby appropriated from the general fund of
 3 the state for each year of the biennium beginning July 1, 1967, and
 4 ending June 30, 1969, the following sum or so much thereof as may be
 5 necessary to be used in the following manner:

6 For salaries, support, maintenance, equipment, and
 7 miscellaneous purposes for the co-operative extension
 8 service in agriculture and home economics.....\$ 2,698,000.00

UNIVERSITY OF NORTHERN IOWA

Cedar Falls

1 SEC. 11. For the university of northern Iowa there is hereby ap-
 2 propriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1967, and ending June 30, 1969, the follow-
 4 ing sum or so much thereof as may be necessary to be used in the fol-
 5 lowing manner:

6 For salaries, support, maintenance, equipment, mis-
 7 cellaneous; and repairs, replacements and alterations
 8 for the university of northern Iowa.....\$ 8,536,000.00

IOWA BRAILLE AND SIGHT SAVING SCHOOL

Vinton

1 SEC. 12. For the Iowa braille and sight saving school there is
 2 hereby appropriated from the general fund of the state for each year
 3 of the biennium beginning July 1, 1967, and ending June 30, 1969, the
 4 following sum or so much thereof as may be necessary to be used in
 5 the following manner:

6 For salaries, support, maintenance, equipment, mis-
 7 cellaneous; and repairs, replacements and alterations
 8 for the Iowa braille and sight saving school.....\$ 652,000.00

IOWA SCHOOL FOR THE DEAF

Council Bluffs

1 SEC. 13. For the Iowa school for the deaf there is hereby appro-
 2 priated from the general fund of the state for each year of the bien-

3 nium beginning July 1, 1967, and ending June 30, 1969, the following
4 sum or so much thereof as may be necessary to be used in the follow-
5 ing manner:

6 For salaries, support, maintenance, equipment, mis-
7 cellaneous; and repairs, replacements and alterations
8 for the Iowa school for the deaf.....\$ 1,180,000.00

9 TOTAL OF THE APPROPRIATIONS FOR THE INSTITUTIONS
10 UNDER THE STATE BOARD OF REGENTS FOR ALL PURPOSES..\$81,500,000.00

1 SEC. 14. The budget of total expenditures for each institution un-
2 der the control of the state board of regents, including state appropri-
3 ations and such other receipts as may be available for the same pur-
4 pose as the state appropriations, during the biennium shall not exceed
5 the budget for each institution as hereinafter set forth, except the
6 state board of regents may, in the event of an emergency or necessity,
7 which may arise at any particular institution under its control, expend
8 more than the amount budgeted for such institution which expenditure
9 shall be made out of increase in receipts of such institution, such in-
10 crease in receipts meaning receipts in excess of the estimation of
11 receipts of the respective institutions set forth in the appropriations
12 proposals submitted to the general assembly, provided that thirty days
13 prior to such proposed increased expenditure the board shall report in
14 writing to the state comptroller the specific purpose of such additional
15 expenditure and the source and amount of funds available therefore,
16 and further said board shall set out in its biennial report to the gov-
17 ernor and the next general assembly such increased expenditures, the
18 purpose thereof, and the source and amount of funds used therefor.

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

22 State university of Iowa (including lakeside labora-	
23 tory)	\$ 75,407,000.00
24 University hospital	31,475,000.00
25 Psychopathic hospital	4,262,000.00
26 Bacteriological laboratory	1,404,000.00
27 Hospital School	2,532,000.00
28 State sanatorium	3,030,000.00
29 Iowa state university of science and technology	60,812,000.00
30 Iowa agricultural experiment station	9,314,000.00
31 Co-operative extension service in agriculture and home	
32 economics	9,552,000.00
33 University of northern Iowa	22,036,000.00
34 Iowa braille and sight saving school	1,307,000.00
35 Iowa school for the deaf	2,372,000.00

36 Total budget for all institutions under the state board
37 of regents for the biennium beginning July 1, 1967, and
38 ending June 30, 1969

\$223,503,000.00

1 SEC. 15. 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. 16. There may be attached to each of the three (3) institu-
2 tions of higher learning by the state comptroller a budget analyst.
3 The purpose of the budget analyst shall be to provide liaison between
4 the institutions and the comptroller's office in the preparation and
5 execution of the budgets and to accumulate financial and statistical
6 data relative to the budgets. The budget analyst shall work closely
7 with the financial officers of the institutions, and the central office of
8 the board of regents.

9 All financial and statistical data and information prepared or ac-
10 cumulated shall be made available to the governor and the general
11 assembly for their needs in subsequent budgeting and appropriation
12 legislation.

13 The budget analyst shall be provided adequate office space and office
14 supplies by the institution. Salary and travel expenses shall be paid
15 by the comptroller's office.

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

1 SEC. 18. This Act shall operate retroactively and retrospectively,
2 with full force and effect, to and from July 1, 1967.

1 SEC. 19. This Act, being deemed of immediate importance, shall
2 take effect after its passage, approval and publication in the Ames
3 Daily Tribune, a newspaper published at Ames, Iowa, and in The
4 Fayette County Union, a newspaper published at West Union, Iowa.

Approved July 10, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 838, was published in the Ames Daily Tribune, Ames, Iowa, July 13, 1967, and in The Fayette County Union, West Union, Iowa, July 20, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 6

BOARD OF REGENTS CAPITAL IMPROVEMENTS

H. F. 747

AN ACT to appropriate from the general fund of the state of Iowa for capital improvements for institutions under the board of regents, including construction of new buildings, repairs, improvements, replacements, or alterations.

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

1 SECTION 1. There is appropriated from the general fund of the
2 state of Iowa for the biennium beginning July 1, 1967, and ending
3 June 30, 1969, to the board of regents the sum of thirty-four million

4 dollars (\$34,000,000.00), or so much thereof as may be necessary, to
5 be used in the following manner:

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

1 SEC. 2. When the board of regents has approved a project to be
2 financed with funds appropriated by this Act, a description of the
3 project and estimated cost shall be reported to the governor and state
4 comptroller for allocation of funds.

1 SEC. 3. The board of regents is authorized to obtain federal grants
2 to the state to be used in connection with the funds appropriated by
3 this Act.

1 SEC. 4. The state board of regents shall engage consultants ac-
2 knowledged to be experienced in the field of planning for institutions
3 of higher education, and therewith to proceed to initiate plans for the
4 location, establishment, construction and operation of a state institu-
5 tion of higher education in western Iowa.

6 The state board of regents, upon its selection of the location, shall
7 purchase, acquire, lease, option, or accept as a gift any real property
8 necessary for the establishment and growth of this institution.

9 Included in the appropriation to the state board of regents in this
10 Act is a sum not to exceed five hundred thousand dollars (\$500,-
11 000.00), to be used to carry out the study, planning and establishment
12 of this institution of higher education to be established in western
13 Iowa.

1 SEC. 5. Included in the appropriation to the state board of regents
2 in this Act is a sum not to exceed three million one hundred ninety-five
3 thousand dollars (\$3,195,000.00), to be used for the phase one (1)
4 construction of a veterinary medicine facility at Iowa state university
5 of science and technology.

1 SEC. 6. Any unencumbered balance remaining as of June 30, 1971,
2 of the funds appropriated by this Act, shall revert to the general fund
3 of the state as of June 30, 1971.

1 SEC. 7. This Act shall operate retroactively and retrospectively,
2 with full force and effect, to and from July 1, 1967.

1 SEC. 8. This Act, being deemed of immediate importance, shall
2 take effect after its passage, approval and publication in the Pella
3 Chronicle and Advertiser, a newspaper published at Pella, Iowa, and
4 in The Oelwein Daily Register, a newspaper published at Oelwein,
5 Iowa.

Approved July 20, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3.9, Code of Iowa, 1966, there being no newspaper by the name of the Pella Chronicle and Advertiser, published in Pella, Iowa, I hereby desig-

nate the Pella Chronicle-Advertiser, published in Pella, Iowa, to publish the foregoing Act, House File 747.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, House File 747, was published in the Pella Chronicle-Advertiser, Pella, Iowa, August 1, 1967, and in The Oelwein Daily Register, Oelwein, Iowa, July 29, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 7

BOARD OF REGENTS

H. F. 762

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1967 and ending June 30, 1969, funds for the central office of the state board of regents.

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

1 SECTION 1. There is hereby appropriated for the central office of
2 the board of regents from the general fund of the state of Iowa for
3 each year of the biennium beginning July 1, 1967 and ending June 30,
4 1969, the sum of one hundred five thousand dollars (\$105,000.00), or
5 so much thereof as may be necessary, to be used in the following man-
6 ner:

7 For salaries, support, maintenance, equipment, and mis-	
8 cellaneous purposes (including board members receiving a	
9 per diem of thirty (30) dollars per day)	\$105,000.00
10 Grand total of all appropriations for all purposes for	
11 each year of the biennium for the central office of the board	
12 of regents	\$105,000.00

1 SEC. 2. All salaries provided for in this Act shall be payable in
2 equal monthly or semimonthly 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. 3. No employee of the central office of the board of regents
2 shall receive salary or remuneration in excess of the salary fixed for
3 the chief administrative officer.

1 SEC. 4. Chapter eight (8), Code 1966, shall apply to this Act.

Approved July 10, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 8

PURCHASE OF SURPLUS FEDERAL BUILDING

H. F. 718

AN ACT to appropriate from the general fund of the state of Iowa for acquisition of certain property in Des Moines, Polk county, Iowa, to authorize the executive council to purchase, manage and lease the same and to assign space therein, and to make an appropriation therefor.

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

1 SECTION 1. The state executive council is hereby empowered and
2 directed to proceed at once to acquire by purchase the following par-
3 cels of real property and the improvements thereon now owned by the
4 government of the United States, all in and forming a part of the city
5 of Des Moines, Polk county, Iowa, to wit:

6 East two-thirds (E $\frac{2}{3}$) of lots five (5) and six (6), block
7 twenty-two (22), town of Fort Des Moines, now included in
8 and forming a part of the city of Des Moines, Polk county,
9 Iowa, together with the improvements thereon and appurte-
10 nances thereto.

1 SEC. 2. There is hereby appropriated from the general fund of the
2 state of Iowa to the state executive council the sum of four hundred
3 thousand (400,000) dollars, to acquire said property, and one thousand
4 (1,000) dollars, or so much thereof as may be necessary, to carry out
5 the provisions of this Act.

1 SEC. 3. Upon the acquisition of the real property described in this
2 Act, the state executive council shall have the authority to manage,
3 control, protect by insurance, and lease, as the executive council may
4 deem to be in the best interests of the state. The state executive coun-
5 cil may assign space to state agencies, boards, and commissions as
6 though the property were located upon the capitol grounds. Section
7 nineteen point fifteen (19.15) of the Code shall apply when applicable.

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 Ames Daily Tribune, a newspaper published in Ames, Iowa, and in
4 The Nevada Journal, a newspaper published in Nevada, Iowa.

Approved June 26, 1967.

I hereby certify that the foregoing Act, House File 718, was published in the Ames Daily Tribune, Ames, Iowa, June 28, 1967, and in The Nevada Journal, Nevada, Iowa, June 29, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 9

STATE BUILDING IMPROVEMENTS

H. F. 719

AN ACT to appropriate to the superintendent of public buildings and grounds from the general fund of the state of Iowa for capital improvements to the property known as the Valley Bank Building located at Fourth and Walnut Streets, city of Des Moines, Polk county, Iowa.

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

1 SECTION 1. There is hereby appropriated from the general fund of
2 the state to the superintendent of public buildings and grounds, the
3 sum of fifty thousand (50,000) dollars, or so much thereof as may be
4 necessary, for capital improvements to the following described prop-
5 erty, to wit:

6 East two-thirds (E $\frac{2}{3}$) of lots five (5) and six (6), block
7 twenty-two (22), town of Fort Des Moines, now included in
8 and forming a part of the city of Des Moines, Polk County,
9 Iowa, together with the improvements thereon and appurte-
10 nances thereto.

1 SEC. 2. Prior to any of the funds appropriated by this Act being
2 expended, the superintendent of public buildings and grounds, with
3 the approval of the state architect and the state executive council,
4 shall determine that the expenditure shall be in the best interests of
5 the state. No additional sums shall be expended by the executive coun-
6 cil under section nineteen point twenty-nine (19.29), Code 1966, for
7 implementation of this appropriation.

1 SEC. 3. Any unencumbered balance remaining as of June 30, 1971
2 of the funds appropriated by this Act shall revert to the general fund
3 of the state.

Approved June 30, 1967.

CHAPTER 10

STATE CONSERVATION COMMISSION

S. F. 821

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1967 and ending June 30, 1969, funds for the state conservation commission.

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

1 SECTION 1. There is hereby appropriated for the state conserva-
2 tion commission from the general fund of the state of Iowa for each
3 year of the biennium beginning July 1, 1967 and ending June 30, 1969,
4 the sum of one million three hundred twenty-six thousand seven hun-
5 dred fifty (1,326,750)* dollars, or so much thereof as may be necessary,
6 to be used in the following manner:

*According to enrolled Act.

7	1. Lands and waters operations	
8	For salaries	\$ 890,000.00
9	For support, maintenance and miscellaneous purposes	
10	of the office, maintenance of state parks, waters and for-	
11	ests	195,400.00
12	Total for lands and waters operations	\$1,085,400.00
13	2. Prison labor program	
14	For salaries, support, maintenance, and miscellaneous	
15	purposes for utilization of prison inmates under the	
16	board of control	\$ 103,090.00
17	3. State advisory board for preserves	
18	For salaries, support, maintenance, and miscellaneous	
19	purposes for carrying out the duties of the board	\$ 14,810.00
20	4. Planning and cooperation with federal agencies on	
21	conservation	
22	For salaries, support, maintenance, and miscellaneous	
23	purposes	\$ 57,240.00

24 Of the funds appropriated by this Act, there shall be
 25 included not more than three hundred eighty-six thousand
 26 three hundred (386,300) dollars of which shall be avail-
 27 able for the administration fund in compliance with the
 28 provisions of section one hundred seven point seventeen
 29 (107.17), Code 1966, such funds being included in sub-
 30 section one (1) of this section.

31 Grand total of all appropriations for all purposes for
 32 each year of the biennium for the state conservation com-
 33 mission

\$1,260,540.00*

1 SEC. 2. The salary of the state conservation director shall be four-
 2 teen thousand five hundred dollars (\$14,500.00) for each year of the
 3 biennium beginning July 1, 1967, and ending June 30, 1969.

1 SEC. 3. Section one hundred seven point thirteen (107.13), Code
 2 1966, is amended as follows:

3 "By striking from line fifteen (15) the words 'forty-eight hundred'
 4 and inserting in lieu thereof the words 'fifty-four hundred'.

5 "By striking from lines twenty (20) and twenty-one (21) the words
 6 'fifty-seven hundred' and inserting in lieu thereof the words 'sixty-
 7 three hundred'".

1 SEC. 4. Chapter eight (8), Code 1966, shall apply to this Act.

1 SEC. 5. This Act shall operate retroactively and retrospectively,
 2 with full force and effect, to and from July 1, 1967.

1 SEC. 6. This Act, being deemed of immediate importance, shall
 2 take effect after its passage, approval and publication in The Denison
 3 Bulletin, a newspaper published at Denison, Iowa, and in The West

*According to enrolled Act.

4 Des Moines Express, a newspaper published at West Des Moines,
5 Iowa.

Approved July 10, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 821, was published in The Denison Bulletin, Denison, Iowa, July 17, 1967, and in The West Des Moines Express, West Des Moines, Iowa, July 18, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 11

CONSERVATION APPROPRIATION

S. F. 775

AN ACT to appropriate from the general fund of the state of Iowa to the state conservation commission for construction, replacement, repairs, development, and alterations to state parks and reserves, state forests, and state waters; for dredging, artificial lake development, erosion control, river, stream and lake access, development and maintenance of water-oriented facilities, land acquisition; for siltation control; for boundary surveys, engineering services, and authorizing the obtaining and acceptance of federal funds to the state to be used in connection with this appropriation and federal funds in addition thereto.

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

1 SECTION 1. There is hereby appropriated to the state conservation
2 commission from the general fund of the state of Iowa the sum of
3 seven million nine hundred seventeen thousand five hundred
4 (7,917,500) dollars for construction, replacement, repairs, develop-
5 ment, and alterations to state parks and reserves, state forests, and
6 state waters; for dredging, artificial lake development, erosion control,
7 river, stream and lake access, development and maintenance of water-
8 oriented facilities, land acquisition; for siltation control and for
9 boundary surveys.

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

2 For construction, replacement, repairs, development, and alterations
3 to state parks and reserves, state forests, and state waters, artificial
4 lake development, erosion control, river, stream and lake access, de-
5 velopment and maintenance of water-oriented facilities, land acquisi-
6 tion; for natural lake dredging; for siltation control, boundary sur-
7 veys, engineering services and to supplement any prior appropriation
8 for such items\$7,917,500.00

1 SEC. 3. The state conservation commission, the governor, and the
2 state comptroller are hereby authorized to obtain and accept federal
3 grants to the state to be used in connection with the funds appropri-
4 ated in this Act and federal funds in addition thereto.

1 SEC. 4. When the state conservation commission has approved a
2 project to be financed with funds appropriated by this Act, a descrip-
3 tion of said project and estimated cost shall be reported to the gov-
4 ernor and state comptroller.

1 SEC. 5. Of the funds appropriated by this Act, there are included
2 the following specific projects:

3	Brushy Creek artificial lake and recreation area.....	\$1,000,000.00
4	Volga River artificial lake and recreation area.....	1,000,000.00
5	Spring Lake dredging and silt removal.....	30,000.00
6	Walter's Creek Watershed	53,000.00
7	Iowa Lake—3½ miles northwest of Harris, Iowa.....	5,000.00
8	Badger Creek Watershed	122,000.00

9 Big Creek artificial lake and recreation area (such funds to be used
10 in cooperation with the United States corps of engineers in the devel-
11 opment of Big Creek reservoir in conjunction with the Saylorville
12 flood control projects).....\$1,000,000.00

13 The funds herein provided, or so much thereof as is needed to com-
14 ply with federal regulations, shall be used to purchase and develop a
15 state naturama at Big Creek artificial lake at Polk City, Iowa. Any
16 portion of this appropriation not needed and used to comply with fed-
17 eral regulations shall not be used for any other project by the conser-
18 vation commission.

19 State conservation education training center, Spring Brook State
20 Park (such funds to be used for the purchase of land and for construc-
21 tion and maintenance, with operation of the center under the jurisdic-
22 tion of the state conservation commission with the assistance of the
23 university of northern Iowa and the state department of public in-
24 struction)\$ 487,500.00

1 SEC. 6. Any unencumbered balance remaining as of June 30, 1971
2 of the state appropriations of this Act made by the Sixty-second Gen-
3 eral Assembly shall revert to the general fund of the state as of June
4 30, 1971.

1 SEC. 7. If any section, subsection, paragraph, sentence, clause or
2 phrase of this Act is for any reason held to be unconstitutional or in-
3 valid, such unconstitutionality or invalidity shall not affect the consti-
4 tutionality or validity of the remaining portions of this Act. The gen-
5 eral assembly declares that it would have passed this Act and each
6 section, subsection, paragraph, sentence, clause or phrase hereof ir-
7 respective of whether any one or more of the sections, subsections,
8 paragraphs, sentences, clauses or phrases be declared unconstitutional.

1 SEC. 8. This Act shall operate retroactively and retrospectively,
2 with full force and effect, to and from July 1, 1967.

1 SEC. 9. This Act, being deemed of immediate importance, shall
2 take effect after its passage, approval and publication in The Maquo-
3 keta Community Press, a newspaper published at Maquoketa, Iowa,
4 and in the Ottumwa Courier, a newspaper published at Ottumwa,
5 Iowa.

Approved July 20, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 775, was published in The Ma-
quoketa Community Press, Maquoketa, Iowa, August 1, 1967, and in the Ottumwa
Courier, Ottumwa, Iowa, July 27, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 12

DEPARTMENT OF SOCIAL WELFARE

H. F. 687

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1967, and ending June 30, 1969, to the department of social welfare 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, support for Indians residing on a settlement, and medical assistance; and to repeal certain sections of Senate File 739, Acts of the Sixty-second General Assembly.

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

1 SECTION 1. For the department of social welfare there is hereby
2 appropriated from the general fund of the state for each year of the
3 biennium beginning July 1, 1967, and ending June 30, 1969, the sum of
4 thirty-one million eight hundred seventy-five thousand (31,875,000)
5 dollars, or so much thereof as may be necessary, to be used in the fol-
6 lowing manner:

7	For aid to blind fund	\$ 460,000.00
8	For aid to dependent children fund	7,035,000.00
9	For child welfare fund [including seven hundred fifty	
10	thousand (750,000) dollars for foster care]	1,225,000.00
11	For emergency relief fund	70,000.00
12	Old age assistance fund	10,600,000.00
13	Aid to disabled fund	590,000.00
14	Medical assistance	11,875,000.00
15	Support for Indians residing on a settlement	20,000.00

16 [Of the funds herein appropriated there shall be not
17 more than four million one hundred twenty-five thou-
18 sand (4,125,000) dollars per year available for the
19 administration fund in compliance with the provisions
20 of section two hundred thirty-four point six (234.6),
21 Code 1966.]

22 Grand total of all appropriations for all purposes for
23 each year of the biennium for the department of social
24 welfare\$31,875,000.00

1 SEC. 2. Any balance remaining in the funds to which appropri-
2 ations 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	\$ 75,000.00
6	Aid to dependent children fund	580,000.00
7	Emergency relief fund	55,000.00
8	Aid to disabled fund	75,000.00

1 SEC. 3. Transfer of funds appropriated by this Act to the old age
2 assistance fund and medical assistance may be made between the two
3 (2) funds upon request of the department of social welfare and with
4 the approval of the state executive council.

1 SEC. 4. In computing aid to dependent children payments the in-
2 come of the recipient and eligible children shall be exempted in accord-

3 ance with the provisions of Title IV, Section 402, of the federal Social
4 Security Act.

1 SEC. 5. Sections four hundred eighteen (418), four hundred nine-
2 teen (419) and four hundred twenty (420) of Senate File 739,* Acts
3 of the Sixty-second General Assembly, are hereby repealed.

1 SEC. 6. This Act shall operate retroactively and retrospectively,
2 with full force and effect, to and from July 1, 1967.

1 SEC. 7. This Act, being deemed of immediate importance, shall
2 take effect and be in force from and after its publication in The Cla-
3 rinda Herald-Journal, a newspaper published in Clarinda, Iowa and
4 in The Farmer-Labor Press, a newspaper published in Council Bluffs,
5 Iowa.

Approved July 10, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, House File 687, was published in The Cla-
rinda Herald-Journal, Clarinda, Iowa, July 13, 1967, and in The Farmer-Labor Press,
Council Bluffs, Iowa, July 20, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

*See chapter 209 hereof, also chapter 223.

CHAPTER 13

CONSERVATION COMMISSION

H. F. 741

AN ACT authorizing expenditures by the state conservation commission from the fish
and game protection fund for the biennium beginning July 1, 1967 and ending June
30, 1969.

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

1 SECTION 1. The state conservation commission is hereby author-
2 ized to expend from the fish and game protection fund for each year of
3 the biennium beginning July 1, 1967 and ending June 30, 1969, not to
4 exceed three million six hundred five thousand six hundred thirty-eight
5 (3,605,638) dollars, or so much thereof as may be necessary, to be used
6 in the following manner:

7	For salaries	\$1,514,562.00
8	For support, maintenance and miscellaneous purposes..	783,076.00
9	For equipment	100,000.00
10	For capital improvements	628,550.00
11	For transfers to administration fund in compliance	
12	with provisions of section one hundred seven point seven-	
13	teen (107.17), Code 1966	579,450.00

14	Grand total of all authorizations for expenditures for	
15	all purposes for each year of the biennium from the fish	
16	and game protection fund	\$3,605,638.00

1 SEC. 2. All refunds and reimbursements, including federal funds,
2 received during the biennium shall be credited directly to the fish and
3 game protection fund.

1 SEC. 3. Any balance unused during the first fiscal year of the bien-
2 nium shall be carried over and augment the amount authorized for the
3 second year of the biennium, and at the end of the biennium any un-
4 encumbered balance shall revert to the fish and game protection fund.

1 SEC. 4. If the amount herein authorized by the general assembly
2 for any year shall prove to be insufficient to meet the commission's
3 needs during said year, the executive council may on proper showing
4 by the commission authorize such additional amount from the fish and
5 game protection fund for said year as may appear to the council neces-
6 sary to meet the commission's needs for the remainder of said year.

1 SEC. 5. Chapter eight (8), Code 1966, shall apply to this Act.

Approved July 10, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 14

HIGHWAY COMMISSION

S. F. 864

AN ACT authorizing expenditures by the state highway commission from the primary road fund for the biennium beginning July 1, 1967 and ending June 30, 1969, and relating to salaries of highway commission members, director of highways, chief engineer, and expenses of the commissioners.

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, 1967 and ending June 30, 1969, not to exceed forty-
4 six million two hundred fifty-eight thousand one hundred fourteen
5 (46,258,114) dollars, or so much thereof as may be necessary, to be
6 used in the following manner:

7 1. ADMINISTRATION.

8 a. Commission:

9 (1). Salaries—five (5) commissioners at eight	
10 thousand five hundred (8,500) dollars each, IPERS,	
11 FICA, and group insurance	\$ 45,000.00
12 (2). Support, maintenance, and miscellaneous pur-	
13 poses includes commissioners' actual local office ex-	
14 pense up to five hundred (500) dollars each, except the	
15 chairman, which expense may be up to seven hundred	
16 fifty (750) dollars	15,000.00

17 Total commission	\$ 60,000.00
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18 b. Director of Highways:

19 (1). Salary of director	\$ 27,600.00
20 (2). Other salaries	46,160.00

21	(3). Support, maintenance, and miscellaneous pur-		
22	poses	\$	12,105.00
23	Total director of highways	\$	85,865.00
24	c. Chief Engineer:		
25	(1). Salary of chief engineer	\$	21,000.00
26	(2). Other salaries		58,000.00
27	(3). Support, maintenance, and miscellaneous pur-		
28	poses		8,600.00
29	Total chief engineer	\$	87,600.00
30	d. Aircraft Operations:		
31	(1). Salaries	\$	11,720.00
32	(2). Support, maintenance, and miscellaneous pur-		
33	poses		—0—
34	Total aircraft operations	\$	11,720.00
35	e. Personnel:		
36	(1). Salaries	\$	71,680.00
37	(2). Support, maintenance, and miscellaneous pur-		
38	poses		38,565.00
39	Total personnel	\$	110,245.00
40	f. Public Information:		
41	(1). Salaries	\$	54,405.00
42	(2). Support, maintenance, and miscellaneous pur-		
43	poses		55,425.00
44	Total public information	\$	109,830.00
45	g. Management Review:		
46	(1). Salaries	\$	61,723.00
47	(2). Support, maintenance, and miscellaneous pur-		
48	poses		6,465.00
49	Total management review	\$	68,188.00
50	h. Legal:		
51	(1). Salaries	\$	84,156.00
52	(2). Support, maintenance, and miscellaneous pur-		
53	poses		19,050.00
54	(3). Litigation		100,000.00
55	Total legal	\$	203,206.00
56	i. Auditor-State Comptroller:		
57	(1). Salaries	\$	6,345.00
58	(2). Support, maintenance, and miscellaneous pur-		
59	poses		22,050.00
60	Total auditor-state comptroller	\$	28,395.00
61	Total administration	\$	765,049.00

62	2. FINANCE.		
63	a. Director of Finance:		
64	(1). Salaries	\$	22,429.00
65	(2). Support, maintenance, and miscellaneous pur-		
66	poses		2,950.00
67	Total director of finance	\$	25,379.00
68	b. Facilities Management:		
69	(1). Salaries	\$	377,535.00
70	(2). Support, maintenance, and miscellaneous pur-		
71	poses	\$	274,100.00
72	Total facilities management	\$	651,635.00
73	c. Central Services:		
74	(1). Salaries	\$	140,544.00
75	(2). Support, maintenance, and miscellaneous pur-		
76	poses		332,044.00
77	Total central services	\$	472,588.00
78	d. Purchasing:		
79	(1). Salaries	\$	258,450.00
80	(2). Support, maintenance, and miscellaneous pur-		
81	poses		139,100.00
82	Total purchasing	\$	397,550.00
83	e. Accounting:		
84	(1). Salaries	\$	297,975.00
85	(2). Support, maintenance, and miscellaneous pur-		
86	poses		133,918.00
87	Total accounting	\$	431,893.00
88	Total finance	\$	1,979,045.00
89	3. PLANNING.		
90	a. Director of Planning:		
91	(1). Salaries	\$	59,370.00
92	(2). Support, maintenance, and miscellaneous pur-		
93	poses	\$	2,370.00
94	Total director of planning	\$	61,740.00
95	b. Highway Planning Surveys:		
96	(1). Salaries	\$	774,700.00
97	(2). Support, maintenance, and miscellaneous pur-		
98	poses		245,830.00
99	Total highway planning surveys	\$	1,020,530.00
100	c. Planning and Programming:		
101	(1). Salaries	\$	299,500.00
102	(2). Support, maintenance, and miscellaneous pur-		
103	poses		84,500.00
104	Total planning and programming	\$	384,000.00

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105	<i>d.</i> Research :		
106	(1). Salaries	\$	53,450.00
107	(2). Support, maintenance, and miscellaneous pur-		
108	poses		4,040.00
109	Total research	\$	57,490.00
110	<i>e.</i> Traffic and Safety :		
111	(1). Salaries	\$	217,630.00
112	(2). Support, maintenance, and miscellaneous pur-		
113	poses		25,205.00
114	Total traffic and safety	\$	242,835.00
115	<i>f.</i> Urban Planning :		
116	(1). Salaries	\$	92,150.00
117	(2). Support, maintenance, and miscellaneous pur-		
118	poses		15,065.00
119	Total urban planning	\$	107,215.00
120	Total planning	\$	1,873,810.00
121	4. DEVELOPMENT.		
122	<i>a.</i> Road Design :		
123	(1). Salaries	\$	2,502,875.00
124	(2). Support, maintenance, and miscellaneous pur-		
125	poses		1,743,445.00
126	Total road design	\$	4,246,320.00
127	<i>b.</i> Bridge Design :		
128	(1). Salaries	\$	790,500.00
129	(2). Support, maintenance, and miscellaneous pur-		
130	poses		159,885.00
131	Total bridge design	\$	950,385.00
132	<i>c.</i> Right of Way :		
133	(1). Salaries	\$	1,144,110.00
134	(2). Support, maintenance, and miscellaneous pur-		
135	poses		192,510.00
136	Total right of way	\$	1,336,620.00
137	<i>d.</i> Access Review :		
138	(1). Salaries	\$	15,125.00
139	(2). Support, maintenance, and miscellaneous pur-		
140	poses		5,250.00
141	Total access review	\$	20,375.00
142	<i>e.</i> Contracts :		
143	(1). Salaries	\$	150,240.00
144	(2). Support, maintenance, and miscellaneous pur-		
145	poses		48,013.00

146	Total contracts	\$ 198,253.00
147	Total development	\$ 6,751,953.00
148	5. OPERATIONS.	
149	a. Construction:	
150	(1). Salaries	\$ 110,130.00
151	(2). Support, maintenance, and miscellaneous pur-	
152	poses	17,525.00
153	Total construction	\$ 127,655.00
154	b. Maintenance:	
155	(1). Salaries	\$ 153,770.00
156	(2). Support, maintenance, and miscellaneous pur-	
157	poses	22,060.00
158	Total maintenance	\$ 175,830.00
159	c. Materials:	
160	(1). Salaries	\$ 911,910.00
161	(2). Support, maintenance, and miscellaneous pur-	
162	poses	302,208.00
163	Total materials	\$ 1,214,118.00
164	d. Secondary:	
165	(1). Salaries	\$ 68,500.00
166	(2). Support, maintenance, and miscellaneous pur-	
167	poses	8,575.00
168	Total secondary	\$ 77,075.00
169	e. Traffic Weighing Operations:	
170	(1). Salaries	\$ 552,100.00
171	(2). Support, maintenance, and miscellaneous pur-	
172	poses	147,785.00
173	(3). 20 FM - two channel radios	18,000.00
174	(4). 15 telephones installed	150.00
175	Total traffic weighing operations	\$ 718,035.00
176	Total operations	\$ 2,312,713.00
177	6. DISTRICT OFFICES.	
178	a. Salaries	\$ 779,480.00
179	b. Support, maintenance, and miscellaneous purposes..	110,000.00
180	Total district offices	\$ 889,480.00
181	7. CONSTRUCTION INSPECTION.	
182	a. Salaries	\$ 7,857,802.00
183	b. Support, maintenance, and miscellaneous purposes..	1,224,832.00
184	Total construction inspection	\$ 9,082,634.00
185	8. MAINTENANCE FIELD.	
186	a. Salaries	\$12,894,877.00

187	b. Support, maintenance, and miscellaneous purposes..	9,613,165.00
188	Total maintenance field	\$22,508,042.00
189	CONTINGENT APPROPRIATION	
190	Salaries, support, maintenance, and miscellaneous	
191	purposes—no part of this appropriation may be allo-	
192	cated or expended except as authorized in writing by	
193	the governor and state comptroller	\$ 95,388.00
194	Total contingent appropriation	\$ 95,388.00
195	Grand total	\$46,239,964.00
1	SEC. 2. All refunds and reimbursements, including federal funds,	
2	received during the biennium shall be credited directly to the primary	
3	road fund, except the refunds and reimbursements relating to data	
4	processing, field maintenance, and the imprest portion of central	
5	services, purchasing, and aircraft operations which shall be credited	
6	in accordance to the provisions of section eight point thirty-two	
7	(8.32), Code 1966.	
8	Total expenditures (inclusive of refunds and reimbursements speci-	
9	fied in this section) for the biennium shall not exceed the following:	
10	1. Data Processing:	
11	a. Salaries	\$ 643,084.00
12	b. Support, maintenance, and miscellaneous pur-	
13	poses	705,934.00
14	Total	\$ 1,349,018.00
15	2. Maintenance Field:	
16	a. Salaries	\$25,789,754.00
17	b. Support, maintenance, and miscellaneous pur-	
18	poses	20,826,330.00
19	Total	\$46,616,084.00
20	3. Central Services:	
21	a. Salaries	\$ 1,489,922.00
22	b. Support, maintenance, and miscellaneous pur-	
23	poses	6,781,520.00
24	Total	\$ 8,271,442.00
25	4. Purchasing:	
26	a. Salaries	\$ 516,900.00
27	b. Support, maintenance, and miscellaneous pur-	
28	poses	8,802,600.00
29	Total	\$ 9,319,500.00
30	5. Aircraft Operations:	
31	a. Salaries	\$ 23,440.00
32	b. Support, maintenance, and miscellaneous pur-	
33	poses	22,150.00
34	Total	\$ 45,590.00

35 Nothing in this section shall be deemed to be in conflict with sec-
36 tion three hundred thirteen point five (313.5), Code 1966.

1 SEC. 3. Unless otherwise provided, no employee of the state high-
2 way commission shall receive salary or remuneration in excess of the
3 salary fixed for the director of highways.

1 SEC. 4. Any balance of funds authorized by this Act unused dur-
2 ing the first fiscal year of the biennium shall be carried over and aug-
3 ment the amount authorized for the second year of the biennium, and
4 at the end of the biennium any unencumbered balance shall revert to
5 the primary road fund.

1 SEC. 5. No claim for payment of travel expenses for travel out-
2 side the state of Iowa shall be approved for payment unless prior
3 authorization has been obtained from the executive council on a trip
4 basis.

1 SEC. 6. Chapter eight (8), Code 1966, shall apply to this Act.

1 SEC. 7. This Act shall operate retroactively and retrospectively,
2 with full force and effect, to and from July 1, 1967.

1 SEC. 8. This Act, being deemed of immediate importance, shall
2 take effect after its passage, approval and publication in The Toledo
3 Chronicle, a newspaper published at Toledo, Iowa, and in The Dyers-
4 ville Commercial, a newspaper published at Dyersville, Iowa.

Approved July 10, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 864, was published in The Toledo Chronicle, Toledo, Iowa, July 20, 1967, and in The Dyersville Commercial, Dyersville, Iowa, July 20, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 15

HIGHWAY MATERIALS REVOLVING FUND

S. F. 862

AN ACT authorizing expenditures for additional equipment by the state highway commission from the primary road fund for the biennium beginning July 1, 1967 and ending June 30, 1969.

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

1 SECTION 1. There is hereby appropriated from the primary road
2 fund the sum of two million (2,000,000) dollars to be credited to the
3 state highway commission materials and equipment revolving fund for
4 the purchase of additional equipment. Any unencumbered balance of
5 the funds appropriated by this Act remaining as of June 30, 1969 and
6 not used for the purpose provided in this Act shall revert to the pri-
7 mary road fund.

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 16

CAPITAL EXPENDITURES OF HIGHWAY COMMISSION

S. F. 858

AN ACT authorizing capital expenditures by the state highway commission from the primary road fund.

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

1 SECTION 1. The state highway commission is hereby authorized to
 2 expend from the primary road fund the sum of four million (4,000,-
 3 000) dollars, or so much thereof as may be necessary, to be used in
 4 the following manner:

5	1. Traffic weigh stations	\$ 710,000.00
6	2. Ames area improvements and construction	43,000.00
7	3. Land, construction, and repairs of maintenance fa- 8 cilities	3,247,000.00

9 Grand total of all appropriations for all purposes of
 10 this Act for the state highway commission\$4,000,000.00

1 SEC. 2. The state highway commission is hereby authorized to ob-
 2 tain and accept any federal grants and funds to the state to be used in
 3 connection with the funds authorized in this Act, and federal funds in
 4 addition thereto.

1 SEC. 3. Any unencumbered balance remaining as of June 30, 1971
 2 of the authorization for funds in this Act shall revert to the primary
 3 road fund as of June 30, 1971.

1 SEC. 4. When the state highway commission has approved a proj-
 2 ect to be financed with funds authorized in this Act, a description of
 3 said project and estimated cost shall be reported to the governor and
 4 state comptroller for allocation of funds.

1 SEC. 5. If any section, subsection, paragraph, sentence, clause or
 2 phrase of this Act is for any reason held to be unconstitutional or in-
 3 valid, such unconstitutionality or invalidity shall not affect the consti-
 4 tutionality or validity of the remaining portions of this Act. The gen-
 5 eral assembly hereby declares that it would have passed this Act and
 6 each section, subsection, paragraph, sentence, clause or phrase hereof
 7 irrespective of whether any one or more of the sections, subsections,
 8 paragraphs, clauses or phrases be declared unconstitutional.

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 17

HIGHWAY EMPLOYEES WORKMEN'S COMPENSATION

S. F. 850

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

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

1 SECTION 1. There is hereby appropriated to the industrial commis-
 2 sioner from the primary road fund for each year of the biennium be-
 3 ginning July 1, 1967 and ending June 30, 1969, the sum of ninety
 4 thousand (90,000) dollars, or so much thereof as may be necessary,
 5 for the purpose of paying properly established claims of or on behalf
 6 of employees or dependents of employees of the state highway commis-
 7 sion who are injured or killed while on duty as provided by chapter
 8 eighty-five (85), Code 1966.

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 18

PUBLIC INSTRUCTION FOR VETERANS EDUCATION
AND SCHOOL LUNCH

S. F. 844

AN ACT to appropriate from the general fund of the state of Iowa to the department of public instruction seven thousand five hundred (7,500) dollars for use as a revolving fund for the veterans administration and five thousand (5,000) dollars for the school lunch program.

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

1 SECTION 1. There is hereby appropriated from the general fund of
 2 the state for the biennium beginning July 1, 1967 and ending June 30,
 3 1969 to the department of public instruction the sum of seven thousand
 4 five hundred (7,500) dollars, or so much thereof as may be necessary,
 5 for the use of the veterans education program to be used as a revolving
 6 fund to pay salaries and travel of personnel which will be reimbursed
 7 by the veterans administration.
 8 Total\$7,500.00

1 SEC. 2. There is hereby appropriated from the general fund of the
 2 state for the biennium beginning July 1, 1967 and ending June 30, 1969
 3 to the department of public instruction the sum of five thousand
 4 (5,000) dollars, or so much thereof as may be necessary, to be used as
 5 a revolving fund to cover warehousing, handling, and transportation
 6 of direct distribution of federal surplus commodities which will be
 7 reimbursed by charging pro rata costs of the items to receiving schools
 8 and institutions.
 9 Total\$5,000.00

10 Grand total of all appropriations for all purposes of this Act for
 11 each year of the biennium for the department of public instruction
 12\$12,500.00

1 SEC. 3. Chapter eight (8), Code 1966, shall apply to this Act.

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 19

DRIVERS' TRAINING AID

S. F. 870

AN ACT to appropriate from the general fund of the state of Iowa three million four hundred thousand (3,400,000) dollars to the department of public instruction for driver's training aid for school districts, as provided by chapter three hundred twenty-one (321) of the Code.

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

1 SECTION 1. There is hereby appropriated from the general fund of
 2 the state of Iowa to the department of public instruction for each year
 3 of the biennium beginning July 1, 1967 and ending June 30, 1969 the
 4 sum of one million seven hundred thousand (1,700,000) dollars, or so
 5 much thereof as may be necessary, for driver's training aid to such
 6 school districts of the state as qualify under provisions of chapter
 7 three hundred twenty-one (321) of the Code.

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 20

MANPOWER DEVELOPMENT

S. F. 867

AN ACT to appropriate from the general fund of the state of Iowa three hundred ninety thousand (390,000) dollars to the department of public instruction for participation in the manpower development and training Act of 1962, as amended.

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 year
 3 of the biennium beginning July 1, 1967 and ending June 30, 1969 the
 4 sum of one hundred ninety-five thousand (195,000) dollars, or so much
 5 thereof as may be necessary, to be used in the following manner:
 6 For Manpower Development and Training Act adminis-
 7 tration\$ 20,000.00

8	For Manpower Development and Training Act local pro-	
9	grams	\$175,000.00
10	Provided that the funds appropriated by this Act are to	
11	match to the extent required, the federal funds to be ex-	
12	pende by the United States treasury, for the Manpower	
13	Development and Training Act of 1962, as amended.	
14	Grand total of all appropriations for each year of the	
15	biennium for the department of public instruction in con-	
16	nection with the Manpower Development and Training Act	
17	of 1962, as amended	\$195,000.00

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 21

NATIONAL DEFENSE EDUCATION

S. F. 868

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 bene-	
4	fit of all funds appropriated under said Act are accepted.	
1	SEC. 2. There is hereby appropriated from the general fund of the	
2	state of Iowa to the department of public instruction for each year of	
3	the biennium beginning July 1, 1967 and ending June 30, 1969 the sum	
4	of two hundred fifty thousand five hundred (250,500) dollars, or so	
5	much thereof as may be necessary, to be used in the following manner:	
6	1. For the administration and extension of supervisory	
7	and related services by the department of Title III; finan-	
8	cial assistance for strengthening science, mathematics, and	
9	modern foreign language instruction	\$125,000.00
10	2. For the administration by the department and for use	
11	by the several school districts of the state for Title V; guid-	
12	ance, counseling, and testing	45,000.00
13	3. For Title X; improvement expansion of statistical	
14	services of the state department	80,500.00
15	Grand total of all appropriations for the department of	
16	public instruction in connection with the National Defense	
17	Education Act of 1958	\$250,500.00

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 22
ECONOMIC OPPORTUNITY

S. F. 869

AN ACT to appropriate from the general fund of the state of Iowa one hundred ten thousand (110,000) dollars to the department of public instruction for participation in the Economic Opportunity Act of 1963, as amended.

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 year
3 of the biennium beginning July 1, 1967 and ending June 30, 1969 the
4 sum of fifty-five thousand (55,000) dollars, or so much thereof as may
5 be necessary, to be used in the following manner:

6 For Title II B-adult basic education	\$20,000.00
7 For Title III B-assistance to migrants	35,000.00
	\$55,000.00

8 Provided that the funds appropriated by this Act are to
9 match to the extent required, the federal funds to be ex-
10 pended by the United States treasury, for the Economic Op-
11 portunity Act of 1963, as amended.

12 Grand total of all appropriations for each year of the
13 biennium for the department of public instruction in con-
14 nection with the Economic Opportunity Act of 1963, as
15 amended\$55,000.00

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 23
VOCATIONAL REHABILITATION CENTER

S. F. 852

AN ACT to appropriate from the general fund of the state of Iowa to the department of public instruction, division of vocational rehabilitation for a new vocational rehabilitation center and to permit acceptance of federal funds for participation.

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 the divi-
3 sion of vocational rehabilitation the sum of six hundred fifty thousand
4 dollars (\$650,000.00), to be used for the construction of a new voca-
5 tional rehabilitation center compatible with the capitol planning com-
6 mission's development program.

1 SEC. 2. Said sum shall be allocated in the following manner:
2 For demolition\$ 50,000.00
3 For construction 600,000.00

4 Grand total of all appropriations for all purposes for the
 5 biennium for capital improvements for vocational rehabili-
 6 tation\$650,000.00

1 SEC. 3. The department of public instruction, division of vocation-
 2 al rehabilitation, and the budget and financial control committee are
 3 authorized to obtain and accept federal funds to be used in connection
 4 with the funds above appropriated.

1 SEC. 4. Plans and specifications for the construction of this build-
 2 ing shall be submitted by the department of public instruction, division
 3 of vocational rehabilitation, to the capitol planning commission for
 4 advice prior to the receipt of bids. Contracts for the construction of
 5 this project shall be submitted by the department of public instruction,
 6 division of vocational rehabilitation, to the budget and financial control
 7 committee for approval after bids are received.

1 SEC. 5. Any unencumbered balance remaining as of June 30, 1971,
 2 of the appropriation of this Act made by the Sixty-second General
 3 Assembly, shall revert to the general fund of the state as of June 30,
 4 1971.

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 24

VOCATIONAL EDUCATIONAL AID

S. F. 876

AN ACT to appropriate from the general fund of the state of Iowa to the department of public instruction for vocational education aid.

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 year
 3 of the biennium beginning July 1, 1967 and ending June 30, 1969 the
 4 sum of five million eight hundred thousand (5,800,000) dollars, or so
 5 much thereof as may be necessary, to be used for vocational education
 6 aid, in addition to the two hundred thousand (200,000) dollars appro-
 7 priated for this purpose under section two hundred fifty-eight point
 8 eight (258.8) of the Code, to be disbursed in accordance with section
 9 two hundred eighty A point twenty-five (280A.25), subsection five
 10 (5), of the Code and further to purchase instructional equipment for
 11 vocational and technical courses of instruction in area vocational
 12 schools or area community colleges.

1 SEC. 2. Any unencumbered balance shall revert in the manner pro-
 2 vided by chapter eight (8), Code 1966.

1 SEC. 3. This Act shall operate retroactively and retrospectively,
 2 with full force and effect, to and from July 1, 1967.

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 Boone News-Republican, a newspaper published at Boone, Iowa
 4 and in The Decorah Journal, a newspaper published at Decorah, Iowa.

Approved July 24, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 876, was published in The Boone News-Republican, Boone, Iowa, July 28, 1967, and in The Decorah Journal, Decorah, Iowa, July 27, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 25

SPECIFIED SCHOOL AID

H. F. 795

AN ACT to appropriate 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 of
 2 the state of Iowa to the department of public instruction for each year
 3 of the biennium beginning July 1, 1967 and ending June 30, 1969 the
 4 sum of three million five hundred fifty thousand (3,550,000) dollars,
 5 or so much thereof as may be necessary, to be used in the following
 6 manner:
 7 Aid to handicapped children [special education as pro-
 8 vided in chapter two hundred eighty-one (281) of the
 9 Code]\$3,500,000.00
 10 Emergency aid for schools providing none of which
 11 shall be distributed to any school which the department
 12 estimates could maintain reasonable educational stand-
 13 ards without levying a tax in excess of one hundred
 14 (100) mills 50,000.00
 15 Total\$3,550,000.00

1 SEC. 2. Any unencumbered balance shall revert in the manner pro-
 2 vided by chapter eight (8), Code 1966.

1 SEC. 3. This Act shall operate retroactively and retrospectively,
 2 with full force and effect, to and from July 1, 1967.

1 SEC. 4. This Act, being deemed of immediate importance, shall
 2 take effect after its passage, approval and publication in the Jackson
 3 Sentinel, a newspaper published at Maquoketa, Iowa, and in the
 4 Ottumwa Daily Courier, a newspaper published at Ottumwa, Iowa.

Approved July 20, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3.9, Code of Iowa, 1966, there being no newspaper by the name of the Ottumwa Daily Courier, published in Ottumwa, Iowa, I hereby designate the Ottumwa Courier, published in Ottumwa, Iowa, to publish the foregoing Act, House File 795.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, House File 795, was published in the Jackson Sentinel, Maquoketa, Iowa, July 29, 1967, and in the Ottumwa Courier, Ottumwa, Iowa, August 4, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 26

GENERAL SCHOOL AID

S. F. 873

AN ACT to appropriate six million (6,000,000) dollars from the general fund of the state of Iowa to the department of public instruction for general state aid for school districts as provided by chapter two hundred eighty-six A (286A) of the Code.

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

1 SECTION 1. There is hereby appropriated from the general fund of
2 the state of Iowa to the department of public instruction for each year
3 of the biennium beginning July 1, 1967 and ending June 30, 1969 the
4 sum of six million (6,000,000) dollars, or so much thereof as may be
5 necessary, for general state aid to the school districts for public com-
6 munity and junior colleges and area community and junior colleges, as
7 provided by chapter two hundred eighty-six A (286A) of the Code,
8 provided, however, that no school district shall receive financial aid
9 under the provisions of said chapter of the Code in the event a school
10 tax levy for the general fund of at least fifteen (15) mills was not
11 made in such district for the preceding year.

1 SEC. 2. Any unencumbered balance shall revert in the manner pro-
2 vided by chapter eight (8), Code 1966.

1 SEC. 3. This Act shall operate retroactively and retrospectively,
2 with full force and effect, to and from July 1, 1967.

1 SEC. 4. This Act, being deemed of immediate importance, shall
2 take effect after its passage, approval and publication in the Highland
3 Park News, a newspaper published at Des Moines, Iowa, and in the
4 Harlan Tribune, a newspaper published at Harlan, Iowa.

Approved July 20, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 873, was published in the Highland Park News, Des Moines, Iowa, July 27, 1967, and in the Harlan Tribune, Harlan, Iowa, July 27, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 27

HIGHER EDUCATION FACILITIES COMMISSION

H. F. 765

AN ACT to appropriate from the general fund of the state of Iowa three hundred twenty-five thousand (325,000) dollars to the higher education facilities commission for the state-supported scholarship program.

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

1 SECTION 1. There is hereby appropriated from the general fund of
2 the state for the biennium beginning July 1, 1967 and ending June 30,
3 1969, to the higher education facilities commission the sum of three
4 hundred twenty-five thousand (325,000) dollars, or so much thereof
5 as may be necessary, to finance the scholarships awarded by the higher
6 education facilities commission under chapter two hundred sixty-one
7 (261), Code 1966.

1 SEC. 2. This Act shall operate retroactively and retrospectively,
2 with full force and effect, to and from July 1, 1967.

1 SEC. 3. This Act, being deemed of immediate importance, shall
2 take effect after its passage, approval and publication in The Clayton
3 County Register, a newspaper published at Elkader, Iowa, and in the
4 Marshalltown Times-Republican, a newspaper published at Marshall-
5 town, Iowa.

Approved July 20, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, House File 765, was published in The Clayton County Register, Elkader, Iowa, July 27, 1967, and in the Marshalltown Times-Republican, Marshalltown, Iowa, July 24, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 28

AREA VOCATIONAL SCHOOLS

S. F. 879

AN ACT to appropriate funds from the general fund of the state of Iowa to the department of public instruction for construction of area vocational schools.

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

1 SECTION 1. There is hereby appropriated to the department of
2 public instruction from the general fund of the state of Iowa the sum
3 of nine million five hundred thousand (9,500,000) dollars, or so much
4 thereof as may be necessary, to match or supplement federal funds to
5 be expended by the United States treasury or local funds for construc-
6 tion of area vocational schools.

1 SEC. 2. The funds appropriated and set aside by this Act shall be
2 released by the governor and the state comptroller upon the recom-
3 mendation of the majority of the advisory committee provided in chap-

4 ter two hundred eighty A (280A) of the Code and the state board of
5 public instruction.

1 SEC. 3. Any unencumbered balance remaining as of June 30, 1971
2 of the funds appropriated by this Act shall revert to the general fund
3 of the state as of June 30, 1971.

1 SEC. 4. This Act shall operate retroactively and retrospectively,
2 with full force and effect, to and from July 1, 1967.

1 SEC. 5. This Act, being deemed of immediate importance, shall
2 take effect after its passage, approval and publication in The Tipton
3 Conservative, a newspaper published at Tipton, Iowa, and in the Times
4 Democrat, a newspaper published at Davenport, Iowa.

Approved July 21, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 879, was published in The Tipton Conservative, Tipton, Iowa, July 27, 1967, and in the Times Democrat, Davenport, Iowa, July 27, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 29

IOWA STATE ARTS COUNCIL

S. F. 828

AN ACT to appropriate from the general fund of the state of Iowa to the Iowa state arts council the sum of fifty thousand (50,000) dollars for the biennium beginning July 1, 1967 and ending June 30, 1969.

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 Iowa state arts council for the biennium be-
3 ginning July 1, 1967 and ending June 30, 1969, the sum of fifty thou-
4 sand (50,000) dollars, or so much thereof as may be necessary, to be
5 used in the following manner:

6 For salaries, support, maintenance, and miscellaneous	
7 purposes	\$50,000.00
8 Grand total of all appropriations for all purposes for the	
9 biennium for the Iowa state arts council.....	\$50,000.00

1 SEC. 2. Any unencumbered balance of the funds appropriated by
2 this Act remaining as of June 30, 1969 shall revert to the general fund
3 of the state on that date.

1 SEC. 3. This Act, being deemed of immediate importance, shall
2 take effect after its passage, approval and publication in The Allison
3 Tribune, a newspaper published at Allison, Iowa, and in The Decorah
4 Journal, a newspaper published at Decorah, Iowa.

Approved July 20, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 828, was published in The Allison Tribune, Allison, Iowa, July 26, 1967, and in The Decorah Journal, Decorah, Iowa, July 27, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 30

HIGHER EDUCATION FACILITIES

S. F. 837

AN ACT to appropriate from the general fund of the state the sum of two million (2,000,000) dollars to the higher education facilities commission for the guaranteed student loan programs.

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

1 SECTION 1. There is hereby appropriated from the general fund of
2 the state for the biennium beginning July 1, 1967 and ending June 30,
3 1969, to the higher education facilities commission the sum of two
4 million (2,000,000) dollars, or so much thereof as may be necessary,
5 to guarantee payment of loans made by eligible lending institutions to
6 student residents of the state of Iowa who are enrolled or accepted for
7 enrollment at any eligible institution under the provisions of the
8 "Higher Education Act of 1965" (PL 89-329; 79 Stat. L. 1219; 20
9 U.S.C. 1001), the "National Vocational Student Loan Insurance Act
10 of 1965" (PL 89-287; 79 Stat. L. 1037; 20 U.S.C. 981), or any amend-
11 ments thereto enacted prior to the effective date of this Act.

1 SEC. 2. The aforementioned funds shall be used in the following
2 manner:

3 A student loan reserve fund to guarantee loans for col-	
4 lege and university students under the provisions of the	
5 "Higher Education Act of 1965"	\$1,600,000.00
6 A student loan reserve fund to guarantee loans under	
7 the provisions of the "National Vocational Student Loan	
8 Insurance Act of 1965"	400,000.00

1 SEC. 3. If the need for additional college and university loans after
2 the beginning of the second year of the biennium exceeds the appro-
3 priated sum of one million six hundred thousand (1,600,000) dollars,
4 the commission is authorized to consider utilization for the college and
5 university loans of such portion of the vocational loan reserves as
6 might still be available or not in anticipated demand.

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 31

MOTOR VEHICLE FUEL TAX REFUNDS

H. F. 755

AN ACT to appropriate funds to the state comptroller from 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, 1967 and ending June 30, 1969, the sum of fifteen
4 thousand (15,000) dollars, 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.

1 SEC. 2. Any unencumbered balance remaining as of June 30, 1969
2 of the fund appropriated by this Act shall revert to the motor vehicle
3 fuel tax fund as of June 30, 1969.

Approved June 30, 1967.

CHAPTER 32

I.P.E.R.S. ADMINISTRATION

S. F. 846

AN ACT to appropriate from the Iowa public employees' retirement system fund three hundred seventy-five thousand (375,000) dollars to the employment security commission for the costs of the administration of chapter ninety-seven B (97B) of the Code.

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 to the employment security com-
3 mission for each year of the biennium beginning July 1, 1967 and
4 ending June 30, 1969 the sum of three hundred seventy-five thousand
5 (375,000) dollars, or so much thereof as may be necessary, to pay the
6 costs of the administration of chapter ninety-seven B (97B) of the
7 Code.

Approved June 30, 1967.

CHAPTER 33

HISTORICAL SOCIETY CAPITAL IMPROVEMENTS

H. F. 768

AN ACT to appropriate from the general fund of the state of Iowa to the state historical society 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 of
 2 the state of Iowa to the state historical society at Iowa City, Iowa the
 3 sum of fifteen thousand (15,000) dollars, or so much thereof as may
 4 be necessary, to be used in the following manner:
 5 For Governor William Larrabee home museum\$10,000.00
 6 For Toolsboro mound and historical museum 5,000.00
 7 Total\$15,000.00

1 SEC. 2. Before any of the funds appropriated by this Act shall be
 2 expended, it shall be determined by the state historical society and the
 3 state comptroller, that the expenditure shall be for the best interest of
 4 the state.

1 SEC. 3. Any unencumbered balance remaining as of June 30, 1971
 2 of the funds appropriated by this Act shall revert to the general fund
 3 of the state.

Approved June 30, 1967.

CHAPTER 34

SOIL SURVEYS APPROPRIATION

H. F. 515

AN ACT to appropriate from the general fund of the state of Iowa to the state soil conservation committee the sum of two hundred thousand (200,000) dollars to conduct soil survey operations in the state of Iowa.

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

1 SECTION 1. There is hereby appropriated from the general fund of
 2 the state of Iowa to the state soil conservation committee the sum of
 3 one hundred thousand (100,000) dollars for each year of the biennium
 4 beginning July 1, 1967, and ending June 30, 1969, or so much thereof
 5 as may be necessary, to be used and expended in participation and con-
 6 junction with the soil conservation service, United States department
 7 of agriculture, and state agencies in joint operations of conducting soil
 8 surveys on lands within the state of Iowa.

Approved June 27, 1967.

CHAPTER 35

APPROPRIATION FOR STATE AIRCRAFT

H. F. 745

AN ACT to appropriate from the general fund of the state of Iowa to the department of public defense five thousand (5,000) dollars for use as a revolving fund for the maintenance and operational costs of administrative state aircraft and make provisions for usage reimbursement.

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

1 SECTION 1. There is hereby appropriated from the general fund of
2 the state for the biennium beginning July 1, 1967 and ending June 30,
3 1969, to the department of public defense the sum of five thousand
4 (5,000) dollars, or so much thereof as may be necessary, for the use
5 of maintenance and operational costs of state aircraft maintained by
6 the department of public defense to be used as a revolving fund in
7 support of administrative flights of the governor and other state offi-
8 cials.

1 SEC. 2. Any of the maintenance and operational costs expended
2 from the appropriation created by this Act shall be prorated on a
3 usage basis by the department of public defense and the revolving
4 fund shall be reimbursed by the department, agency, bureau, associa-
5 tion or institution making use of such aircraft.

Approved June 30, 1967.

CHAPTER 36

COMMISSION ON UNIFORM LAWS

H. F. 752

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1967 and ending June 30, 1969, to the commission on uniform laws the sum of six thousand one hundred (6,100) dollars.

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

1 SECTION 1. There is hereby appropriated from the general fund of
2 the state for the biennium beginning July 1, 1967 and ending June 30,
3 1969, to the commission on uniform laws the sum of five thousand two
4 hundred (5,200)* dollars, or so much thereof as may be necessary, to
5 be used in the following manner:

6 For support of the conference of commissioners on uni-	
7 form state laws	\$2,200.00
8 For traveling expenses of members of the commission on	
9 uniform laws	3,900.00

*According to enrolled Act.

10 Grand total of all appropriations for all purposes for the
 11 biennium for the commission on uniform laws\$6,100.00*

Approved July 5, 1967.

This Act was passed by the G. A. before July 1, 1967.

*According to enrolled Act.

CHAPTER 37

HIGHWAY PATROL CAPITAL IMPROVEMENTS

S. F. 847

AN ACT to appropriate from the general fund of the state of Iowa to the department of public safety for capital improvements including land acquisition and highway patrol buildings and for radio equipment for the division of radio communications.

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

1 SECTION 1. There is hereby appropriated to the division of high-
 2 way patrol, department of public safety, from the general fund of the
 3 state the sum of one hundred fifty-six thousand (156,000) dollars, or
 4 so much thereof as may be necessary, to be used in the following
 5 manner:
 6 1. For construction of two (2) new district headquar-
 7 ters buildings, one (1) at Oelwein and one (1) at Ottum-
 8 wa, Iowa\$100,000.00
 9 2. For construction of a highway patrol garage 55,000.00
 10 3. For land acquisition from the state highway commis-
 11 sion 1,000.00

12 Total for division of highway patrol\$156,000.00

1 SEC. 2. There is hereby appropriated to the division of radio com-
 2 munications, department of public safety, from the general fund of
 3 the state the sum of one hundred twenty-nine thousand six hundred
 4 (129,600) dollars, or so much thereof as may be necessary, to be used
 5 in the following manner:
 6 For purchase of radio equipment\$129,600.00

1 SEC. 3. Before any of the funds appropriated by this Act shall be
 2 expended, it shall be determined by the department of public safety
 3 with the approval of the budget and financial control committee that
 4 the expenditures shall be for the best interests of the state.

1 SEC. 4. Any unencumbered balance remaining as of June 30, 1971
 2 of the funds appropriated by this Act shall revert to the general fund
 3 of the state as of June 30, 1971.

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 38

MOTOR VEHICLE PLATES APPROPRIATION

H. F. 748

AN ACT to make an additional transfer of fees, taxes, interest and penalties imposed under chapter four hundred twenty-two (422), Code 1966, to the division of motor vehicle registration of the department of public safety for the purpose of purchasing supplies and materials, and for the cost of manufacture of motor vehicle registration plates at prison industries for motor vehicles exempted from a registration fee as provided by section three hundred twenty-one point one hundred seventy (321.170), Code 1966.

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

1 SECTION 1. On the effective date of this Act the treasurer shall
2 transfer twenty thousand (20,000) dollars to the division of motor
3 vehicle registration of the department of public safety for the pur-
4 pose of purchasing supplies and materials, and for the cost of manu-
5 facture of motor vehicle registration plates at the prison industries as
6 provided in section four hundred twenty-two point sixty-two (422.62),
7 Code 1966.

1 SEC. 2. The funds provided by this Act shall be used for registra-
2 tion plates with reflective sheeting for motor vehicles exempted from
3 a registration fee as provided by section three hundred twenty-one
4 point one hundred seventy (321.170), Code 1966.

1 SEC. 3. Any amount unexpended for this purpose on October 31,
2 1968, shall be credited to the road use tax fund.

Approved June 26, 1967.

CHAPTER 39

LIQUOR CONTROL WAREHOUSE

H. F. 746

AN ACT to appropriate from the general fund of the state of Iowa to the liquor control commission for warehouse improvements.

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 liquor control commission the sum of eleven
3 thousand (11,000) dollars, or so much thereof as may be necessary, to
4 be used in the following manner:

5	For remodeling docks	\$ 3,600.00
6	For installation of ventilating fans	7,400.00
7	Total	<u>\$11,000.00</u>

1 SEC. 2. Any unencumbered balance of the funds appropriated by
2 this Act remaining as of June 30, 1969, shall revert to the general fund
3 of the state as of June 30, 1969.

1 SEC. 3. This Act shall operate retroactively and retrospectively,
2 with full force and effect, to and from July 1, 1967.

1 SEC. 4. This Act, being deemed of immediate importance, shall
2 take effect after its passage, approval and publication in the Lee Town
3 News, a newspaper published at Des Moines, Iowa, and in The Wapello
4 Republican, a newspaper published at Wapello, Iowa.

Approved July 20, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, House File 746, was published in the Lee Town News, Des Moines, Iowa, August 3, 1967, and in The Wapello Republican, Wapello, Iowa, August 3, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 40

DEPARTMENT OF PUBLIC DEFENSE

H. F. 750

AN ACT to appropriate from the general fund of the state of Iowa to the department of public defense for various capital improvements and repairs, replacement, alteration, equipment, and rehabilitation purposes.

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 defense the sum of two	
3	hundred thirty thousand (230,000) dollars, or so much thereof as may	
4	be necessary, to be used in the following manner:	
5	1. For the state's share of the armory construction pro-	
6	gram made available to the state by the federal govern-	
7	ment for the acquisition, construction, expansion, rehabili-	
8	tation, and converting facilities of the administration and	
9	training units of the national guard and state guard.....	\$ 20,000.00
10	2. For repairs, replacements, alterations, equipment,	
11	and rehabilitation of armories in connection with which	
12	federal funds may be accepted.....	80,000.00
13	3. For repairs, replacements, alterations, equipment,	
14	and rehabilitation of grounds, buildings, and roads at	
15	Camp Dodge, Iowa	75,000.00
16	4. For training facilities and support including outside	
17	training area procurement, rent, improvement, mainte-	
18	nance, and visual aids	55,000.00
19	Total	\$230,000.00

1 SEC. 2. Before any of the funds appropriated by this Act shall be
2 expended, it shall be determined by the department of public defense,
3 with the approval of the budget and financial control committee, that
4 the expenditures shall be for the best interests of the state.

1 SEC. 3. Any unencumbered balance of funds appropriated by this
2 Act remaining as of June 30, 1971 shall revert to the general fund of
3 the state as of June 30, 1971.

1 SEC. 4. This Act shall operate retroactively and retrospectively,
2 with full force and effect, to and from July 1, 1967.

1 SEC. 5. This Act, being deemed of immediate importance, shall
2 take effect after its passage, approval and publication in the Clinton
3 Herald, a newspaper published at Clinton, Iowa, and in the Le Mars
4 Daily Sentinel, a newspaper published at Le Mars, Iowa.

Approved July 20, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, House File 750, was published in the Clinton Herald, Clinton, Iowa, July 26, 1967, and in the LeMars Daily Sentinel, LeMars, Iowa, July 25, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 41

STATE FAIR CAPITAL IMPROVEMENTS

H. F. 742

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

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

1	SECTION 1. There is hereby appropriated from the general fund of	
2	the state to the state fair board the sum of three hundred fifty thou-	
3	sand (350,000) dollars, or so much thereof as shall be necessary, to	
4	be used in the following manner:	
5	For major repairs to buildings.....	\$150,000.00
6	For major repairs to or reconstruction of the women's	
7	building (family living center), the work to be done by	
8	state fair board employees or contracted for as deemed	
9	advisable by the state fair board and to be matched by	
10	equal funds of the state fair board.....	200,000.00
11	Total	<u>\$350,000.00</u>

1 SEC. 2. Before any of the funds appropriated by this Act 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. 3. Upon the completion of the projects 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. 4. Any unencumbered balance remaining as of June 30, 1969
2 of the funds appropriated by this Act shall revert to the general fund
3 of the state as of June 30, 1969.

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 Leon Journal-Reporter, a newspaper published
 4 at Leon, Iowa, and in The Tripoli Leader, a newspaper at Tripoli,
 5 Iowa.

Approved July 20, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, House File 742, was published in The Leon Journal-Reporter, Leon, Iowa, July 27, 1967, and in The Tripoli Leader, Tripoli, Iowa, July 26, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 42

VALLEY BANK BUILDING

S. F. 860

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1967 and ending June 30, 1969 to the office of the superintendent of public buildings and grounds for operational costs of the property known as the Valley Bank Building located at Fourth and Walnut streets, city of Des Moines, Polk county, Iowa.

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

1 SECTION 1. There is hereby appropriated from the general fund of
 2 the state of Iowa for each year of the biennium beginning July 1, 1967
 3 and ending June 30, 1969 to the superintendent of public buildings and
 4 grounds the sum of one hundred ten thousand five hundred (110,500)*
 5 dollars, or so much thereof as may be necessary, to be used in the fol-
 6 lowing manner:

7 For salaries	\$67,000.00
8 For support, maintenance, and miscellaneous purposes.....	30,500.00

9 Grand total of all appropriations for all purposes for each
 10 year of the biennium for the superintendent of public build-
 11 ings and grounds provided by this Act.....\$97,500.00*

1 SEC. 2. This Act shall operate retroactively and retrospectively,
 2 with full force and effect, to and from July 1, 1967.

1 SEC. 3. This Act, being deemed of immediate importance, shall
 2 take effect after its passage, approval and publication in the Sioux
 3 City Journal, a newspaper published at Sioux City, Iowa, and in the
 4 Chariton Herald-Patriot, a newspaper published at Chariton, Iowa.

Approved July 21, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 860, was published in the Sioux City Journal, Sioux City, Iowa, July 26, 1967, and in the Chariton Herald-Patriot, Chariton, Iowa, July 27, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

*According to enrolled Act.

CHAPTER 43

GREAT LAKES SEWER APPROPRIATION

H. F. 559

AN ACT providing for the payment by the state of Iowa of a portion of the cost of extending 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 Okobojo Lake, West Okobojo 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

WHEREAS, there was 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

WHEREAS, 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 a similar amount was appropriated to the great lakes sanitary district by the Fifty-ninth 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, the property on the east and north shores of East Okobojo Lake and the west shore of Spirit Lake is included in the Iowa great lakes sanitary district and has been paying taxes for the disposal plant without receiving any direct benefits from the same; and

WHEREAS, there is approximately sixty (60) miles of lakeshore encompassed in the Iowa great lakes sanitary district and only approximately one-fourth ($\frac{1}{4}$) of this amount in the Cerro Gordo county sanitary district; 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, the state of Iowa owns and is interested in property on the east and north shores of East Okoboji Lake and in the property on the west shore of Spirit Lake, and also since there has been established a large church camp on East Okoboji Lake not now being serviced and in order to make available full benefit of said sanitary sewer facilities, it is virtually necessary that the following appropriation be made by the state to cover the costs of extending 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 of
2 the state of Iowa not otherwise appropriated, the sum of three hundred
3 thousand (300,000) dollars for assistance by the state in paying a por-
4 tion of the cost of extending the construction of sanitary sewer facili-
5 ties, not including enlargements and additions to the disposal plant,
6 in the Iowa Great Lakes Sanitary District. All of the funds appropri-
7 ated by the state of Iowa shall be used in payment for the actual con-
8 struction of such sanitary sewer facilities within such district. No
9 portion of the appropriation shall be made available to such sanitary
10 district except upon authorization of the budget and financial control
11 committee to the treasurer of state.

1 SEC. 2. The appropriation authorized in this Act shall be in lieu of
2 any special assessment against any state-owned property included
3 within such sanitary district.

Approved July 5, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 44

CLAIMS APPROPRIATIONS

S. F. 338

AN ACT to make appropriations to certain named persons or firms 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 appropriated out of the general fund of the
2 state of Iowa, to the following named persons or firms the amount set
3 opposite their respective names in full settlement of all claims which
4 they may have against the state of Iowa, to wit:

5	Dean G. Parrott	\$ 306.20
6	Petersen-Stanton Court Reporters	4,142.75
7	Robert J. Cassel	260.01
8	James, Greer and Nelson	3,035.08
9	Robinson and Robinson	840.00

1 SEC. 2. The state comptroller is hereby authorized and directed to
2 issue his warrant to the above named persons or firms in the amounts
3 set opposite their names, and the treasurer of the state is hereby au-

4 thORIZED and directed to pay the same from the general fund of the
5 state of Iowa.

1 SEC. 3. Receipt of said sums by said persons or firms shall be in
2 full settlement of all claims they may hold against the state of Iowa.

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

Approved June 26, 1967.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3.9, Code of Iowa, 1966, there being no newspaper by the name of The Spencer Daily Reporter, published in Spencer, Iowa, I hereby designate The Daily Reporter, published in Spencer, Iowa, to publish the foregoing Act, Senate File 338.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, Senate File 338, was published in the Mount Ayr Record-News, Mount Ayr, Iowa, July 6, 1967, and in The Daily Reporter, Spencer, Iowa, June 29, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 45

CLAIMS APPROPRIATIONS

H. F. 693

AN ACT to make an appropriation in settlement of a claim made against the state of Iowa.

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

1 SECTION 1. There is hereby appropriated from the primary road
2 fund of the state of Iowa to the following named person the sum of
3 two thousand five hundred eighty-two dollars and fifteen cents
4 (\$2,582.15) in full settlement of all claims she may have against the
5 state; to wit:

6	Claimant	Claim No.	Nature of Claim	Amount
7	Cecilia Shedenhelm	H-31-62-T	Special Damages	\$1,500.00
8			Expenses	1,082.15
9			Total	\$2,582.15

1 SEC. 2. The state comptroller is hereby authorized and directed to
2 issue his warrant to the above named person in the amount appropri-
3 ated by this Act, and the treasurer of state is hereby authorized and
4 directed to pay the same from the road use tax fund of the state of
5 Iowa.

Approved June 28, 1967.

CHAPTER 46
CAPITOL REPAIRS

S. F. 848

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

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

1	SECTION 1. There is hereby appropriated from the general fund of	
2	the state of Iowa to the superintendent of public buildings and grounds	
3	the sum of two hundred thousand (200,000) dollars, or so much there-	
4	of as may be necessary, to be used in the following manner:	
5	Rewiring in capitol heating plant	\$ 5,000.00
6	Emergency generator for heating plant	10,000.00
7	Replace boiler number two (2)	55,000.00
8	Replace sash in state historical building	20,000.00
9	Replace deaerating heater	12,000.00
10	Replace steam main from heating plant to capitol	30,000.00
11	Remodeling and renovation of Governor's mansion	15,000.00
12	General mechanical and electrical maintenance	53,000.00
		\$200,000.00
13	Grand total of all appropriations for all purposes for the	
14	biennium for capital improvements for buildings and	
15	grounds	\$200,000.00

1 SEC. 2. Before any of the funds appropriated by this Act shall be
2 expended, it shall be determined by the superintendent of public build-
3 ings and grounds, with the approval of the executive council and the
4 state architect, that the expenditure shall be for the best interests of
5 the state.

1 SEC. 3. Upon the completion of any project set forth in this Act,
2 any unobligated balance remaining may be used to supplement any
3 other project set forth in this Act or for such other repairs or projects
4 needed, and to supplement any current or prior appropriations for
5 repairs, improvements, replacements, alterations, and equipment for
6 public buildings and grounds. Any unencumbered balance remaining
7 as of June 30, 1969, of the fund appropriated by this Act shall revert
8 to the general fund of the state as of June 30, 1969.

Approved June 30, 1967.

CHAPTER 47

APPROPRIATIONS FOR CAPITOL PLANNING COMMISSION
RECOMMENDATIONS

H. F. 756

AN ACT to appropriate from the general fund of the state of Iowa to the executive council for capital* planning commission recommendations.

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 executive council the sum of three hundred
3 thousand (300,000) dollars, or so much thereof as may be necessary,
4 to be used for landscaping, seeding and sodding, sidewalks, driveways,
5 interior partitions, painting, and moving expenses of the new state
6 office building authorized by the Sixty-first General Assembly.

1 SEC. 2. Before any of the fund appropriated by this Act shall be
2 expended, it shall be determined by the state architect with the ap-
3 proval of the budget and financial control committee that the expendi-
4 tures shall be for the best interest of the state. All contracts shall be
5 let in accordance with chapter seventy-three (73) of the Code.

1 SEC. 3. Any unencumbered balance as of June 30, 1969 of the
2 funds appropriated by this Act shall revert to the general fund of the
3 state as of June 30, 1969.

Approved June 30, 1967.

*According to enrolled Act.

CHAPTER 48

CAPITOL PLANNING COMMISSION

H. F. 767

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1967 and ending June 30, 1969, to the capitol planning commission the sum of twelve thousand five hundred (12,500) dollars.

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

1 SECTION 1. There is hereby appropriated from the general fund of
2 the state for the biennium beginning July 1, 1967 and ending June 30,
3 1969 to the capitol planning commission the sum of twelve thousand
4 five hundred (12,500) dollars, or so much thereof as may be necessary,
5 to be used to provide for the expense of secretarial help, for research,
6 and for educational materials such as maps, sketches, diagrams, and
7 photographs for the purpose of planning future expansion and de-
8 velopment of the statehouse grounds, and for the further purpose of
9 preparing a report on such future expansion and development to be
10 submitted to the Sixty-third General Assembly.

Approved June 30, 1967.

CHAPTER 49

CAPITOL PLANNING COMMISSION

H. F. 732

AN ACT to make appropriations to the appointive members of the capitol planning commission for per diem compensation for services rendered.

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

1 SECTION 1. There is hereby appropriated from the general fund of
2 the state to the following named persons the amounts set opposite their
3 respective names in full settlement of all per diem claims they may
4 have against the state for services rendered as appointive members of
5 the capitol planning commission in accordance with chapter eighteen
6 A (18A) of the Code:

7	Vincent Burke	\$ 90.00
8	Stanley Heaberlin	300.00
9	Milton Distelhorst	240.00
10	Charles Grassley	240.00
11	Raymond D. Crites	150.00
12	Amos Emery	270.00
13	Mrs. Maurice Noun	210.00

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

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

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 Treynor Record, a newspaper published at Treynor, Iowa, and in
4 the Adair County Free-Press, a newspaper published at Greenfield,
5 Iowa.

Approved June 26, 1967.

I hereby certify that the foregoing Act, House File 732, was published in The Treynor Record, Treynor, Iowa, June 29, 1967, and in the Adair County Free-Press, Greenfield, Iowa, June 28, 1967.

MELVIN D. SYNHORST, Secretary of State.

CHAPTER 50

IOWA DEVELOPMENT COMMISSION

S. F. 874

AN ACT to make appropriations to members of the Iowa development commission.

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 following named persons the amounts set op-
3 posite their respective names in full settlement of all claims they may
4 have against the state of Iowa for services rendered as members of the
5 Iowa development commission appointed in accordance with section
6 twenty-eight point one (28.1) of the Code:

7	Andrew G. Frommelt	\$1,050.00
8	Jack Schroeder	570.00
9	Vince Steffen	450.00
10	Al Meacham	900.00

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

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

1 SEC. 4. This Act shall operate retroactively and retrospectively,
2 with full force and effect, to and from July 1, 1967.

1 SEC. 5. This Act, being deemed of immediate importance, shall
2 take effect after its passage, approval and publication in The Farmer-
3 Labor Press, a newspaper published at Council Bluffs, Iowa, and in the
4 Iowa City Press-Citizen, a newspaper published at Iowa City, Iowa.

Approved July 21, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 874, was published in The Farmer-Labor Press, Council Bluffs, Iowa, July 27, 1967, and in the Iowa City Press-Citizen, Iowa City, Iowa, July 29, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 51

LEGISLATIVE SUBDISTRICTING COMMITTEE

S. F. 842

AN ACT to make appropriations for expenses incurred by the committee established by House Joint Resolution twenty-eight (28), Acts of the Sixty-second General Assembly, to subdistrict legislative districts in the state.

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 following named persons and firms the amounts
3 set opposite their respective names in full settlement of all claims they
4 may have against the state of Iowa for services rendered as members
5 of the committee established to provide a plan for subdistricting Iowa
6 senatorial and representative districts under the provisions of house
7 joint resolution twenty-eight (28), Acts of the Sixty-second General
8 Assembly, or for services rendered at the direction of the committee
9 so established:

10	J. P. Denato	\$ 929.63
11	Barbara M. Olerich	563.18
12	Charles E. Quirk	664.16
13	Jack Schroeder	842.32
14	David O. Shaff	697.33
15	Viola M. Sheets	675.92
16	Harry H. Smith	796.54
17	John E. Warren	696.92
18	Bennett A. Webster	536.00
19	Robert F. Wilson	546.96
20	Wright Lithographing & Printing Co.	766.82
21	The Savery Hotel (April 7, 1967)	52.35
22	Hotel Fort Des Moines (April 20, 23, 1967)	40.63
23	University Computer Center, University of Iowa ...	4,338.86
24	Midwest Photoengraving Corporation	442.50
25	The State Adjutant General (state aircraft)	435.75

1 SEC. 2. The state comptroller is hereby authorized to issue his
2 warrants to the persons and firms named in this Act in the amounts
3 stated, and the treasurer is hereby directed to pay the same from the
4 general fund of the state of Iowa.

1 SEC. 3. The acceptance of said funds by the persons and firms
2 named in this Act shall be in full settlement of all claims against the
3 state of Iowa growing out of the claims described.

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 Atlantic
3 News-Telegraph, a newspaper published in Atlantic, Iowa, and the
4 Council Bluffs Nonpareil, a newspaper published in Council Bluffs,
5 Iowa.

Approved July 20, 1967.

This Act was passed by the G. A. before July 1, 1967.

I hereby certify that the foregoing Act, Senate File 842, was published in The Atlantic

News-Telegraph, Atlantic, Iowa, July 26, 1967, and in the Council Bluffs Nonpareil, Council Bluffs, Iowa, July 27, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 52

EXECUTIVE AGENCIES ADVISORY COMMISSION APPROPRIATIONS

H. F. 744

AN ACT to make appropriations to the members of the executive agencies reorganization study advisory commission.

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 following named persons the amounts set op-
3 posite their respective names in full settlement of all claims which
4 they may have against* the state of Iowa for services rendered as a
5 member of the executive agencies reorganization study advisory com-
6 mission established by chapter four hundred fifty (450), Acts of the
7 Sixty-first General Assembly:

8	Richard E. Albrecht	\$ 60.00
9	Harry E. Boyd	120.00
10	Gene F. Condon	30.00
11	J. P. Denato	30.00
12	Elwin D. Farwell	90.00
13	James V. Gallagher	60.00
14	William J. Gannon	60.00
15	Vernon H. Kyhl	90.00
16	Floyd H. Millen	120.00
17	Louise R. Noun	120.00
18	Max E. Reno	90.00
19	Park Rinard	60.00

1 SEC. 2. The state comptroller is hereby authorized to issue his
2 warrants to the persons named in this Act in the amount stated, and
3 the treasurer is hereby directed to pay the same from the general fund
4 of the state of Iowa.

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

Approved June 26, 1967.

*According to enrolled Act.

CHAPTER 53

COURT STUDY APPROPRIATIONS

H. F. 729

AN ACT to make appropriations to members of the Iowa court study 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 of Iowa to the following named persons the amounts set	
3	opposite their respective names in full settlement of all claims they	
4	may have against the state of Iowa on account of services rendered	
5	as members of the Iowa court study commission continued in accord-	
6	ance with senate joint resolution twenty-six (26), Acts of the Sixty-	
7	first (61st) General Assembly:	
8	Maurice E. Baringer	\$210.00
9	William F. Denman	180.00
10	Lee Gaudineer	450.00
11	Eugene M. Hill	600.00
12	Tom Riley	180.00
13	Paul E. Kempster	390.00

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

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

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 Globe-
3 Gazette, a newspaper published in Mason City, Iowa, and The South-
4 ern County News, a newspaper published in Thornton, Iowa.

Approved June 15, 1967.

I hereby certify that the foregoing Act, House File 729, was published in the Globe-Gazette, Mason City, Iowa, June 21, 1967, and in The Southern County News, Thornton, Iowa, June 22, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 54

STATE FAIR COMMITTEE APPROPRIATION

H. F. 730

AN ACT to make appropriations to members of the Iowa state fair and world food exposition study 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 of Iowa to the following named persons the amounts set

3 opposite their respective names in full settlement of all claims they
 4 may have against the state of Iowa for services rendered as members
 5 of the Iowa state fair and world food exposition study committee in
 6 accordance with house joint resolution twenty-six (26), Acts of the
 7 Sixty-first (61st) General Assembly:

8	Franklin S. Main	\$270.00
9	R. W. Hagie	30.00
10	A. Rae Melrose	300.00
11	Leroy S. Miller	420.00

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

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

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 Albia
 3 Union-Republican, a newspaper published in Albia, Iowa, and the
 4 Chariton Herald-Patriot, a newspaper published in Chariton, Iowa.

Approved June 15, 1967.

I hereby certify that the foregoing Act, House File 730, was published in The Albia Union-Republican, Albia, Iowa, June 22, 1967, and in the Chariton Herald-Patriot, Chariton, Iowa, June 22, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 55

INTERSTATE COOPERATION COMMISSION

H. F. 763

AN ACT to make appropriations to members of the Iowa commission on interstate cooperation.

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 following named persons the amounts set op-
 3 posite their respective names in full settlement of all claims which
 4 they may have against the state of Iowa for services rendered as a
 5 member of the Iowa commission on interstate cooperation established
 6 under chapter twenty-eight B (28B) of the Code:

7	Robert D. Fulton	\$ 300.00
8	Vince Steffen	540.00
9	Merle W. Hagedorn	1,016.87
10	Peter F. Hansen	750.00
11	Vernon H. Kyhl	480.00
12	Donald W. Murray	390.00
13	Howard C. Reppert, Jr.	380.30
14	Henry W. Busch	510.00

15	R. J. Clapsaddle	450.00
16	Gertrude S. Cohen	360.00
17	Minnette F. Doderer	450.00
18	Roy R. Gillette	554.87
19	Melvin H. Wolf	292.85

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

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

Approved June 29, 1967.

CHAPTER 56

RETIREMENT SYSTEM ADVISORY BOARD

H. F. 774

AN ACT to make appropriations to members of the advisory investment board of the Iowa public employees' retirement system.

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 following named persons the amounts set op-
3 posite their respective names in full settlement of all claims they may
4 have against the state of Iowa for services rendered as members of
5 the advisory investment board of the Iowa public employees' retire-
6 ment system appointed in accordance with section ninety-seven B
7 point eight (97B.8) of the Code:

8	Jake B. Mincks	\$180.00
9	Cleve L. Carnahan	30.00
10	Carroll L. Wright	60.00

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

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

Approved June 29, 1967.

CHAPTER 57

OFFICE BUILDING ADVISORY COMMITTEE

H. F. 731

AN ACT to make appropriations to the appointive members of the legislative advisory committee on the new state office building.

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 following named persons the amounts set opposite	
3	their respective names in full settlement of all per diem claims they	
4	may have against the state for services rendered as appointive mem-	
5	bers of the legislative advisory committee on the new state office	
6	building in accordance with senate file five hundred fifty-nine (559),	
7	Acts of the Sixty-first (61st) General Assembly:	
8	Robert R. Dodds	\$480.00
9	Delbert Floy	480.00
10	Vern Lisle	60.00
11	William J. Coffman	480.00
12	Donald V. Doyle	480.00
13	William D. Palmer	480.00

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

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

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 Leader & Signal & Garner Herald, a newspaper published at
4 Garner, Iowa, and in The Winterset Madisonian, a newspaper pub-
5 lished at Winterset, Iowa.

Approved June 22, 1967.

I hereby certify that the foregoing Act, House File 731, was published in The Leader & Signal & Garner Herald, Garner, Iowa, June 28, 1967, and in The Winterset Madisonian, Winterset, Iowa, June 28, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 58

LEGISLATIVE RESEARCH COMMITTEE

S. F. 843

AN ACT to make appropriations to members of the Iowa legislative research committee.

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

1 SECTION 1. There is hereby appropriated from the general fund of
 2 the state of Iowa to the following named persons the amounts set op-
 3 posite their respective names in full settlement of all claims they may
 4 have against the state of Iowa for services rendered as members of the
 5 Iowa legislative research committee in accordance with section two
 6 point forty-nine (2.49) of the Code:

7	Kenneth Benda	\$840.00
8	John M. Ely, Jr.	570.00
9	Andrew G. Frommelt	630.00
10	John P. Kibbie	849.47
11	Elmer F. Lange	960.00
12	H. Kenneth Nurse	870.00
13	George E. O'Malley	600.00
14	Robert R. Rigler	300.00
15	Floyd P. Edgington	600.00
16	C. Raymond Fisher	900.00
17	James V. Gallagher	450.00
18	Lester L. Kluever	240.00
19	Elroy Maule	480.00
20	Al Meacham	870.00
21	Charles P. Miller	600.00
22	Vince Steffen	660.00

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

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

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 Adams
 3 County Free Press, a newspaper published in Corning, Iowa and in
 4 The Red Oak Express, a newspaper published in Red Oak, Iowa.

Approved July 20, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 843, was published in the Adams
 County Free Press, Corning, Iowa, August 3, 1967, and in The Red Oak Express, Red
 Oak, Iowa, July 27, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 59

LEGISLATIVE STUDY COMMITTEE APPROPRIATIONS

H. F. 772

AN ACT to make appropriations to legislators serving on legislative study committees.

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 following named persons the amounts set op-
3 posite their respective names in full settlement of all claims which
4 they may have against the state of Iowa for services rendered as a
5 member of a study committee established by the legislative research
6 committee under the provisions of section two point fifty-five (2.55)
7 of the Code:

8	Members of the highway study committee:	
9	Charles F. Balloun	\$450.00
10	James E. Briles	330.00
11	John P. Kibbie	330.00
12	Warren J. Kruck	480.00
13	John W. Patton	330.00
14	Albert H. Detje	150.00
15	Harold O. Fischer	300.00
16	C. Raymond Fisher	330.00
17	William J. Gannon	390.00
18	Thomas A. Renda	180.00
19	William P. Wilson	210.00
20	Members of the motor vehicle laws study committee:	
21	Merle W. Hagedorn	\$390.00
22	Vernon Kyhl	480.00
23	Max M. Mills	360.00
24	Howard Reppert, Jr.	600.00
25	Harold V. Nelson	929.58
26	Kenneth Robinson	570.00
27	Vince Steffen	720.00
28	Charles J. Uban	480.00

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

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

Approved June 30, 1967.

CHAPTER 60

LEGISLATIVE STUDY COMMITTEES

H. F. 740

AN ACT to make appropriations to legislators serving on legislative study committees.

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 following named persons the amounts set op-
3 posite their respective names in full settlement of all claims which
4 they may have against the state of Iowa for services rendered as a
5 member of a study committee established by the legislative research
6 committee under the provisions of section two point fifty-five (2.55)
7 of the Code:

8 Members of the state banking laws study committee:

9	Kenneth Benda	\$120.00
10	C. Joseph Coleman	60.00
11	Robert R. Rigler	60.00
12	Alan Shirley	60.00
13	James V. Gallagher	30.00
14	Al Meacham	90.00
15	Leroy S. Miller	60.00
16	Clark R. Rasmussen	30.00

17 Members of the strip mining study committee:

18	John Leonard Buren	\$180.00
19	Joseph B. Flatt	180.00
20	Don S. McGill	330.00
21	Max E. Reno	300.00
22	Floyd P. Edgington	360.00
23	W. R. Gillette	210.00
24	Floyd Millen	390.00
25	Charles P. Miller	300.00

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

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

Approved June 29, 1967.

CHAPTER 61

LEGISLATIVE STUDY COMMITTEE APPROPRIATIONS

H. F. 743

AN ACT to make appropriations to legislators serving on legislative study committees.

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 following named persons the amounts set op-
3 posite their respective names in full settlement of all claims which
4 they may have against the state of Iowa for services rendered as a
5 member of a study committee established by the legislative research
6 committee under the provisions of section two point fifty-five (2.55)
7 of the Code:

8	Members of the Iowa jails study committee:	
9	John M. Ely, Jr.	\$240.00
10	Stanley Heaberlin	150.00
11	Richard L. Stephens	120.00
12	Gertrude S. Cohen	90.00
13	Charles A. Korn	270.00
14	Marvin W. Smith	270.00
15	Dale L. Tieden	180.00
16	Members of the retirement programs study committee:	
17	Andrew G. Frommelt	\$390.00
18	Elmer F. Lange	270.00
19	Vern Lisle	90.00
20	Jake B. Mincks	120.00
21	H. Kenneth Nurse	360.00
22	Maurice E. Baringer	270.00
23	Minnette F. Doderer	330.00
24	Keith H. Dunton	300.00
25	Maurice G. Hausheer	60.00
26	Lester L. Kluever	120.00
27	James D. Resnick	120.00

1 **SEC. 2.** The state comptroller is hereby authorized to issue his
2 warrants to the persons named in this Act in the amounts stated, and
3 the treasurer is hereby directed to pay the same from the general fund
4 of the state of Iowa.

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

Approved June 26, 1967.

CHAPTER 62

LEGISLATIVE STUDY COMMITTEES

H. F. 764

AN ACT to make appropriations to legislators serving on legislative study committees.

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 following named persons the amounts set op-
 3 posite their respective names in full settlement of all claims which
 4 they may have against the state of Iowa for services rendered as a
 5 member of a study committee established by the legislative research
 6 committee under the provisions of section two point fifty-five (2.55)
 7 of the Code:

8	Members of the drainage laws study committee:	
9	Lucas J. De Koster	\$270.00
10	Robert R. Dodds	180.00
11	Delbert Floy	270.00
12	Seeley G. Lodwick	330.00
13	Donald W. Murray	150.00
14	Henry W. Busch	180.00
15	Dale M. Cochran	270.00
16	Elroy Maule	360.00
17	Marvin S. Shirley	210.00
18	William P. Winkelman	330.00
19	Members of the electrical code study committee:	
20	Gilbert Klefstad	\$240.00
21	J. Henry Lucken	150.00
22	Francis L. Messerly	180.00
23	Daryl H. Nims	150.00
24	George E. O'Malley	180.00
25	C. Raymond Fisher	210.00
26	Paul E. Kempster	180.00
27	Alfred Nielsen	240.00
28	Dale H. Rickert	180.00
29	Burl E. Scott	240.00

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

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

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 63

LEGISLATIVE RESEARCH BUREAU

S. F. 825

AN ACT to make an appropriation to the Iowa legislative research bureau for updating the Code of Iowa on magnetic tape and to revise the related vocabulary concordance.

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

1 SECTION 1. There is hereby appropriated from the general fund of
 2 the state to the Iowa legislative research bureau the sum of eight
 3 thousand five hundred (8,500) dollars, or so much thereof as shall be
 4 necessary, for the purpose of incorporating the Acts of the Sixty-
 5 second General Assembly into the Code of Iowa on magnetic tape and
 6 to update and revise the related vocabulary concordance. The incorpo-
 7 ration of the Acts on tape and the updating and revision of the vocab-
 8 ulary concordance shall be accomplished in such manner as approved
 9 by the Iowa legislative research committee. Any unused balance of
 10 the funds herein appropriated remaining upon completion of the
 11 project authorized by this Act shall revert to the general fund of the
 12 state.

Approved July 20, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 64

LEGISLATIVE RESEARCH BUREAU

S. F. 827

AN ACT to make an appropriation to the legislative research bureau for air conditioning and needed renovations in the offices of the legislative research bureau.

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

1 SECTION 1. There is hereby appropriated from the general fund of
 2 the state to the Iowa legislative research bureau the sum of seventeen
 3 thousand five hundred (17,500) dollars, or so much thereof as may be
 4 necessary, for the purpose of air conditioning and renovating the legis-
 5 lative research bureau offices. No funds authorized for expenditure
 6 under the provisions of this Act shall be expended without the ap-
 7 proval of the budget and financial control committee.

Approved July 20, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 65

HEALTH DEPARTMENT APPROPRIATION

H. F. 770

AN ACT to appropriate from the general fund of the state of Iowa to the department of health for power file 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 department of health the sum of twenty-four
 3 thousand (24,000) dollars, or so much thereof as may be necessary,
 4 to be used for the purchase and installation of power file equipment
 5 for the vital statistics division.

1 SEC. 2. Any unencumbered balance remaining as of June 30, 1969
 2 of the funds appropriated by this Act shall revert to the general fund
 3 of the state as of June 30, 1969.

Approved June 29, 1967.

CHAPTER 66

TRUST FUNDS OF REGULATORY BOARDS AND AGENCIES

H. F. 759

AN ACT authorizing expenditures by various regulatory boards and agencies from their trust funds for the biennium beginning July 1, 1967 and ending June 30, 1969; to provide for the reversion of unused authorized expenditures in this Act to the fund of original authorization; and to provide for additional authorizations of funds during the biennium if funds authorized by this Act are insufficient.

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

1 SECTION 1. The state board of accountancy is hereby authorized
 2 to expend from the fees received under chapter one hundred sixteen
 3 (116) of the Code, for each year of the biennium beginning July 1,
 4 1967 and ending June 30, 1969 not to exceed seventeen thousand six
 5 hundred ninety (17,690) dollars, or so much thereof as may be neces-
 6 sary, to be used in the following manner:

7	For salaries	\$ 3,790.00
8	For board members' travel	1,200.00
9	For support, maintenance, and miscellaneous purposes....	12,700.00

10 Total\$17,690.00

1 SEC. 2. The board of architectural examiners is hereby authorized
 2 to expend from the funds received under section one hundred eighteen
 3 point eleven (118.11) of the Code, for each year of the biennium be-
 4 ginning July 1, 1967 and ending June 30, 1969 not to exceed thirteen
 5 thousand five hundred eighty (13,580) dollars, or so much thereof as
 6 may be necessary, to be used in the following manner:

7	For salaries	\$ 6,080.00
8	For board members' per diem and expenses.....	4,000.00

9 For support, maintenance, and miscellaneous purposes....\$ 3,500.00
 10 Total\$13,580.00

1 SEC. 3. The state board of engineering examiners is hereby au-
 2 thorized to expend from the funds received under section one hundred
 3 fourteen point twelve (114.12) of the Code, for each year of the bien-
 4 nium beginning July 1, 1967 and ending June 30, 1969 not to exceed
 5 forty thousand two hundred five (40,205) dollars, or so much thereof
 6 as may be necessary, to be used in the following manner:

7 For salaries\$11,380.00
 8 For board members' per diem and expenses..... 11,000.00
 9 For support, maintenance, and miscellaneous purposes.... 17,825.00
 10 Total\$40,205.00

1 SEC. 4. The state board of examiners in the basic sciences is here-
 2 by authorized to expend from the fees received under section one hun-
 3 dred forty-six point twelve (146.12) of the Code, for each year of the
 4 biennium beginning July 1, 1967 and ending June 30, 1969 not to ex-
 5 ceed ten thousand six hundred (10,600) dollars, or so much thereof as
 6 may be necessary, to be used in the following manner:

7 For board members' per diem and expenses.....\$ 9,000.00
 8 For support, maintenance, and miscellaneous purposes.... 1,600.00
 9 Total\$10,600.00

1 SEC. 5. The state board of veterinary medical examiners is hereby
 2 authorized to expend from fees received under section one hundred
 3 sixty-nine point forty-nine (169.49) of the Code, for each year of the
 4 biennium beginning July 1, 1967 and ending June 30, 1969 not to ex-
 5 ceed three thousand (3,000) dollars, or so much thereof as may be
 6 necessary, to be used in the following manner:

7 Salaries, support, maintenance, and miscellaneous pur-
 8 poses\$ 3,000.00
 9 Total\$ 3,000.00

1 SEC. 6. The Iowa board of funeral directors and embalmer exam-
 2 iners is hereby authorized to expend from fees received under section
 3 one hundred forty-seven point one hundred one (147.101) of the Code,
 4 for each year of the biennium beginning July 1, 1967 and ending June
 5 30, 1969 not to exceed six thousand five hundred (6,500) dollars, or
 6 so much thereof as may be necessary, to be used in the following man-
 7 ner:

8 Per diem, support, maintenance, and miscellaneous pur-
 9 poses\$ 6,500.00
 10 Total\$ 6,500.00

1 SEC. 7. The state board of dental examiners is hereby authorized
 2 to expend from fees received under section one hundred forty-seven
 3 point one hundred fifteen (147.115) of the Code, for each year of the
 4 biennium beginning July 1, 1967 and ending June 30, 1969 not to ex-

5 ceed six thousand (6,000) dollars, or so much thereof as may be neces-
 6 sary, to be used in the following manner:

7	For salaries	\$ 5,500.00
8	For support, maintenance, and miscellaneous purposes....	500.00
9	Total	<u>\$ 6,000.00</u>

1 SEC. 8. The state board of certification is hereby authorized to
 2 expend from fees received under section one hundred thirty-six A
 3 point fourteen (136A.14) of the Code, for each year of the biennium
 4 beginning July 1, 1967 and ending June 30, 1969 not to exceed three
 5 thousand (3,000) dollars, or so much thereof as may be necessary, to
 6 be used in the following manner:

7	For salaries, support, maintenance, and miscellaneous	
8	purposes	\$ 3,000.00
9	Total	<u>\$ 3,000.00</u>

1 SEC. 9. The state board of optometry examiners is hereby author-
 2 ized to expend from fees received under section one hundred forty-
 3 seven point one hundred seventeen (147.117) of the Code, for each
 4 year of the biennium beginning July 1, 1967 and ending June 30, 1969
 5 not to exceed five thousand (5,000) dollars, 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	\$ 5,000.00
9	Total	<u>\$ 5,000.00</u>

1 SEC. 10. The state board of medical examiners is hereby author-
 2 ized to expend from fees received under section one hundred forty-
 3 seven point one hundred three (147.103) of the Code, for each year
 4 of the biennium beginning July 1, 1967 and ending June 30, 1969 not
 5 to exceed thirty-three thousand (33,000) dollars, or so much thereof
 6 as may be necessary, to be used in the following manner:

7	For salaries	\$15,000.00
8	For travel	3,000.00
9	For per diem	11,000.00
10	For miscellaneous purposes	4,000.00
11	Total	<u>\$33,000.00</u>

1 SEC. 11. The state board of nurse examiners is hereby authorized
 2 to expend from fees received under section one hundred forty-seven
 3 point one hundred seven (147.107) of the Code, for each year of the
 4 biennium beginning July 1, 1967 and ending June 30, 1969 not to ex-
 5 ceed ninety-nine thousand (99,000) dollars, or so much thereof as may
 6 be necessary, to be used in the following manner:

7	For salaries	\$60,000.00
8	For board members' per diem.....	4,000.00
9	For travel	5,500.00
10	For miscellaneous purposes	29,500.00
11	Total	<u>\$99,000.00</u>

1 SEC. 12. The state board of physical therapy examiners is hereby
 2 authorized to expend from fees received under section one hundred
 3 forty-seven point one hundred fifteen (147.115) of the Code, for each
 4 year of the biennium beginning July 1, 1967 and ending June 30, 1969
 5 not to exceed one thousand (1,000) dollars, 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\$ 1,000.00

9 Total\$ 1,000.00

1 SEC. 13. Any balance unused during the first year of the biennium
 2 from which authorization for expenditures are provided for in this
 3 Act shall be carried over and augment the amount authorized for the
 4 second year of the biennium. At the end of the biennium, any balance
 5 remaining shall revert to the fund from which authorization for ex-
 6 penditures are provided for in this Act.

1 SEC. 14. No expenditures, except as authorized by this Act, may
 2 be made during the biennium from the funds herein included. If the
 3 authorizations to expend are insufficient to carry out the needs of the
 4 board, agency, or department included in this Act, the executive coun-
 5 cil may approve an additional authorization to expend from the fund
 6 of original authorization, after first securing the written recommen-
 7 dations on said authorization from the state comptroller.

1 SEC. 15. Chapter eight (8), Code 1966, shall apply to this Act.

1 SEC. 16. 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 uncon-
 9 stitutional.

1 SEC. 17. Where any provisions of the law of this state are in con-
 2 flict with this Act, the provisions of this Act shall govern for the bien-
 3 nium.

Approved July 10, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 67

TRUST FUNDS EXPENDITURES

H. F. 760

AN ACT authorizing expenditures by the Iowa aeronautics commission, the Iowa dairy industry commission, the state permit board, the department of public safety, and the statistician of judiciary department, from their trust funds for the biennium beginning July 1, 1967 and ending June 30, 1969; to provide for reversions of unused authorized expenditures in this Act to the fund of original authorization; and to provide for additional authorizations of funds during the biennium if funds authorized by this Act are insufficient.

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

1 SECTION 1. The Iowa aeronautics commission is hereby authorized
2 to expend from the moneys received by the commission under chapter
3 three hundred twenty-eight (328) of the Code, known as the state
4 aviation fund, for each year of the biennium beginning July 1, 1967
5 and ending June 30, 1969 not to exceed four hundred sixteen thousand
6 (416,000) dollars, or so much thereof as may be necessary, to be used
7 in the following manner:

8	For salaries	\$101,000.00
9	For board members' per diem	5,000.00
10	For support, maintenance, and miscellaneous purposes....	110,000.00
11	For airport projects and improvements	200,000.00

12	Total	\$416,000.00
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1 SEC. 2. The Iowa dairy industry commission is hereby authorized
2 to expend from the moneys received by the commission under chapter
3 one hundred seventy-nine (179) of the Code, known as the dairy in-
4 dustry fund, for each year of the biennium beginning July 1, 1967 and
5 ending June 30, 1969 not to exceed three hundred eighty thousand
6 (380,000) dollars, or so much thereof as may be necessary, to be used
7 in the following manner:

8	For salaries	\$ 34,000.00
9	For travel	5,000.00
10	For payments to American dairy association	250,000.00
11	For support, maintenance, and miscellaneous purposes....	91,000.00

12	Total	\$380,000.00
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1 SEC. 3. The state permit board is hereby authorized to expend
2 from the moneys received by the board under section one hundred
3 twenty-four point five (124.5) of the Code, known as the state permit
4 board fund, for each year of the biennium beginning July 1, 1967 and
5 ending June 30, 1969 not to exceed twelve thousand (12,000) dollars,
6 or so much thereof as may be necessary, to be used in the following
7 manner:

8	For salaries	\$ 9,500.00
9	For support, maintenance, and miscellaneous purposes.....	2,500.00

10	Total	\$12,000.00
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1 SEC. 4. The commissioner of public safety is hereby authorized to
2 expend from the moneys received by the department of public safety

3 under section three hundred twenty-two point twelve (322.12) of the
 4 Code, known as the motor vehicle dealers license fee fund, for each
 5 year of the biennium beginning July 1, 1967 and ending June 30, 1969
 6 not to exceed seventy-five thousand (75,000) dollars, or so much there-
 7 of as may be necessary, to be used in the following manner:

8	For salaries	\$53,400.00
9	For travel	13,000.00
10	For support, maintenance, and miscellaneous purposes.....	8,600.00
11	Total	\$75,000.00

1 SEC. 5. The statistician of the judiciary department is hereby au-
 2 thorized to expend from fees received under section six hundred six
 3 point fifteen (606.15) of the Code, for each year of the biennium be-
 4 ginning July 1, 1967 and ending June 30, 1969 not to exceed twenty-
 5 five thousand (25,000) dollars, or so much thereof as may be neces-
 6 sary, to be used in the following manner:

7	For salaries	\$22,000.00
8	For support, maintenance, and miscellaneous purposes.....	3,000.00
9	Total	\$25,000.00

1 SEC. 6. Any balance unused during the first year of the biennium
 2 from which authorizations for expenditures are provided for in this
 3 Act shall be carried over and augment the amount authorized for the
 4 second year of the biennium. At the end of the biennium, any balance
 5 remaining shall revert to the fund from which authorizations for ex-
 6 penditures are provided for in this Act.

1 SEC. 7. No expenditure, except as authorized by this Act, may be
 2 made during the biennium from the funds herein included. If the
 3 authorizations to expend are insufficient to carry out the needs of the
 4 board, agency, or department included in this Act, the executive coun-
 5 cil may approve an additional authorization to expend from the fund
 6 of original authorization, after first securing the written recommen-
 7 dations on said authorization from the state comptroller.

1 SEC. 8. Chapter eight (8), Code 1966, shall apply to this Act.

1 SEC. 9. If any section, subsection, paragraph, sentence, clause or
 2 phrase of this Act is for any reason held to be unconstitutional or in-
 3 valid, such unconstitutionality or invalidity shall not affect the consti-
 4 tutionality 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 uncon-
 9 stitutional.

1 SEC. 10. Where any provisions of the law of this state are in con-
 2 flict with this Act, the provisions of this Act shall govern for the
 3 biennium.

Approved July 10, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 68

EXPENDITURES OF AGRICULTURAL DIVISIONS

H. F. 761

AN ACT to authorize expenditures by various regulatory divisions in the department of agriculture from trust funds for the biennium beginning July 1, 1967 and ending June 30, 1969; to provide for reversion of unused authorized expenditures in this Act to the fund of original authorization; and to provide for additional authorization of funds during the biennium if funds authorized in this Act are insufficient.

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

1 SECTION 1. The department of agriculture is hereby authorized to
 2 expend from the fees received under chapter one hundred ninety-eight
 3 (198) of the Code, known as the commercial feed fund, for each year
 4 of the biennium beginning July 1, 1967 and ending June 30, 1969 not
 5 to exceed two hundred fifty-eight thousand (258,000) dollars, or so
 6 much thereof as may be necessary, to be used in the following manner:
 7 For salaries\$215,000.00
 8 For travel 19,000.00
 9 For equipment 6,000.00
 10 For support, maintenance, and miscellaneous purposes.... 18,000.00
 11 Total\$258,000.00

1 SEC. 2. The department of agriculture is hereby authorized to ex-
 2 pend from the fees received under chapter one hundred seventy (170)
 3 of the Code, known as the restaurant inspection fund, for each year of
 4 the biennium beginning July 1, 1967 and ending June 30, 1969 not to
 5 exceed one hundred thousand (100,000) dollars, or so much thereof as
 6 may be necessary, to be used in the following manner:
 7 For salaries\$ 80,000.00
 8 For travel 15,000.00
 9 For equipment 500.00
 10 For support, maintenance, and miscellaneous purposes.... 4,500.00
 11 Total\$100,000.00

1 SEC. 3. The department of agriculture is hereby authorized to ex-
 2 pend from the fees received under chapter two hundred six (206) of
 3 the Code, known as the pesticide fund, for each year of the biennium
 4 beginning July 1, 1967 and ending June 30, 1969 not to exceed fifty
 5 thousand six hundred (50,600) dollars, or so much thereof as may be
 6 necessary, to be used in the following manner:
 7 For salaries\$36,630.00
 8 For travel 4,170.00
 9 For equipment 500.00
 10 For support, maintenance, and miscellaneous purposes..... 9,300.00
 11 Total\$50,600.00

1 SEC. 4. The department of agriculture is hereby authorized to ex-
 2 pend from the fees received under chapter two hundred (200) of the
 3 Code, known as the fertilizer fund, for each year of the biennium be-
 4 ginning July 1, 1967 and ending June 30, 1969 not to exceed sixty-

5	seven thousand three hundred (67,300) dollars, or so much thereof as	
6	may be necessary, to be used in the following manner:	
7	For salaries	\$56,900.00
8	For travel	3,100.00
9	For equipment	500.00
10	For support, maintenance, and miscellaneous purposes.....	6,800.00
11	Total	\$67,300.00

1 SEC. 5. The department of agriculture is hereby authorized to ex-
 2 pend from the fees received under chapter one hundred ninety-two A
 3 (192A) of the Code, known as the dairy trade practices fund, for each
 4 year of the biennium beginning July 1, 1967 and ending June 30, 1969
 5 not to exceed fifty-five thousand (55,000) dollars, or so much thereof
 6 as may be necessary, to be used in the following manner:

7	For salaries	\$39,100.00
8	For travel	6,000.00
9	For equipment	600.00
10	For support, maintenance, and miscellaneous purposes.....	9,300.00
11	Total	\$55,000.00

1 SEC. 6. Any balance unused during the first year of the biennium
 2 for which authorizations for expenditures are provided for in this Act
 3 shall be carried over and augment the amount authorized for the sec-
 4 ond year of the biennium. At the end of the biennium, any balance
 5 remaining shall revert to the fund from which authorizations for ex-
 6 penditures are provided for in this Act.

1 SEC. 7. No expenditure, except as authorized by this Act, may be
 2 made during the biennium from the fund herein included. If the
 3 authorizations to expend are insufficient to carry out the needs of the
 4 department of agriculture from the funds herein included, the execu-
 5 tive council may approve an additional authorization to expend from
 6 the fund of the original authorization, after first securing the written
 7 recommendations on said authorization from the state comptroller.

1 SEC. 8. Chapter eight (8), Code 1966, shall apply to this Act.

1 SEC. 9. If any section, subsection, paragraph, sentence, clause or
 2 phrase of this Act is for any reason held to be unconstitutional or in-
 3 valid, such unconstitutionality or invalidity shall not affect the consti-
 4 tutionality 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 uncon-
 9 stitutional.

1 SEC. 10. Where any provisions of the law of this state are in con-
 2 flict with this Act, the provisions of this Act shall govern for the
 3 biennium.

Approved July 10, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 69

BRAND BOOK

H. F. 503

AN ACT to make an appropriation to the secretary of agriculture to print the animal brand book required by law.

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

1 SECTION 1. There is hereby appropriated from the general fund of
2 the state to the secretary of agriculture the sum of twenty-five hun-
3 dred (2500) dollars to be used for publishing the brand book for
4 animals required by section one hundred eighty-seven point eleven
5 (187.11) of the Code.

Approved June 27, 1967.

CHAPTER 70

DATA PROCESSING APPROPRIATION

H. F. 749

AN ACT to appropriate from the general fund of the state of Iowa to the state comptroller for data processing 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 comptroller the sum of six hundred sixty-
3 eight thousand (668,000) dollars, or so much thereof as may be neces-
4 sary, to be used in the following manner:

5	For a computer presently under lease purchase with the	
6	state of Iowa, and accessories	\$547,800.00
7	For keypunch and verifier machines presently on lease	
8	by the state of Iowa	120,200.00
9	Total	<u>\$668,000.00</u>

1 SEC. 2. Before any of the funds appropriated by this Act shall be
2 expended, it shall be determined by the state comptroller, with the
3 approval of the executive council, that the expenditures are in the
4 best interests of the state.

1 SEC. 3. Any unencumbered balance of the funds appropriated by
2 this Act remaining as of June 30, 1969 shall revert to the general fund
3 of the state as of June 30, 1969.

Approved June 29, 1967.

CHAPTER 71

PRINTING BOARD APPROPRIATION

H. F. 771

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 of
2 the state to the state printing board for the biennium beginning July
3 1, 1967 and ending June 30, 1969 the sum of one hundred ten thousand
4 (110,000) dollars, or so much thereof as may be necessary, to be used
5 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 paper
3 stock, multigraph or mimeograph work, and original payment of
4 printing and binding claims for any of the state departments, bureaus,
5 associations, and institutions. Any sum so used shall be reimbursed to
6 the printing board and returned to the credit of the appropriation
7 made for printing and binding. The payments shall be made to the
8 printing board in the same manner as other claims against such de-
9 partments are paid.

Approved June 30, 1967.

CHAPTER 72

CODE OF IOWA REFUNDS

H. F. 727

AN ACT to provide for refunding overpayments for the 1966 Code and Iowa Departmental Rules, and to make an appropriation therefor.

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

1 SECTION 1. There is hereby appropriated from the general fund of
2 the state to the state printing board the sum of forty thousand
3 (40,000) dollars, or so much thereof as may be necessary, for refunds
4 and related administrative costs for any overpayments for the 1966
5 editions of the publications cited in section seventeen point twenty-two
6 (17.22), subsection one (1) of the Code.

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

Approved June 30, 1967.

I hereby certify that the foregoing Act, House File 727, was published in the Ames Daily Tribune, Ames, Iowa, July 1, 1967, and in The Nevada Journal, Nevada, Iowa, July 6, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 73

MONEYS AND CREDITS TAX REPLACEMENT

S. F. 859

AN ACT to appropriate from the general fund of the state of Iowa to the treasurer of state for the moneys and credits tax replacement fund provided in chapter four hundred twenty-two (422) of the Code, the sum of three million (3,000,000) dollars.

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

1	SECTION 1.	There is hereby appropriated from the general fund of	
2		the state of Iowa for the biennium beginning July 1, 1967 and ending	
3		June 30, 1969 to the treasurer of state for the moneys and credits tax	
4		replacement fund provided in section four hundred twenty-two point	
5		sixty-two (422.62) of the Code, the following sums:	
6		For the fiscal year beginning July 1, 1967 and ending	
7		June 30, 1968, to be distributed in January, 1968	\$2,000,000.00
8		For the fiscal year beginning July 1, 1968 and ending	
9		June 30, 1969, to be distributed in January, 1969	1,000,000.00
10		Grand total of all appropriations for the biennium to	
11		the treasurer of state for the moneys and credits tax re-	
12		placement fund	\$3,000,000.00

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 74

CHAPEL AT CAMP DODGE

S. F. 865

AN ACT to authorize the construction of a chapel at Camp Dodge and to provide an appropriation therefor.

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

- 1 SECTION 1. There is hereby appropriated from the general fund of
 2 the state to the office of the adjutant general the sum of one hundred
 3 thirty thousand (130,000) dollars, or so much thereof as may be neces-
 4 sary, for the purpose of constructing a chapel on the grounds of Camp
 5 Dodge. The appropriation shall be expended in accordance with sec-
 6 tion twenty-nine A point thirteen (29A.13) of the Code.
- 1 SEC. 2. Any unused portion of the funds appropriated by this Act
 2 remaining as of June 30, 1969, shall revert to the general fund of the
 3 state.

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 75

ATTORNEYS GENERAL EMPLOYED

S. F. 797

AN ACT to legalize and validate the employment of Lex Hawkins and Verne Lawyer by the state of Iowa and to prescribe the method for the determination of and payment of fees and expenses.

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

1 SECTION 1. The employment of Lex Hawkins and Verne Lawyer
2 as attorneys or special assistant attorney generals for the state of
3 Iowa, representing the state of Iowa in regard to investigation and
4 commencement of lawsuits against certain companies for alleged vio-
5 lation of the Sherman Anti-Trust Act in bidding and selling asphalt
6 to the state of Iowa and its political subdivisions, from its inception
7 to the termination of such representation on or about the tenth (10th)
8 day of January, 1967, as hereby legalized, validated and confirmed.

1 SEC. 2. Awards to such attorneys for services rendered and ex-
2 penses incurred as a result of such legal representation shall be set
3 and determined by a judge of a court having jurisdiction over the
4 subject matter thereof, after holding a hearing thereon.

1 SEC. 3. Any such award or judgment rendered by such court shall
2 be a judgment in favor of Lex Hawkins and Verne Lawyer against
3 the state of Iowa and shall be paid in the same manner as a judgment
4 or award against the state of Iowa is paid pursuant to section twenty-
5 five A point eleven (25A.11) of the Code.

Approved July 24, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 76

INAUGURAL EXPENSE APPROPRIATION

S. F. 725

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 from the general fund of
2 the state the sum of thirteen thousand, one hundred ninety-four dollars
3 and forty cents (\$13,194.40) or so much thereof as may be necessary,
4 to pay the expenses incurred on account of the inaugural ceremonies
5 and reception.

6 Warrants for payment of expenses authorized under this Act shall
7 be drawn in favor of the adjutant general upon the filing of vouchers
8 therefor with 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 Fort Dodge Messenger and Chronicle, a newspaper pub-
 4 lished at Fort Dodge, Iowa, and in The Gowrie News, a newspaper
 5 published at Gowrie, Iowa.

Approved May 22, 1967.

I hereby certify that the foregoing Act, Senate File 725, was published in the Fort Dodge Messenger and Chronicle, Fort Dodge, Iowa, May 26, 1967, and in The Gowrie News, Gowrie, Iowa, June 1, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 77

LEGISLATIVE DEPARTMENTAL EXPENSES

H. F. 786

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1967 and ending June 30, 1969 funds for various legislative departmental expenses and for membership dues for the national conference of state legislative leaders, and to create the general contingent fund of the state specifying the purposes for which the appropriation may be used.

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

LEGISLATIVE RESEARCH BUREAU

1 SECTION 1. For the legislative research bureau there is hereby
 2 appropriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1967 and ending June 30, 1969 the sum of
 4 one hundred ninety thousand (190,000) dollars, or so much thereof as
 5 may be necessary, to be used in the following manner:
 6 For salaries, support, maintenance, and miscellaneous
 7 purposes\$190,000.00

8 Grand total of all appropriations for all purposes for
 9 each year of the biennium for the legislative research
 10 bureau\$190,000.00

INTERSTATE COOPERATION, COMMISSION ON

1 SEC. 2. For the commission on interstate cooperation there is here-
 2 by appropriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1967 and ending June 30, 1969 the sum of
 4 five thousand five hundred (5,500) dollars, or so much thereof as may
 5 be necessary, to be used in the following manner:
 6 For expenses of commission members in carrying out
 7 their obligations under chapter twenty-eight B (28B) of
 8 the Code\$ 5,500.00

9 Grand total of all appropriations for all purposes for
 10 each year of the biennium for the commission on interstate
 11 cooperation\$ 5,500.00

BUDGET AND FINANCIAL CONTROL COMMITTEE

1 SEC. 3. There is appropriated from the general fund of the state
 2 of Iowa to the budget and financial control committee the sum of three
 3 hundred thousand dollars (\$300,000.00) for the biennium beginning
 4 July 1, 1967, and ending June 30, 1969, or so much thereof as may be
 5 necessary to carry out the provisions of section two point forty-four
 6 (2.44), Code 1966, and for the compensation and expense of members
 7 of the budget and financial control committee authorized by section
 8 two point forty-five (2.45), Code 1966, and the provisions of sections
 9 two point forty-six (2.46), two point forty-seven (2.47), and two
 10 point forty-eight (2.48), Code 1966. Any balance in said contingent
 11 fund as of June 30, 1969, shall revert to the general fund of the state
 12 as of June 30, 1969.

NATIONAL CONFERENCE OF STATE LEGISLATIVE LEADERS

1 SEC. 4. There is hereby appropriated to the national conference of
 2 state legislative leaders from the general fund of the state for each
 3 year of the biennium beginning July 1, 1967 and ending June 30, 1969
 4 the sum of one thousand (\$1,000) dollars, or so much thereof as may
 5 be necessary, to be used in the following manner:

6 For annual dues for membership to the national confer-	
7 ence of state legislative leaders	\$ 1,000.00
<hr/>	
8 Grand total of all appropriations for each year for an-	
9 nual dues to the national conference of state legislative	
10 leaders	\$ 1,000.00

1 SEC. 5. The general contingent fund of the state for the biennium
 2 beginning July 1, 1967 and ending June 30, 1969 is hereby created and
 3 said fund shall consist of the sum of one million seven hundred thou-
 4 sand (1,700,000) dollars, hereby appropriated thereto from the gen-
 5 eral fund of the state. The contingent fund shall be administered by
 6 the executive council and allocations therefrom may be made only for
 7 contingencies arising during the biennium which are legally payable
 8 from the funds of the state. The executive council shall not allocate
 9 any funds for any purpose or project which was presented to the gen-
 10 eral assembly by way of a bill and which failed to become enacted into
 11 law.

12 Before any of the funds appropriated by this Act shall be allocated,
 13 a written recommendation shall be obtained from the state comptroller
 14 and the executive council and they shall determine that the proposed
 15 allocation shall be for the best interest of the state. Any allocation in
 16 excess of thirty-five thousand dollars (\$35,000.00) shall first be ap-
 17 proved by the budget and financial control committee.

18 Any balance in the contingent fund as of June 30, 1969 shall revert
 19 to the general fund of the state as of June 30, 1969.

1 SEC. 6. This Act shall operate retroactively and retrospectively,
 2 with full force and effect, to and from July 1, 1967.

1 SEC. 7. This Act, being deemed of immediate importance, shall
 2 take effect after its passage, approval and publication in the Emmets-

3 burg Democrat, a newspaper published at Emmetsburg, Iowa, and in
4 The Sheffield Press, a newspaper published in Sheffield, Iowa.

Approved July 10, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, House File 786, was published in the Emmetsburg Democrat, Emmetsburg, Iowa, July 20, 1967, and in The Sheffield Press, Sheffield, Iowa, July 20, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 78

EFFECTIVE DATES OF ACTS

S. F. 877

AN ACT relating to the effective date of all appropriations Acts enacted by the Sixty-second (62nd) General Assembly.

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

- 1 SECTION 1. All appropriations Acts enacted by the Sixty-second
- 2 (62nd) General Assembly shall, unless otherwise specified in each such
- 3 Act, become effective on July 1, 1967.

Approved June 30, 1967.

See also chs. 83, 84 and 85 hereof.

GENERAL LAWS

GENERAL LAWS

CHAPTER 79

SAC AND FOX INDIAN SETTLEMENT

H. F. 182

AN ACT relating to the assumption of civil jurisdiction over the Sac and Fox Indian settlement in Tama county.

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

1 SECTION 1. The state of Iowa hereby assumes jurisdiction over
2 civil causes of actions between Indians or other persons or to which
3 Indians or other persons are parties arising within the Sac and Fox
4 Indian settlement in Tama County. The civil laws of this state shall
5 obtain on the settlement and shall be enforced in the same manner as
6 elsewhere throughout the state.

1 SEC. 2. Nothing in this Act shall authorize the alienation, encum-
2 brance, or taxation of any real or personal property, including water
3 rights, belonging to any Indian or Indian tribe, band, or community
4 that is held in trust by the United States or is subject to a restriction
5 against alienation imposed by the United States; or shall authorize
6 regulation of the use of such property in a manner inconsistent with
7 any Federal treaty, agreement, or statute or with any regulation made
8 pursuant thereto; or shall confer jurisdiction upon the state to adjudicate,
9 in probate proceedings or otherwise, the ownership or right to
10 possession of such property or any interest therein.

1 SEC. 3. Any tribal ordinance or custom heretofore or hereafter
2 adopted by the governing council of the Sac and Fox Indian settlement
3 in Tama County in the exercise of any authority which it may possess
4 shall, if not inconsistent with any applicable civil law of the state, be
5 given full force and effect in the determination of civil causes of action
6 pursuant to this Act.

1 SEC. 4. In all civil causes of action wherein the state of Iowa or
2 any of its subdivisions or departments is a party, and a member of the
3 Sac and Fox Indian settlement is a party, the district court of Iowa
4 shall appoint competent legal counsel at all stages of hearing, appeal
5 and final determination for any Indian not otherwise represented by
6 legal counsel, in any domestic relations matter, including, but not
7 limited to, matters pertaining to dependency, neglect, delinquency,
8 care or custody of minors. The court shall fix and allow reasonable
9 compensation for the services of said attorney, costs of transcripts
10 and depositions, and investigative expense, which shall be paid as a
11 claim by the office of county auditor from the welfare fund of the
12 county where the said action is commenced, and said county shall be
13 refunded and paid for all sums so paid for legal counsel, transcripts

14 and depositions, and investigative expense out of any funds in the
 15 state treasury not otherwise appropriated upon filing claim with the
 16 state comptroller.

Approved May 25, 1967.

CHAPTER 80

CANVASS OF VOTE FOR GOVERNOR

H. F. 38

AN ACT to provide for the canvassing of votes and the inauguration of the governor and lieutenant governor at any suitable hall at the seat of government.

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

1 SECTION 1. Section two point thirty-one (2.31), Code 1966, is
 2 amended by adding at the end thereof a new paragraph as follows:
 3 "The speaker of the house of representatives may, for purposes of
 4 canvas* of votes for governor and lieutenant governor and for the
 5 inauguration of such officers, designate any suitable hall at the seat
 6 of government as the hall of the house of representatives."

Approved May 16, 1967.

*According to enrolled Act.

CHAPTER 81

COMPENSATION OF INTERIM COMMITTEES

H. F. 425

AN ACT relating to the compensation of members of the budget and financial control committee, legislative research committee, and study committees.

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

1 SECTION 1. Section two point forty-five (2.45), Code 1966, is here-
 2 by amended by striking from line six (6) the word "thirty" and in-
 3 serting in lieu thereof the word "forty (40)".

1 SEC. 2. Section two point fifty-one (2.51), Code 1966, is amended
 2 by striking the period at the end of said section and inserting the fol-
 3 lowing: ", and shall receive a per diem of forty (40) dollars per day
 4 for each day in attendance. However, members of the general assem-
 5 bly shall not receive such per diem compensation for any day during
 6 which the general assembly is in session. Such per diem compensation
 7 shall be approved by the legislative research committee prior to pay-
 8 ment."

Approved June 22, 1967.

CHAPTER 82
 PREFILING LEGISLATIVE BILLS

H. F. 633

AN ACT relating to the prefiling and printing of bills and resolutions prior to the convening of the general assembly.

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

1 SECTION 1. Within thirty (30) days prior to the convening of any
 2 regular or special session of the general assembly, any person elected
 3 to serve in the forthcoming regular or special session of the general
 4 assembly, or any interim legislative committee when authorized by
 5 statute or rule may submit and have printed bills and joint resolutions
 6 for introduction into the general assembly. The submission and print-
 7 ing shall be made under the rules on introduction of bills and resolu-
 8 tions and on printing prevailing at the previous session of the general
 9 assembly. Costs of printing shall be paid in accordance with section
 10 two point ten (2.10) of the Code. Such bills and joint resolutions so
 11 printed shall be distributed to all legislators and legislators-elect who
 12 shall be serving in the general assembly in which the proposed legis-
 13 lation is to be introduced by the chief clerk of the house and the sec-
 14 retary of the senate. All bills and joint resolutions so proposed and
 15 printed shall be assigned to regular standing committees by the pre-
 16 siding officers of the houses when the general assembly convenes.

17 Departments and agencies of state government shall within thirty
 18 (30) days prior to the convening of any regular or special session of
 19 the general assembly, or by special permission from the presiding
 20 officers, may file with the president of the senate and speaker of the
 21 house of representatives, bills and resolutions which such departments
 22 and agencies wish to be considered by the general assembly. All bills
 23 and resolutions so filed shall be assigned by the presiding officers to
 24 regular standing committees for consideration.

Approved July 24, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 83
 EFFECTIVE DATE OF STATUTES AND RULES

H. F. 57

AN ACT relating to the effective date of statutes and rules of civil procedure.

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

1 SECTION 1. Section three point seven (3.7), Code 1966, is amended
 2 by striking from line four (4) the words "fourth day of July" and
 3 inserting in lieu thereof the words "first day of July".

1 SEC. 2. Section six hundred eighty-four point nineteen (684.19),
 2 Code 1966, is amended by striking from line five (5) the word and
 3 figure "July 4" and inserting in lieu thereof the word and figure
 4 "July 1".

Approved March 31, 1967.

CHAPTER 84

EFFECTIVE DATE OF ACTS OF LEGISLATURE

S. F. 854

AN ACT relating to the effective date of Acts of the General Assembly.

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

1 SECTION 1. House File fifty-seven (57), Acts Sixty-second General
 2 Assembly, shall be effective July 1, 1967.

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 Cedar Rapids Gazette, a newspaper published in Cedar Rapids,
 4 Iowa, and in The Muscatine Journal, a newspaper published in Mus-
 5 catine, Iowa.

Approved June 23, 1967.

I hereby certify that the foregoing Act, Senate File 854, was published in The Cedar Rapids Gazette, Cedar Rapids, Iowa, June 26, 1967, and in The Muscatine Journal, Muscatine, Iowa, June 27, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 85

EFFECTIVE DATES OF ACTS

S. F. 856

AN ACT relating to the effective date of Acts of the General Assembly not becoming law prior to July 1 next following passage.

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

1 SECTION 1. All Acts and resolutions of a public nature which are
 2 passed prior to July 1 at a regular session of the general assembly and
 3 which are approved by the governor on or after such July 1, shall take
 4 effect on August 15 next after his approval. However, this section
 5 shall not apply to Acts provided for in section three point twelve
 6 (3.12) of the Code, Acts which specify when they take effect, or Acts
 7 which take effect by publication.

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 Des Moines Register, a newspaper published at Des Moines, Iowa

4 and in the Fort Dodge Messenger & Chronicle, a newspaper published
5 at Fort Dodge, Iowa.

Approved June 27, 1967.

I hereby certify that the foregoing Act, Senate File 856, was published in The Des Moines Register, Des Moines, Iowa, June 30, 1967, and in the Fort Dodge Messenger & Chronicle, Fort Dodge, Iowa, June 30, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

See also ch. 78 hereof.

CHAPTER 86

FEDERAL FUNDS FOR HIGHWAY SAFETY

S. F. 820

AN ACT relating to acceptance of federal funds for highway safety.

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

1 SECTION 1. Chapter seven (7), Code 1966, is hereby amended by
2 adding thereto the following:

3 "The governor, in addition to other duties and responsibilities con-
4 ferred upon him by the constitution and laws of this state, is hereby
5 empowered to contract for the benefits available to this state under
6 the federal highway safety act of 1966 as specifically set out in the
7 national standards announced June 27, 1967 by the federal secretary
8 of transportation, and in so doing, to cooperate with federal and state
9 agencies, private and public organizations, and with individuals, to
10 effectuate the purpose of that enactment. The governor shall be re-
11 sponsible for and is hereby empowered to administer through the de-
12 partment of public safety or through the highway commission or both,
13 the highway safety programs of this state and those of its political
14 subdivisions, all in accordance with said act and the constitution of
15 the state of Iowa, in implementation thereof."

1 SEC. 2. This Act, being deemed of immediate importance, shall
2 take effect after its passage, approval and publication in the Betten-
3 dorf News, Bettendorf, Iowa, August 8, 1967, and in The
4 Woodbine Twiner, a newspaper published at Woodbine, Iowa.

Approved July 20, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 820, was published in the Bettendorf News, Bettendorf, Iowa, August 8, 1967, and in The Woodbine Twiner, Woodbine, Iowa, July 27, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 87

DISTRIBUTION OF FUNDS BY COMPTROLLER

S. F. 159

AN ACT relating to the distribution of funds by the state comptroller.

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

1 SECTION 1. Section eight point six (8.6), Code 1966, is hereby
 2 amended by adding to subsection two (2) the following:
 3 "Whenever the state treasury includes state funds that require dis-
 4 tribution to counties, municipalities or other political subdivisions of
 5 this state, and said counties, municipalities and other political sub-
 6 divisions do certify to the state comptroller that warrants will be
 7 stamped for lack of funds within the thirty (30) day period following
 8 said certification, the state comptroller may partially distribute such
 9 funds on a monthly basis. Whenever the Code requires that any fund
 10 be paid by a specific date, the comptroller shall prepare a final ac-
 11 counting and shall make a final distribution of any remaining funds
 12 prior to that date."

Approved June 26, 1967.

CHAPTER 88

EDUCATIONAL RADIO AND TELEVISION

S. F. 732

AN ACT relating to state communications and educational radio and television and making an appropriation therefor.

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

1 SECTION 1. It is the intent of the general assembly in providing
 2 for state communications, that an educational radio and television
 3 facility, including provision for closed circuit television, be established
 4 to serve the entire state, and that communications of state government
 5 be coordinated to effect maximum practical consolidation and joint use
 6 of communications services.

1 SEC. 2. When used in this Act, unless the context otherwise re-
 2 quires:

3 a. "State communications" means a system to serve communica-
 4 tions needs of state departments and agencies.

5 b. "Division" means the communications division of the state comp-
 6 troller's office.

7 c. "Council" means the communications advisory council.

8 d. "Radio and television facility" means transmitters, towers, stu-
 9 dios, and all necessary associated equipment for educational broad-
 10 casting.

11 e. "Board" means the educational radio and television facility board.

1 SEC. 3. The administration of state communications shall be
 2 vested in the office of the state comptroller. A director of the division

3 shall be appointed by and serve at the pleasure of the comptroller with
4 the approval of the governor. The director shall not be included in the
5 merit system. All councils, boards, and commissions created by this
6 Act shall be placed, for administrative purposes, in the office of the
7 state comptroller. The comptroller shall fix the director's compensa-
8 tion if it is not otherwise provided by law.

1 SEC. 4. The director shall promulgate rules and regulations relat-
2 ing to state communications in accordance with the provisions of this
3 Act. The director shall also adopt and provide for standard communi-
4 cations procedures and policies to be used by all departments and
5 agencies of state government.

6 Communications activities of departments of state government
7 which affect the overall operation of state communications shall fall
8 within the administrative jurisdiction of the division for review and
9 action upon request from any department of state government.

10 Communications activities which are operational and the responsi-
11 bility of a particular department of state government shall continue to
12 fall within the administrative jurisdiction of that department of state
13 government and be financed through its appropriations.

14 The communications division and the state educational radio and
15 television facility board shall coordinate their activities to achieve the
16 maximum possible cooperation and effective use of the available serv-
17 ices and facilities.

1 SEC. 5. The state communications advisory council shall provide
2 guidance to the division in the development, administration, unifica-
3 tion and standardization of communication services to meet normal
4 and emergency requirements of all state departments. The council
5 shall consist of the following persons or their designated representa-
6 tives:

- 7 1. The superintendent of public instruction.
- 8 2. The commissioner of public safety.
- 9 3. The adjutant general.
- 10 4. The chairman of the Iowa highway commission.
- 11 5. The president of the state board of regents.
- 12 6. The chairman of the council on social services.
- 13 7. The chairman of the state educational radio and television facil-
14 ity board.

1 SEC. 6. There is hereby created a state educational radio and tele-
2 vision facility board for the purpose of planning, establishing, and
3 operating an educational radio and television facility and such other
4 communications services as may prove necessary in aid of the accom-
5 plishment of the educational objectives of the state.

1 SEC. 7. The board shall be composed of nine (9) members who
2 shall be selected in the following manner:

- 3 1. Three (3) members shall be appointed by the state board of pub-
4 lic instruction from its own membership or from the personnel of the
5 state department of public instruction.
- 6 2. Three (3) members shall be appointed by the state board of re-
7 gents from its own membership or from among its employees or em-
8 ployees of institutions under the jurisdiction of the board.

9 3. Three (3) members shall be appointed by the governor, at least
10 one (1) of whom shall be from a regionally accredited private four-
11 year college or university.

1 SEC. 8. Terms of office for members of the board shall be for three
2 (3) years. Initial appointments in each of the three (3) categories of
3 appointment provided in section seven (7) of this Act shall be for one
4 (1), two (2), and three (3) years respectively, and thereafter all
5 appointments, except appointments to fill a vacancy shall be for a
6 term of three (3) years. Terms shall commence on July 1 of the year
7 of the appointment.

1 SEC. 9. A vacancy on the board shall be as defined in section two
2 hundred seventy-seven point twenty-nine (277.29), Code 1966, inso-
3 far as applicable. Termination of qualifying employment, under any
4 of the categories of appointment specified in section seven (7) of this
5 Act shall also create a vacancy. Vacancies shall be filled by the author-
6 ity making the original appointment of the person whose membership
7 has been vacated.

1 SEC. 10. The council and board shall each elect from their respec-
2 tive memberships a chairman and vice-chairman who shall each serve
3 for one (1) year and who may be reelected. Membership on the coun-
4 cil or board shall not constitute holding a public office and members
5 shall not be required to take and file oaths of office before serving. No
6 member shall be disqualified from holding any public office or employ-
7 ment by reason of his appointment or membership on either the coun-
8 cil or the board nor shall any member forfeit any such office or employ-
9 ment by reason of his appointment to the council or board, notwith-
10 standing the provisions of any general, special or local law, ordinance
11 or city charter.

1 SEC. 11. The members of both the council and the board shall
2 serve without compensation but shall be entitled to travel and actual
3 and necessary expenses involved in attending meetings and in the
4 performance of their duties.

1 SEC. 12. Both the council and the board shall meet separately at
2 least four (4) times each year and shall hold special meetings when
3 called by the appropriate chairman or in the absence of the chairman
4 by the vice-chairman or by the chairman upon written request of four
5 (4) members. Both the council and the board shall establish proced-
6 ures and requirements with respect to quorum, place and conduct of
7 meetings.

1 SEC. 13. The board shall appoint at least two (2) advisory com-
2 mittees as follows:

3 1. Advisory committee on general operations and policy.

4 2. Advisory committee on curricula and educational matters.

5 Duties of said advisory committees, and such additional advisory
6 committees as the board may from time to time appoint, shall be speci-
7 fied in rules of internal management adopted by the board.

1 SEC. 14. The board, the governor, or the state comptroller may
2 apply for and accept federal or nonfederal gifts, loans, or grants of

3 funds and to use the same to pay all or part of the cost of carrying out
4 any project under the provisions of this Act.

1 SEC. 15. The board shall have power to purchase or lease property,
2 equipment, and services and to improve same for proper educational
3 communications uses, and to dispose of property and equipment when
4 not necessary for their purposes.

1 SEC. 16. The board shall make applications for all necessary chan-
2 nels, frequencies, licenses, and permits in aid of carrying out their
3 purposes.

1 SEC. 17. The board and division may arrange for joint use of
2 available services and facilities.

3 No charge or fee shall be paid by the state of Iowa or any of its
4 boards, commissions, agencies, and departments for any installation
5 of any communication equipment, or rate for the use thereof if the
6 attorney general has filed a complaint on behalf of the state of Iowa
7 questioning the fairness and reasonableness of said charge, rate or fee,
8 unless the Iowa commerce commission shall upon hearing affirmatively
9 find that such charge, fee, and rate is fair and reasonable.

1 SEC. 18. The board shall appoint a director who shall not be in-
2 cluded in the Iowa merit system and fix his compensation if it is not
3 otherwise provided by law. All appointments of personnel needed to
4 administer this Act shall be without reference to political party affil-
5 iation, religious beliefs, sex, marital status, race, color, or national
6 origin. The total amount of compensation for employees shall be sub-
7 ject to the limitation of the appropriation and other funds lawfully
8 available.

1 SEC. 19. Nothing in this Act shall prohibit local boards of educa-
2 tion from owning, operating, improving, and maintaining educational
3 radio and television stations and transmitters now in existence and
4 operation. Local boards of education are hereby empowered and au-
5 thorized to enter into such agreements with the state educational radio
6 and television facility board as are contemplated in section fifteen (15)
7 of this Act.

1 SEC. 20. There is hereby appropriated from the general fund of
2 the state to the educational radio and television network board the sum
3 of five hundred thousand (500,000.00) dollars for implementation of
4 an educational television system in the state of Iowa.

Approved July 26, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 89

TOWN AUDITS

H. F. 301

AN ACT to require an audit of town accounts at least once every four years.

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

1 SECTION 1. Section eleven point six (11.6), Code 1966, is hereby
2 amended by inserting in line fourteen (14) after the word "cities" the
3 word ", towns,".

4 SECTION 2. Section eleven point six (11.6), Code 1966, is hereby further amend-
5 ed by inserting in line sixteen (16) before the word "memorial" the
6 word "county".

1 SEC. 3. Section eleven point seven (11.7), Code 1966, is hereby
2 amended by striking from line six (6) the word "city" and inserting
3 in lieu thereof the word "municipal", and by striking from line eight
4 (8) the word "city" and inserting in lieu thereof the word "municipal".

1 SEC. 4. Section eleven point ten (11.10), Code 1966, is hereby
2 amended by striking from line ten (10) the words "or city" and in-
3 serting in lieu thereof the words "city, or town".

1 SEC. 5. Section eleven point eleven (11.11), Code 1966, is hereby
2 amended by striking from lines five (5), seven (7), and ten (10) the
3 words "or city" and inserting in lieu thereof the words "city, or town",
4 and by striking from line nine (9) the words "or cities" and inserting
5 in lieu thereof the words "cities, or towns".

1 SEC. 6. Section eleven point fourteen (11.14), Code 1966, is hereby
2 amended by striking line eleven (11) after the partial word "or" and
3 inserting in lieu thereof the words "and the council if a city or town
4 office is under".

1 SEC. 7. Section eleven point eighteen (11.18), Code 1966, is hereby
2 amended:

3 1. By inserting in line five (5) after the end of the first sentence of
4 the section a new sentence as follows:

5 "The financial condition and transactions of all towns having a pop-
6 ulation of seven hundred (700) or more shall be examined at least once
7 every four (4) years. Such examination shall cover the fiscal year next
8 preceding the year in which the audit is conducted."

9 2. By striking in line nineteen (19) the period after the word
10 "examined" and inserting in lieu thereof the words "and towns elect-
11 ing to have their audit made by a certified public accountant must so
12 notify the state auditor by resolution of the council designating the
13 name of the person or firm to be employed at least ninety (90) days
14 prior to the end of a fiscal year. Such notification and designation
15 shall remain in effect until rescinded or modified by a subsequent reso-
16 lution of the town council filed with the state auditor. For town audits
17 to be conducted by certified public accountants, the state auditor shall
18 notify the designated person or firm of the year to be examined at
19 least sixty (60) days prior to the end of the year to be examined."

20 3. By inserting in line twenty (20) after the word "city" the word
21 ", town,".

1 SEC. 7. Section eleven point nineteen (11.19), Code 1966, is hereby
2 amended by inserting in line thirty-eight (38) after the word "city"
3 the word ", town,".

1 SEC. 8. Section eleven point twenty-one (11.21), Code 1966, is
2 hereby amended by striking from line nine (9) the words "city,
3 county" and inserting in lieu thereof the word "council", and by strik-
4 ing from line six (6) of the second paragraph thereof the word "city"
5 and inserting in lieu thereof the word "municipality".

1 SEC. 9. Section eleven point eighteen (11.18), Code 1966, is hereby
2 amended by adding the following new paragraph at the end thereof:
3 "In addition to his powers and duties under other provisions of the
4 Code, the auditor of state may at any time, if he deems such action to
5 be in the public interest, cause to be made a complete or partial audit
6 of the financial condition and transactions of any city, town, county,
7 school corporation, governmental subdivision, or any office thereof,
8 even though an audit for the same period has been made by certified
9 or registered public accountants. Such state audit shall be made and
10 paid for as provided in this chapter, except that in the event an audit
11 covering the same period has previously been made and paid for, the
12 costs of such additional state audit shall be paid from any funds avail-
13 able in the office of the auditor of state. This paragraph shall not be
14 construed to grant any new authority to have audits made by certified
15 or registered public accountants."

Approved June 30, 1967.

CHAPTER 90

STATE OFFSET TYPE MACHINES

H. F. 92

AN ACT to permit state departments and agencies to possess and operate machines of the offset type.

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

1 SECTION 1. Section fifteen point thirty-seven (15.37), Code 1966,
2 is hereby repealed and the following inserted in lieu thereof: "With
3 the exception only of machines purchased at a cost of two thousand
4 dollars (\$2,000.00) or less of the offset type, mimeographs and similar
5 duplicators, no department or agency of the state located in the city of
6 Des Moines shall purchase, possess or operate any presses and other
7 printing equipment without the written permission of the state print-
8 ing board. All other presses and printing equipment owned by the
9 state of Iowa or possessed by any of its departments or agencies oper-
10 ating such equipment in the city of Des Moines shall be centralized
11 in a state building at the city of Des Moines to be and remain under
12 the control of the state printing board."

1 SEC. 2. Section fifteen point thirty-eight (15.38), Code 1966, is
 2 hereby amended by striking from lines one (1) and two (2) of sub-
 3 section one (1) the word “, varitypes”.

Approved June 16, 1967.

CHAPTER 91

LEGISLATIVE PRINTING

H. F. 1

AN ACT relating to the printing of bills.

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

1 SECTION 1. Section seventeen point eighteen (17.18), Code 1966,
 2 is hereby amended by striking lines one (1) through eight (8) and
 3 inserting in lieu thereof the following:

4 “The bills introduced in the general assembly shall be printed on
 5 good paper with each printed line to be one (1) line of the bill as
 6 introduced and the lines of each section to be separately numbered.
 7 The”.

1 SEC. 2. This Act shall be retroactive to the ninth day of January,
 2 1967, and shall be operative from that date.

1 SEC. 3. This Act being deemed of immediate importance shall
 2 take effect and be in full force from and after its passage and pub-
 3 lication in The Emmetsburg Democrat, a newspaper published at
 4 Emmetsburg, Iowa and in The Jefferson Bee, a newspaper published
 5 at Jefferson, Iowa.

Approved February 3, 1967.

I hereby certify that the foregoing Act, House File 1, was published in The Emmetsburg Democrat, Emmetsburg, Iowa, February 9, 1967, and in The Jefferson Bee, Jefferson, Iowa, February 13, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 92

DEPARTMENTAL RULES

S. F. 348

AN ACT relating to the promulgation, approval and filing of rules of administrative agencies and to make an appropriation therefor.

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

1 SECTION 1. Section seventeen A point one (17A.1), Code 1966, is
 2 amended as follows:

3 1. Strike from subsection three (3), line three (3), the word “reces-
 4 sion” and insert in lieu thereof the word “rescission”.

5 2. Add at the end of line one (1) of subsection four (4) the words
 6 “an expiration date but”.

1 SEC. 2. Section seventeen A point two (17A.2), Code 1966, is
2 amended as follows:

3 1. Add in line eight (8) before the word "Members" the word
4 "Required".

5 2. Strike from line ten (10) the word "biennial".

6 3. Insert in line ten (10) after the word "session" the words "in
7 odd-numbered years".

8 4. Strike from line eleven (11) the word "two-year" and insert in
9 lieu thereof the word "four-year".

10 5. Add at the end of line eleven (11) the words "of the years of
11 their respective appointments;"

12 6. Strike all of lines twelve (12) and thirteen (13) and insert in
13 lieu thereof the word "however,".

14 7. Insert in line sixteen (16) after the word "authority" the words
15 "for the remainder of the term".

16 8. Add at the end of the section a new paragraph as follows:

17 "Appointments effective May 1, 1967 shall be: In the senate, two
18 (2) for four (4) years and one (1) for two (2) years and in the house
19 of representatives, two (2) for two (2) years and one (1) for four
20 (4) years."

1 SEC. 3. Section seventeen A point three (17A.3), Code 1966, is
2 amended as follows:

3 1. Strike all of lines six (6), seven (7) and eight (8) and insert in
4 lieu thereof the words "Tuesday of each month to review all".

5 2. Add at the end of said section as a new sentence "The Code
6 editor, or one (1) or more persons from his office, shall act as secre-
7 tary to the committee, or the committee may employ a secretary."

1 SEC. 4. Section seventeen A point four (17A.4), Code 1966, is
2 amended as follows:

3 1. Strike from line two (2) the word "thirty" and insert in lieu
4 thereof the word "forty (40)".

5 2. Strike the last sentence and insert in lieu thereof as a new sen-
6 tence "There is hereby appropriated from any money in the treasury,
7 not otherwise appropriated, an amount sufficient to defray all expenses
8 incurred in carrying out the provisions of this chapter."

1 SEC. 5. Section seventeen A point five (17A.5), Code 1966, is
2 amended as follows:

3 1. Strike from line three (3) the words "a copy" and insert in lieu
4 thereof the words "four (4) copies".

5 2. Strike from the end of said section the words "and shall submit
6 six copies of such proposed rule to the chairman of the departmental
7 rules review committee" and insert in lieu thereof the words "and
8 submit a copy of each proposed rule to each member of the depart-
9 mental rules review committee at least ten (10) days prior to that
10 scheduled meeting of the committee at which consideration is desired
11 and one (1) copy to the Code editor".

1 SEC. 6. Section seventeen A point six (17A.6), Code 1966, is
2 amended as follows:

3 1. Strike from lines one (1) and two (2) the words "Within sixty
4 days after receiving such copy" and insert in lieu thereof the words
5 "Within thirty (30) days after receiving such copies".

6 2. Strike from lines six (6) and seven (7) the words "sixty days
7 after receiving such copy" and insert in lieu thereof the words "thirty
8 (30) days after receiving such copies".

1 SEC. 7. Section seventeen A point seven (17A.7), Code 1966, is
2 amended by striking from line eleven (11) the word "sixty-five" and
3 inserting in lieu thereof the word "forty-five (45)".

4 Further amend said section by adding at the end thereof the words
5 " , except that postponement of action on any rule, after consideration
6 by the committee at any meeting, shall toll the limitation of the statute
7 and the committee's secretary shall report such fact to the agency sub-
8 mitting the rules".

1 SEC. 8. Section seventeen A point eight (17A.8), Code 1966, is
2 amended as follows:

3 1. Strike all of lines three (3) to twelve (12), inclusive.

4 2. Strike lines thirteen (13) to sixteen (16), inclusive, and insert
5 in lieu thereof the words "There shall be endorsed on each copy of any
6 proposed rule, (1) the attorney general's approval rendered pursuant
7 to this chapter, if he so approves, or a statement that the pro-".

8 3. Strike from line twenty (20) the word "sixty" and insert in lieu
9 thereof the word "thirty (30)".

10 4. Strike from lines twenty-four (24) and twenty-five (25) the
11 words "chairman of the".

12 5. Insert in line twenty-seven (27) after the word "finding" the
13 words "or postponement".

14 6. Strike from line twenty-eight (28) the word "sixty-five" and
15 insert in lieu thereof the word "forty-five (45)".

16 7. Insert after line twenty-eight (28) new paragraphs as follows:
17 "The secretary of state shall refuse to file any rule not endorsed as
18 required by this section or prepared in form prescribed by section
19 fourteen point three (14.3), subsection eight (8).

20 "All rules, temporary or permanent, shall become effective thirty
21 (30) days after filing with the secretary of state, but another date
22 may be specified not prior to the filing date."

23 8. Strike the first sentence from the paragraph beginning at line
24 twenty-nine (29).

1 SEC. 9. Section seventeen A point ten (17A.10), Code 1966, is
2 amended by striking from line one (1) the word "hereafter".

1 SEC. 10. 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 Fairfield Daily Ledger, a newspaper published
4 at Fairfield, Iowa, and in The Clayton County Register, a newspaper
5 published at Elkader, Iowa.

Approved May 18, 1967.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3.9, Code of Iowa, 1966, there being no newspaper by the name of the Fairfield Daily Ledger, published in Fairfield, Iowa, I hereby designate The Fairfield Ledger, published in Fairfield, Iowa, to publish the foregoing Act, Senate File 348.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, Senate File 348, was published in The Fairfield Ledger, Fairfield, Iowa, May 25, 1967, and in The Clayton County Register, Elkader, Iowa, May 25, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 93

DISASTER AID FOR GOVERNMENTAL SUBDIVISIONS

S. F. 796

AN ACT relating to disaster aid for governmental subdivisions.

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

1 SECTION 1. For the purposes of this Act, "governmental subdivi-
2 sion" means a city, town, county, or school district."

1 SECTION 2. Section nineteen point seven (19.7), Code 1966, is here-
2 by amended by deleting from lines nine (9) and ten (10) thereof the
3 words "and for no other purpose whatever." and inserting the follow-
4 ing:

5 "and for aid to any governmental subdivision in an area declared by
6 the governor to be a disaster area due to natural disasters or to ex-
7 penditures necessitated by the governmental subdivision toward aver-
8 ting or lessening the impact of such potential disaster, where the effect
9 of such disaster or such action on the governmental subdivision is the
10 immediate financial inability to meet the continuing requirements of
11 local government. Upon application therefor by a governmental sub-
12 division in such an area, accompanied by a showing of obligations and
13 expenditures necessitated by such actual or potential disaster, in such
14 form and with such further information as the executive council may
15 require, such aid may be made in the discretion of the council and, if
16 made, shall be in the nature of a loan, up to a limit of seventy-five (75)
17 percent of the showing of such obligations and expenditures. Said
18 loan, without interest, shall be repaid by the maximum annual emer-
19 gency levy as authorized by section twenty-four point six (24.6) of
20 the Code. The aggregate total of such loans shall not exceed one mil-
21 lion dollars in any biennial fiscal term of the state. No such loan shall
22 be for any obligation or expenditure occurring* more than two years
23 previous to the application.

24 "The proceeds of such loan shall be applied toward the payment of
25 costs and obligations necessitated by such actual or potential disaster
26 and the reimbursement of local funds from which such expenditures
27 have been made."

1 SEC. 3. Section four hundred four point nineteen (404.19), Code
2 1966, is hereby amended by inserting in line eleven (11) after the
3 word "to" the following:

4 "loans obtained from the state in combating, averting, or lessening
5 the effect of natural disasters, and except as further provided in the
6 law relating to".

Approved July 20, 1967.

This Act was passed by the G. A. before July 1, 1967.

*According to enrolled Act.

CHAPTER 94

VIET NAM VETERANS' NEWSSTANDS

S. F. 5

AN ACT relating to veterans' newsstands in the statehouse.

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

1 SECTION 1. Section nineteen point sixteen (19.16), Code 1966, is
 2 amended by inserting in line eleven (11) after the word "inclusive,"
 3 the words "or the Viet Nam Conflict at any time between August 5,
 4 1964 and ending on the date the armed forces of the United States
 5 are directed by formal order of the government of the United States
 6 to cease hostilities, both dates inclusive,".

Approved February 8, 1967.

CHAPTER 95

MERIT SYSTEM PERSONNEL ADMINISTRATION

H. F. 572

AN ACT to establish a merit system of personnel administration for state employees and to repeal Acts and parts of Acts in conflict therewith.

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

1 SECTION 1. The general purpose of this Act is to establish for the
 2 state of Iowa a system of personnel administration based on the merit
 3 principles and scientific methods governing the appointment, promo-
 4 tion, welfare, transfer, lay-off, removal and discipline of its civil
 5 employees, and other incidents of state employment. All appoint-
 6 ments and promotions to positions in the state service shall be made
 7 solely on the basis of merit and fitness, to be ascertained by competi-
 8 tive examinations, except as hereinafter specified.

1 SEC. 2. When used in this Act, unless the context otherwise re-
 2 quires:

3 1. "Department" means the Iowa merit employment department.

4 2. "Director" means the director of the Iowa merit employment
 5 department.

6 3. "Commission" means the Iowa merit employment commission.

7 4. "Merit system" means the merit system established under this
 8 Act.

9 5. "Appointing authority" means the chairman or person in charge
 10 of divisions of the state government including, but not limited to,
 11 boards, bureaus, commissions, departments and other divisions or an
 12 employee designated to employ persons by such an appointing au-
 13 thority.

1 SEC. 3. The merit system shall apply to all employees of the state
 2 and to all positions in the state government now existing or hereafter
 3 established except the following:

- 4 1. The general assembly, employees of the general assembly, other
5 officers elected by popular vote, and persons appointed to fill vacan-
6 cies in elective offices.
- 7 2. All board members and commissions whose appointments are
8 otherwise provided for by the statutes of the state of Iowa, and one
9 (1) stenographer or secretary for each member of each board and
10 commission, and one (1) principal assistant or deputy in each de-
11 partment.
- 12 3. Three (3) principal assistants or deputies for each elective offi-
13 cial and one (1) stenographer or secretary for each elective official
14 and each principal assistant or deputy thereof.
- 15 4. The personal staff of the governor.
- 16 5. All employees under the supervision of the attorney general or
17 his assistants.
- 18 6. All presidents, deans, directors, teachers, professional and sci-
19 entific personnel, and student employees under the jurisdiction of the
20 state board of regents.
- 21 7. The superintendent of public instruction and members of the
22 professional staff of the department of public instruction, appointed
23 under the provisions of section two hundred fifty-seven point twenty-
24 four (257.24) of the Code, who possess a current, valid teacher's
25 certificate or who are assigned to vocational activities or programs.
- 26 8. Patients or inmates employed in state institutions.
- 27 9. Persons employed by the commission for the blind and the divi-
28 sion of vocational rehabilitation or any successor thereto.
- 29 10. Part-time professional employees who are paid a fee or who
30 are under contract for service basis and are not engaged in admin-
31 istrative duties.
- 32 11. Officers and enlisted men of the armed services under state
33 jurisdiction.
- 34 12. All judges and all employees of the courts.
- 35 13. All physicians, psychiatrists, and heads of institutions under
36 the jurisdiction of the board of control of state institutions or its
37 successor.
- 38 14. All appointments which are by law made by the governor or
39 executive council; one (1) stenographer or secretary for each; and
40 one (1) principal assistant or deputy for each.
- 41 15. Any other position or positions excluded by law.
- 42 Nothing in this section shall authorize the employment of any ste-
43 nographer, secretary, assistant or deputy not otherwise authorized
44 by law.
- 45 Nothing herein shall be construed as precluding the appointing
46 authority from filling any position in the manner in which positions
47 in the merit system are filled.
- 48 All merit systems now in effect including the present joint merit
49 system in state agencies expending federal funds shall remain in full
50 force and effect so far as it applies to such agencies, until such time
51 as the plan and rules promulgated under the provisions of this Act
52 are approved by the appropriate federal agencies. At that time, such
53 state agencies shall be subject to all provisions of this Act. Any
54 employee who has received appointment under the Iowa merit system
55 shall retain his position or a position of comparable status and pay.

56 At such time as the plan and rules are approved by the federal agen-
57 cy, the Iowa merit system council and all other such systems shall
58 transfer all their records, property, and other material to the Iowa
59 merit employment commission.

60 The state board of regents shall adopt rules and regulations for its
61 employees, which rules and regulations shall not be inconsistent with
62 the objectives of this Act, and which shall be subject to approval of
63 the Iowa merit employment commission. If at any time the director
64 determines that the board of regents merit system does not comply
65 with the intent of this Act, he, subject to the approval of the com-
66 mission, shall have authority to direct correction thereof and the
67 rules and regulations of the board shall not be in compliance until
68 the corrections are made.

69 Institutions under the board of control of state institutions shall
70 be authorized to qualify and employ applicants under rules adopted
71 by the commission.

1 SEC. 4. There is hereby established a department of merit em-
2 ployment to be known as the "Iowa merit employment department,"
3 the executive head of which shall be the director of merit employ-
4 ment. In the department there shall be a merit employment commis-
5 sion of three (3) members with the powers and duties hereinafter
6 enumerated. The provisions of section eight point twenty-three
7 (8.23) of the Code shall apply to this department.

1 SEC. 5. The merit employment commission shall appoint a direc-
2 tor of merit employment who shall be experienced in the field of
3 personnel administration, and who is in known sympathy with the
4 application of merit principles in public employment. The commis-
5 sion shall establish for the class of director, minimum requirements
6 of education and experience which are pertinent to the duties of the
7 position. The restrictions as to political activity of the members of
8 the commission shall likewise apply to the director.

9 The director of merit employment may be removed by the merit
10 employment commission for cause only after he has been presented
11 in writing with the reasons for his removal. He shall be given the
12 opportunity, not less than fifteen (15) days, to answer any charges
13 either in writing or upon his request to be heard by the commission.
14 The statement of reasons and answer or transcript of hearing shall
15 be filed with the secretary of state as a public record.

1 SEC. 6. 1. The members of the commission shall be citizens of
2 the United States and residents of Iowa and shall be in sympathy
3 with the application of merit principles to public employment. No
4 member of the commission shall be a member of any local, state, or
5 national committee of a political party or an officer or member of a
6 committee in any partisan political club or organization, or hold or
7 be a candidate for any paid elective public office. The commission
8 shall be nonpartisan in its scope and function, it being provided,
9 however, that no more than two (2) members thereof shall be from
10 the same political party.

11 2. Within thirty (30) days after the effective date of this Act, the
12 governor shall appoint three (3) members of the merit employment
13 commission. Members appointed to the commission shall be subject

14 to approval of two-thirds ($\frac{2}{3}$) of the members of the senate. The
15 merit employment commission appointed shall hold office in the fol-
16 lowing manner: one (1) member until July 1, 1969, one (1) member
17 until July 1, 1971, and one (1) member until July 1, 1973. There-
18 after, each member shall be appointed for a term ending six (6)
19 years from the date of expiration of the term for which his predeces-
20 sor was appointed. Where a vacancy may exist, the governor shall
21 appoint for the unexpired portion of the term, and if the general
22 assembly is not then in session, the governor shall, upon the conven-
23 ing of the general assembly, promptly report the appointment to the
24 senate for confirmation.

25 3. A member of the commission may be removed by the governor
26 only for cause, after being given a copy of charges against him and
27 an opportunity to be heard publicly on such charges before the gov-
28 ernor. A copy of the charges and transcript of the record of the
29 hearing shall be filed with the secretary of state.

30 4. Members of the commission shall receive per diem while en-
31 gaged in their official duties, the same rate as paid members of the
32 general assembly. They shall be paid their actual and necessary
33 travel and other official expenditures necessitated by their official
34 duties.

35 5. The commission shall elect one (1) of its members as chairman.
36 It shall meet at such time and place as shall be specified by call of the
37 chairman or the director. At least one (1) meeting shall be held bi-
38 monthly. All meetings shall be open to the public. Notice of each
39 meeting shall be given in writing to each member by the director at
40 least three (3) days in advance of the meeting. Two (2) commis-
41 sioners shall constitute a quorum for the transaction of business.

1 SEC. 7. In addition to the duties expressly set forth elsewhere in
2 this Act, the commission shall:

3 1. Represent the public interest in the improvement of personnel
4 administration in the state merit system.

5 2. Advise the governor and the director on problems concerning
6 personnel administration.

7 3. Foster the interest of institutions of learning and of industrial,
8 civic, professional, and employee organizations in the improvement
9 of personnel standards in the state merit system.

10 4. Make any investigation which it may consider desirable con-
11 cerning the administration of personnel in the state merit system and
12 make recommendations to the director with respect thereto.

13 5. Make an annual report and special reports and recommenda-
14 tions to the governor.

1 SEC. 8. The director, as executive head of the department, shall
2 direct and supervise all of the administrative and technical activities
3 of the department. In addition to the duties imposed by the director
4 elsewhere in this Act, it shall be his duty:

5 1. To apply and carry out this law and the rules adopted there-
6 under.

7 2. To attend meetings of the commission and to act as its secre-
8 tary and keep minutes of its proceedings.

9 3. To establish and maintain a roster of all employees in the state

10 merit system in which there shall be set forth, as to each employee,
11 the class title, pay or status, and other pertinent data.

12 4. To appoint such employees of the department and such experts
13 and special assistants as may be necessary to carry out effectively the
14 provisions of this Act. Staff employees shall be appointed in accord-
15 ance with the provisions of this Act.

16 5. To foster and develop, in cooperation with appointing author-
17 ities and others, programs for the improvement of employee effec-
18 tiveness, including training, safety, health, counseling, and welfare.

19 6. To encourage and exercise leadership in the development of
20 effective personnel administration within the several departments in
21 the state merit system, and to make available the facilities of the
22 department of merit employment to this end.

23 7. To investigate the operation and effect of this law and of the
24 rules made thereunder and to report semi-annually his findings and
25 recommendations to the commission.

26 8. To make an annual report to the commission regarding the work
27 of the department and such special reports as he may consider de-
28 sirable.

29 9. To perform any other lawful acts which he may consider neces-
30 sary or desirable to carry out the purposes and provisions of this Act.

31 The director shall designate, with the approval of the commission,
32 an employee of the department to act for him in his absence or in-
33 ability from any cause to discharge the powers and duties of this
34 office.

35 The director shall utilize appropriate persons, including officers
36 and employees in the state merit system to assist in the preparation
37 and rating of tests. The director shall confer with agency personnel
38 to assist in preparing examinations for professional and technical
39 classes. An appointing authority may excuse any employee in his
40 division from his regular duties for the time required for his work
41 as an examiner. Such officers and employees shall not be entitled to
42 extra pay for their services as examiners but shall be paid their
43 necessary traveling and other expenses.

1 SEC. 9. The merit employment commission shall adopt and may
2 amend rules for the administration and implementation of this Act
3 in accordance with chapter seventeen A (17A) of the Code. The
4 director shall prepare and submit proposed rules to the commission.
5 The rules shall provide:

6 1. For the preparation, maintenance, and revision of a position
7 classification plan from a schedule by separate department for each
8 position and type of employment not otherwise provided by law in
9 state government as approved by the executive council for all posi-
10 tions in the merit system, based upon duties performed and responsi-
11 bilities assumed, so that the same qualifications may reasonably be
12 required for and the same schedule of pay may be equitably applied
13 to all positions in the same class, in the same geographical area.
14 After such classification has been approved by the commission, the
15 director shall allocate the position of every employee in the merit
16 system to one of the classes in the plan. Any employee or agency
17 officials affected by the allocation of a position to a class shall, after
18 filing with the director a written request for reconsideration thereof

19 in such manner and form as the director may prescribe, be given a
20 reasonable opportunity to be heard thereon by the director. An
21 appeal may be made to the commission or to a qualified classification
22 committee appointed by the commission.

23 Whenever the public interest may require a diminution or increase
24 of employees in any position or type of employment not otherwise
25 provided by law, or the creation or abolishment of any such position
26 or type of employment, the governor with the approval of the execu-
27 tive council, acting in good faith, shall so notify the commission.
28 Thereafter such position or type of employment shall stand abolished
29 or created and the number of employees therein reduced or increased.
30 Schedules of positions and type of employment not otherwise pro-
31 vided by law shall be reviewed at least once each year by the governor
32 and submitted to the executive council for continuing approval.

33 2. For a pay plan within the purview of an appropriation made by
34 the general assembly and not otherwise provided by law for all
35 employees in the merit system, after consultation with appointing
36 authorities and after a public hearing held by the commission. Such
37 pay plan shall become effective only after it has been approved by
38 the executive council after submission from the commission. Review
39 of the pay plan for revisions shall be made in the same manner at
40 the discretion of the director, but not less than annually. Each em-
41 ployee shall be paid at one (1) of the rates set forth in the pay plan
42 for the class of position in which employed and, unless otherwise
43 designated by the commission, shall begin employment at the first
44 step of the established range for his class.

45 3. For open competitive examinations to test the relative fitness of
46 new applicants for the respective positions. Such examinations shall
47 be practical in character and shall relate to such matters as will fairly
48 test the ability of the applicant to discharge the duties of the position
49 to which appointment is sought.

50 Where the Code of Iowa establishes certification, registration and
51 licensing provisions, such documents shall be considered prima facie
52 evidence of basic skills accomplishment and such persons shall be
53 exempt from further basic skills testing.

54 Examinations need not be held until after the rules have been
55 adopted, the service classified, and a pay plan established, but shall
56 be held no later than one (1) year after the effective date of this Act.
57 Such examinations shall be announced publicly at least fifteen (15)
58 days in advance of the date fixed for the filing of applications there-
59 for, and shall be advertised through the communications media. The
60 director may, however, in his discretion, continue to receive applica-
61 tions and examine candidates for a period adequate to assure a suffi-
62 cient number of eligibles to meet the needs of the system, and may add
63 the names of successful candidates to existing eligible lists in accord-
64 ance with their respective ratings.

65 4. For promotions which shall give appropriate consideration to
66 the applicant's qualifications, record of performance, and conduct.
67 Vacancies shall be filled by promotion whenever practicable and in
68 the best interest of the system and shall be by competitive or non-
69 competitive examination. Such examinations shall be of the same
70 nature and content as those used in establishing competitive registers

71 for the class. A promotion means a change in the status of an em-
72 ployee, from a position in one (1)* class to a position in another class
73 having a higher entrance salary.

74 5. For the establishment of eligible lists for appointment and pro-
75 motion, upon which lists shall be placed the names of successful
76 candidates in the order of their relative excellence in the respective
77 examinations. Eligibility for appointment from any such list shall
78 continue for at least one (1) year and not longer than three (3)
79 years.

80 6. For the rejection of candidates or eligibles who fail to comply
81 with reasonable requirements such as physical condition, training
82 and experience, or who are habitual criminals or alcoholics who have
83 not been rehabilitated from the use of alcohol for a period of six (6)
84 months, or addicted to narcotics, or who have attempted any decep-
85 tion or fraud in connection with an examination.

86 7. For the appointment by the appointing authority of a person
87 standing among the highest three (3) on the appropriate eligible list
88 to fill a vacancy.

89 8. For a probation period of one (1) year, excluding educational
90 or training leave, before appointment may be made complete, and
91 during which period a probationer may be discharged or reduced in
92 class or rank, or replaced on the eligible list. The appointing author-
93 ity shall within ten (10) days prior to the expiration of an employ-
94 ee's probation period notify the director in writing whether the
95 services of the employee have been satisfactory or unsatisfactory.
96 If the employee's services are unsatisfactory, he shall be dropped
97 from the payroll on or before the expiration of his probation period.
98 If satisfactory, the appointment shall be deemed permanent. The
99 determination of the appointing authority shall be final and con-
100 clusive.

101 9. For emergency employment for not more than sixty (60) calen-
102 dar days in any twelve-(12) month period without examination, and
103 for intermittent employment for not more than one hundred eighty
104 (180) calendar days in any twelve-(12) month period. For inter-
105 mittent employment the employee must have had a probationary,
106 permanent, or temporary appointment.

107 10. For provisional employment without competitive examination
108 when there is no appropriate eligible list available. No such provi-
109 sional employment shall continue longer than one hundred eighty
110 (180) calendar days nor shall successive provisional appointments
111 be allowed, except during the first two (2) years after the effective
112 date of this Act in order to avoid stoppage of orderly conduct of the
113 business of the state.

114 11. For transfer from a position in one (1)* department to a simi-
115 lar position in another department involving similar qualifications,
116 duties, responsibilities, and salary ranges. Whenever an employee
117 transfers or is transferred from one (1)* state department or agency
118 to another state department or agency, his seniority rights, any ac-
119 cumulated sick leave, and accumulated vacation time, as provided in
120 the law, shall be transferred to the new place of employment and
121 credited to him.

*According to enrolled Act.

122 12. For reinstatement of persons who have attained permanent
123 status and who resign in good standing or who are laid off from their
124 positions without fault or delinquency on their part, within a period
125 equal to the period of their continuous employment with the state but
126 for a period of not longer than two (2) years.

127 13. For establishing in cooperation with the appointing authorities
128 a system of service records of all employees in the classified service,
129 which service records shall be considered in determining salary in-
130 creases provided in the pay plan; as a factor in promotion tests; as
131 a factor in determining the order of layoffs because of lack of funds
132 or work and in reinstatement; as a factor in demotions, discharges
133 or transfers; and for the regular evaluation, at least annually, of the
134 qualifications and performance of all employees in the classified
135 service.

136 14. For layoffs by reason of lack of funds or work, or organiza-
137 tion, and for reemployment of employees so laid off, giving primary
138 consideration in both layoffs and reemployment to performance rec-
139 ord and secondary consideration to seniority in service. Any em-
140 ployee who has been laid off may keep his name on a preferred
141 employment list for one (1) year, which list shall be exhausted by
142 the agency enforcing the layoff before selection of an employee may
143 be made from the register in his classification.

144 15. For imposition, as a disciplinary measure, of a suspension
145 from the service without pay for not longer than thirty (30) days.

146 16. For discharge, suspension, or reduction in rank or grade for
147 any of the following causes: failure to perform assigned duties,
148 inadequacy in performing assigned duties, negligence, inefficiency,
149 incompetence, insubordination, unrehabilitated alcoholism or nar-
150 cotics addiction, dishonesty, any act or conduct which adversely af-
151 fects the employee's performance or the agency employing him, and
152 any other good cause for discharge, suspension, or reduction. The
153 person discharged, suspended, or reduced shall be given a written
154 statement of the reasons for his discharge, suspension, or reduction
155 within twenty-four (24) hours after the discharge, suspension, or
156 reduction. A copy thereof shall be filed with the director. All persons
157 concerned with the administration of this Act shall use their best
158 efforts to insure that this Act and rules hereunder shall not be a
159 means of protecting or retaining unqualified or unsatisfactory em-
160 ployees, and to cause the discharge, suspension, or reduction in rank
161 of all employees who should be discharged, suspended, or reduced for
162 any of the causes stated in this subsection.

163 17. For establishment of a uniform plan for resolving employee
164 grievances and complaints.

165 18. For attendance regulations, and special leaves of absence, with
166 or without pay, or reduced pay in the various classes of positions in
167 the classified service. Annual sick leave and vacation time shall be
168 granted in accordance with section seventy-nine point one (79.1) of
169 the Code.

170 19. For the development and operation of programs to improve the
171 work effectiveness and morale of employees in the merit system,
172 including training, safety, health, welfare, counseling, recreation,
173 and employee relations.

174 20. Notwithstanding any provisions to the contrary, no rule or
 175 regulation shall be adopted by the department which would deprive
 176 the state of Iowa, or any of its agencies or institutions of federal
 177 grants or other forms of financial assistance.

178 21. For veterans preference through a provision that honorably
 179 separated veterans who served on active duty in the Armed Forces
 180 of the United States in any war, campaign or expedition for which
 181 a campaign badge or service medal has been authorized by the govern-
 182 ment of the United States shall have five (5) points added to the
 183 grade or score attained in qualifying examinations for appointment
 184 to jobs.

185 Veterans who have a service-connected disability or are receiving
 186 compensation, disability benefits or pension under laws administered
 187 by the Veterans Administration shall have ten (10) points added to
 188 the grades attained in qualifying examinations. A veteran who has
 189 been awarded the Purple Heart for disabilities incurred in action
 190 shall be considered to have a service-connected disability.

191 22. For acceptance of the qualifications, requirements, regulations,
 192 and general provisions established under other sections of the Code
 193 pertaining to professional registration, certification, and licensing.

1 SEC. 10. All officers and employees of the state and of municipal-
 2 ities and political subdivisions of the state shall allow the department
 3 the reasonable use of public buildings under their control, and fur-
 4 nish heat, light, and furniture for any examination, hearing, or in-
 5 vestigation authorized by this Act. The department shall pay to a
 6 municipality or political subdivision the reasonable cost of any such
 7 facilities furnished.

1 SEC. 11. All officers and employees of the state shall comply with
 2 and aid in all proper ways in carrying out the provisions of this Act
 3 and the rules, regulations, and orders thereunder. All officers and
 4 employees shall furnish any records or information which the direc-
 5 tor or the commission may require for any purpose of this Act. The
 6 director may institute and maintain any action or proceeding at law
 7 or in equity that he considers necessary or appropriate to secure
 8 compliance with this Act and the rules and orders thereunder.

9 The director may, with the approval of the commission, delegate
 10 to a person under the merit system in any department, agency, board,
 11 commission, or installation thereof, located away from the seat of
 12 government any of the duties herein imposed upon the director.

1 SEC. 12. An employee holding a position covered by this Act as
 2 of the effective date of the Act, and who has held such position or
 3 other position covered by this Act for two (2) consecutive years or
 4 more immediately prior to the effective date of the Act, shall be given
 5 permanent appointment as stated in section nine (9), subsection
 6 eight (8) of this Act, provided that:

7 1. The employee has been certified by the director as having met
 8 the minimum qualifications established for the classification of the
 9 position held, and the employee has been recommended by the ap-
 10 pointing authority as having given satisfactory service during the
 11 prior period of employment, or

12 2. The employee who does not meet the minimum qualifications
13 established for the classification of the position held, but has been
14 recommended by the appointing authority as having given satisfac-
15 tory service during the prior period of service and has been certified
16 by the director as having passed a qualifying examination for the
17 position.

18 An employee holding a position covered by this Act who fails to
19 obtain permanent status by either of the options described in sub-
20 sections one (1) and two (2) of this section, or who has been em-
21 ployed for a period of less than two (2) consecutive years immedi-
22 ately prior to the effective date of this Act, shall be permitted to
23 apply for the position held or any other position covered by this
24 Act through the qualifying and examining procedure established
25 under this Act, and may be appointed to such position on a non-
26 competitive basis.

27 Nothing herein shall preclude the reclassification or reallocation
28 as provided by this Act of any position held by any such incumbent.
29 Appointments made subsequent to the effective date of this Act and
30 prior to establishment of an eligible list shall be subject to the pro-
31 visions of this Act and the rules of the commission concerning pro-
32 visional appointments.

1 SEC. 13. No state disbursing or auditing officer shall make or
2 approve or take part in making or approving any payment for per-
3 sonal service to any person holding a position in the merit system
4 unless the payroll voucher or account of such pay bears the certifi-
5 cation of the director, or of his authorized agent, that the persons
6 named therein have been appointed and employed in accordance with
7 the provisions of this Act and the rules, regulations, and orders there-
8 under, and that funds are available for the payment of the persons.

9 The director may for proper cause withhold certification from an
10 entire payroll or from any specific item or items thereon. The direc-
11 tor may, however, provide that certification of payrolls may be made
12 once every six (6) months, and such certification shall remain in
13 effect except in the case of any officer or employee whose status has
14 changed after the last certification of his payroll. In the latter case
15 no voucher for payment of salary to such employee shall be issued or
16 payment of salary made without further certification by the director.

17 Any citizen may maintain a suit to restrain a disbursing officer
18 from making any payment in contravention of any provision of this
19 Act, rule, or order thereunder. Any sum paid contrary to any pro-
20 vision of this Act or any rule, regulation, or order thereunder may
21 be recovered in an action maintained by any citizen, from any officer
22 who made, approved, or authorized such payment or who signed or
23 countersigned a voucher, payroll, check, or warrant for such pay-
24 ment, or from the sureties on the official bond of any such officer.
25 All moneys recovered in any such action shall be paid into the state
26 treasury.

27 Any person appointed or employed in contravention of any provi-
28 sion of this Act or of any rule, regulation, or order thereunder who
29 performs service for which he is not paid, may maintain an action
30 against the officer or officers who purported so to appoint or employ
31 him to recover the agreed pay for such services or the reasonable

32 value thereof if no pay was agreed upon. No officer shall be reim-
33 bursed by the state at any time for any sum paid to such person on
34 account of such services.

35 If the director wrongfully withholds certification of the payroll
36 voucher or account of any employee, such employee may maintain a
37 proceeding in the courts to compel the director to certify such a pay-
38 roll voucher or account.

1 SEC. 14. Any employee who is discharged, suspended, or reduced
2 in rank or grade, except during his probation period, may appeal to
3 the appointing authority and if not satisfied, may, within thirty (30)
4 days after such discharge, reduction, or suspension appeal to the
5 commission for review thereof. Upon such review, both the appeal-
6 ing employee and the appointing authority whose action is reviewed
7 shall, within thirty (30) days following the date of filing of the
8 appeal to the commission, have the right to a hearing closed to the
9 public, unless a public hearing is requested by the employee, and to
10 present evidentiary facts thereat. Technical rules of evidence shall
11 not apply at any hearing so held. If the commission finds that the
12 action complained of was taken by the appointing authority for any
13 political, religious, racial, national origin, sex, age or nonmerit rea-
14 sons, the employee shall be reinstated to his former position without
15 loss of pay for the period of the suspension. In all other cases the
16 merit employment commission shall have jurisdiction to hear and
17 determine the rights of merit system employees and may affirm,
18 modify, or reverse any case on its merits. The employee or the state
19 may obtain judicial review of the commission's decision by writ of
20 certiorari as provided by division fourteen (XIV) of the Rules of
21 Civil Procedure.

1 SEC. 15. The records of the department, except personal informa-
2 tion in an employee's file if the publication of such information would
3 serve no proper public purpose, shall be public records and shall be
4 open to public inspection, subject to reasonable regulations as to the
5 time and manner of inspection which may be prescribed by the direc-
6 tor. Each employee shall have access to his personal file.

7 Any applicant for a position subject to the provisions of this Act
8 shall be permitted to review, in accordance with such regulations as
9 the director may prescribe, any test, grade, or evaluation resulting
10 from the application for employment.

1 SEC. 16. Subject to the rules approved by the commission, the
2 director may enter into agreements with any municipality or political
3 subdivision of the state to furnish services and facilities of the agency
4 to such municipality or political subdivision in the administration
5 of its personnel on merit principles. Any such agreement shall pro-
6 vide for the reimbursement to the state of the reasonable cost of the
7 services and facilities furnished. All municipalities and political
8 subdivisions of the state are authorized to enter into such agree-
9 ments.

10 Nothing in this Act shall affect any municipal civil service pro-
11 grams presently established under and pursuant to the provisions of
12 chapter three hundred sixty-five (365) of the Code.

1 SEC. 17. The commission, each member of the commission, and
2 the director shall have power to administer oaths, subpoena witnesses,
3 and compel the production of books and papers pertinent to any in-
4 vestigation or hearing authorized by this Act. Any person who shall
5 fail to appear in response to a subpoena or produce any books or
6 papers pertinent to any such investigation or hearing or who shall
7 knowingly give false testimony therein shall be guilty of a misde-
8 meanor.

1 SEC. 18. No person shall be appointed or promoted to, or demoted
2 or discharged from, any position in the merit system, or in any way
3 favored or discriminated against with respect to employment in the
4 merit system because of his political or religious opinions or affilia-
5 tions or race or national origin or sex, or age.

6 No person holding a position in the classified service shall, during
7 his working hours or when performing his duties or when using state
8 equipment or at any time on state property, take part in any way in
9 soliciting any contribution for any political party or any person seek-
10 ing political office, nor shall such employee engage in any political
11 activity that will impair his efficiency during working hours or cause
12 him to be tardy or absent from his work. The provisions of this sec-
13 tion do not preclude any employee from holding any office for which
14 no pay is received or any office for which only token pay is received.

15 No person shall seek or attempt to use any political endorsement in
16 connection with any appointment to a position in the merit system.

17 No person shall use or promise to use, directly or indirectly, any
18 official authority or influence, whether possessed or anticipated, to
19 secure or attempt to secure for any person an appointment or advan-
20 tage in appointment to a position in the merit system, or an increase
21 in pay or other advantage in employment in any such position, for
22 the purpose of influencing the vote or political action of any person
23 or for any consideration.

24 No employee shall use his official authority or influence for the pur-
25 pose of interfering with an election or affecting the results thereof.

26 Any officer or employee in the merit system who violates any of the
27 provisions of this section shall be subject to suspension, dismissal, or
28 demotion subject to the right of appeal herein.

29 The commission shall adopt any rules necessary for further re-
30 stricting political activities of persons holding positions in the classi-
31 fied service, but only to the extent necessary to comply with federal
32 standards in order that the present Iowa merit system council shall
33 be absorbed by the Iowa merit employment department. In any event
34 all employees shall retain the right to vote as they please and to ex-
35 press their opinions on all subjects.

36 Any officer or employee in the merit system who shall become a
37 candidate for any partisan elective office for remuneration shall, com-
38 mencing thirty (30) days prior to the date of the primary or general
39 election and continuing until such person is eliminated as a candidate,
40 either voluntarily or otherwise, automatically receive leave of absence
41 without pay and during such period shall perform no duties connected
42 with the office or position so held.

1 SEC. 19. No person shall make any false statement, certificate,
2 mark, rating, or report with regard to any test, certification, or ap-
3 pointment made under any provision of this Act or in any manner
4 commit or attempt to commit any fraud preventing the impartial
5 execution of this Act and the rules hereunder.

6 No person shall, directly or indirectly, give, render, pay, offer,
7 solicit, or accept any money, service, or other valuable consideration
8 for or on account of any appointment, proposed appointment, pro-
9 motion, or proposed promotion to, or any advantage in, a position in
10 the merit system.

11 No employee of the department, examiner, or other person shall
12 defeat, deceive, or obstruct any person in his right to examination,
13 eligibility certification, or appointment under this Act, or furnish
14 to any person any special or secret information for the purpose of
15 affecting the rights or prospects of any person with respect to em-
16 ployment in the merit system.

1 SEC. 20. Any person who willfully violates any provision of this
2 Act or any rules adopted in accordance with this Act shall be guilty
3 of a misdemeanor and upon conviction shall be punished therefor by
4 a fine of not more than one hundred (100) dollars or by imprison-
5 ment in the county jail for not more than thirty (30) days.

1 SEC. 21. If any provision of this Act or of any rule, regulation,
2 or order thereunder or the application of such provision to any per-
3 son or circumstances shall be held invalid, the remainder of this Act
4 and the application of such provision of this Act or of such rule,
5 regulation, or order to persons or circumstances other than those as
6 to which it is held invalid shall not be affected thereby.

1 SEC. 22. Those agencies which are members of the Iowa merit
2 system council shall continue to maintain a merit system council
3 administrative account for the biennium or until absorbed by the
4 Iowa merit employment department.

5 The department is authorized and directed to accept on behalf of
6 the state any grant or contribution, federal or otherwise, made to
7 assist in meeting the cost of carrying out the purpose of this Act.

1 SEC. 23. Section eight point five (8.5) of the Code is hereby
2 amended by striking therefrom all of subsection six (6).

1 SEC. 24. The employment provisions of this Act shall become
2 effective September 1, 1967.

1 SEC. 25. This Act being deemed of immediate importance shall be
2 in full force and effect, excepting the employment provisions of this
3 Act, from and after its passage and publication in the Highland Park
4 News, a newspaper published at Des Moines, Iowa, and in The Man-
5 chester Press, a newspaper published at Manchester, Iowa.

Approved June 20, 1967.

I hereby certify that the foregoing Act, House File 572, was published in the Highland Park News, Des Moines, Iowa, June 22, 1967, and in The Manchester Press, Manchester, Iowa, June 29, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 96

PURCHASE AND SALE OF STATE MOTOR VEHICLES

H. F. 692

AN ACT relating to the purchase and sale of motor vehicles by the state car dispatcher, and amending chapter twenty-one (21), Code 1966.

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

1 SECTION 1. Section twenty-one point two (21.2), Code 1966, is
2 hereby amended as follows:

3 1. By striking from line seven (7) of subsection four (4) the word
4 "car" and inserting in lieu thereof the words "motor vehicle".

5 2. By striking from line ten (10) of subsection four (4) the words
6 "or trucks" and inserting in lieu thereof the words ", trucks, or sta-
7 tion wagons".

8 3. By inserting in line twelve (12) of subsection four (4) after the
9 word "thousand" the words "five hundred (500)".

10 4. By striking from line seventeen (17) of subsection four (4) the
11 words "twenty-two hundred fifty" and inserting in lieu thereof the
12 words "two thousand eight hundred (2,800)".

13 5. By adding to subsection four (4) the following sentence: "Pro-
14 vided further, that for station wagons the maximum amount shall be
15 two thousand eight hundred (2,800) dollars."

16 6. By striking all of subsection five (5) and inserting in lieu thereof
17 the following:

18 "All used motor vehicles turned in to the state car dispatcher shall
19 be disposed of by public auction, and such sales shall be advertised in
20 a newspaper of general circulation one week in advance of sale, and
21 the receipts from such sale shall be deposited in the depreciation fund
22 to the credit of that unit within the department or agency turning in
23 the vehicle."

1 SEC. 2. Section twenty-one point three (21.3), Code 1966, is here-
2 by amended by striking from lines five (5) and six (6) the words "or
3 revoke the allowance for the use of his privately owned motor vehicle,".

1 SEC. 3. Section twenty-one point six (21.6), Code 1966, is hereby
2 amended as follows:

3 1. By striking from lines nine (9), ten (10) and eleven (11) the
4 words "also all purchases of new motor vehicles or replacements,".

5 2. By striking from line seventeen (17) the words "and deprecia-
6 tion on".

1 SEC. 4. Chapter twenty-one (21), Code 1966, is amended by adding
2 thereto the following section:

3 "The car dispatcher shall maintain a depreciation fund for the pur-
4 chase of replacement motor vehicles and additions to the fleet. The
5 dispatcher's records shall show the total funds deposited by and cred-
6 ited to each department or agency thereof. At the end of each month,
7 the state car dispatcher shall render a statement to each state depart-
8 ment or agency thereof for additions to the fleet and depreciation on
9 each motor vehicle assigned to and owned by such department or
10 agency. Such depreciation expense shall be paid by the state depart-
11 ments or agencies in the same manner as other expenses of such de-

12 department are paid, and shall be deposited in the depreciation fund to
 13 the credit of the individual motor vehicle within the department or
 14 agency thereof. The funds credited to each department or agency
 15 thereof shall remain the property of the department or agency. How-
 16 ever, at the end of each biennium, the state car dispatcher shall cause
 17 to revert to the fund from which it accumulated any unassigned de-
 18 preciation."

1 SEC. 5. This Act, being deemed of immediate importance, shall be
 2 in full force and effect from and after its passage and publication in
 3 the Forest City Summit, a newspaper published at Forest City, Iowa
 4 and in the Winterset Madisonian, a newspaper published at Winterset,
 5 Iowa.

Approved July 20, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, House File 692, was published in the Forest City Summit, Forest City, Iowa, July 27, 1967, and in the Winterset Madisonian, Winterset, Iowa, July 26, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 97

UPPER MISSISSIPPI RIVERWAY COMPACT

H. F. 634

AN ACT entering into and relating to the Upper Mississippi Riverway Compact and to make an appropriation therefor.

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

1 SECTION 1. The Upper Mississippi Riverway Compact is hereby
 2 enacted into law and entered into with all other states which legally
 3 join therein in substantially the following form:

UPPER MISSISSIPPI RIVERWAY COMPACT

ARTICLE I. FINDINGS.

6 The party states find that:

7 1. Increasing population pressures have already begun to make the
 8 need for open space an urgent concern, and to make it inevitable that
 9 the balanced development and preservation of a comfortable environ-
 10 ment to meet present and future requirements for healthful recrea-
 11 tion can be secured only through systematic and coordinated action.

12 2. The boundary character of the Upper Mississippi River empha-
 13 sizes the regional character of many present and potential resources.

14 3. Despite the continuing usefulness of informal cooperation
 15 among agencies of the several states and local governments, the size
 16 of the Upper Mississippi region, the complexity of its economic and
 17 social development, and the resource needs of its people require a
 18 formal instrument for joint and cooperative action in the develop-
 19 ment and maintenance of a sound and attractive Upper Mississippi
 20 region.

21 ARTICLE II. PURPOSE AND POLICY.

22 (a) It is the purpose of this compact to:

23 1. Secure the mutual advantages and benefits that can accrue to
24 the people of the party states from the preservation, use and devel-
25 opment of the unique scenery, recreational opportunities, fisheries,
26 wildlife, water resources, historic sites and other natural assets along
27 the Upper Mississippi River.28 2. Develop and maintain means for continuing cooperation among
29 the party states: (a) in obtaining, protecting, administering and
30 preserving natural and recreational resources, (b) and in planning
31 for the orderly development of commerce, industry, agriculture, and
32 local governmental institutions and units.33 3. Encourage the establishment and maintenance of natural and
34 cultivated areas of greenery and other areas of open space through-
35 out the Upper Mississippi region in order to serve the aesthetic and
36 recreational needs of the public.37 (b) It is the policy of the party states and of this compact to
38 pursue the purposes set forth in paragraph (a) of this Article in
39 such ways as to:40 1. Foster and take maximum advantage of public and private in-
41 terest in the Upper Mississippi region in a manner that will harmo-
42 nize the needs of agricultural, industrial and other economic progress
43 with the development, preservation and maintenance of an attractive
44 and comfortable environment.45 2. Hold in highest trust for the benefit of the public the special
46 blessings and natural advantages of the Upper Mississippi area.

47 ARTICLE III. UPPER MISSISSIPPI RIVERWAY DISTRICT.

48 (a) The Upper Mississippi Riverway District, hereinafter called
49 "the district", is hereby established. The district shall consist of the
50 following land and water areas:51 1. The Mississippi River, including any islands, sandbars, and
52 marshy areas therein or formed thereby, from lock and dam Number
53 2 near Hastings, Minnesota to lock and dam Number 19 at the south-
54 ern boundary of Iowa in the vicinity of Keokuk, Iowa and Hamilton,
55 Illinois.56 2. The area lying on either side of the shores of the portion of the
57 Mississippi River described in item one (1) hereof, to a distance of
58 one (1) mile from such shores, except that pursuant to procedures
59 detailed in this Article, the distances from the shores may be varied
60 in order to include land and water areas appropriate to the purposes
61 of this compact.62 (b) The Upper Mississippi Riverway Commission established by
63 this compact shall prepare, adopt, and from time to time revise a
64 map of the district. Prior to the initial adoption of the map, the
65 commission shall give due public notice of the proposed adoption, and
66 shall hold at least one (1) public hearing thereon in each of the party
67 states. Prior to any revision of the map, the commission shall hold,
68 on due public notice, at least one (1) hearing in each of the states
69 where a proposed change would alter the boundaries of the district.70 (c) Upon the request of a party state or states, the commission,
71 after satisfaction of the requirements of paragraph (b) of this Ar-

72 ticle, may revise the map of the district to include additional land
73 and water areas contiguous to the district. If the commission believes
74 that any such addition would further the purposes of this compact,
75 it may make recommendations therefor to the appropriate party state
76 or states.

77 (d) The map adopted by the commission pursuant to this Article
78 and currently in force shall be conclusive evidence of the area and
79 boundaries of the district.

80

ARTICLE IV. THE COMMISSION.

81 (a) There is hereby established an agency of the party states to be
82 known as the "Upper Mississippi Riverway Commission", herein-
83 after called "the commission". The commission shall be composed of
84 four (4) commissioners from each party state. One (1) of the com-
85 missioners from each party state shall be the administrative head of
86 the state agency having responsibility for the outdoor recreational
87 programs of the state government. If there be more than one (1)
88 such agency, the commissioner shall be designated, in accordance
89 with the laws of that state, from among the relevant agency heads.
90 The other three (3) commissioners from each party state shall be
91 appointed and serve in such manner as the laws of their respective
92 party states may provide. A commissioner who is a state agency
93 head may be represented on the commission by an alternate, if the
94 laws of his state so provide. An alternate shall have full power to
95 act for his principal: provided that the commission, in such manner
96 as its bylaws may provide, has been notified of the designation and
97 identity of the alternate.

98 (b) The commissioners shall be entitled to one (1) vote each on
99 the commission. No action of the commission shall be valid unless
100 taken at a meeting at which a majority of the total number of votes
101 on the commission is cast in favor thereof. Each commissioner and
102 alternate shall receive due notice of commission meetings and of the
103 intended matters for consideration thereat, in accordance with the
104 bylaws of the commission.

105 (c) The commission shall have a seal.

106 (d) The commission may sue and be sued in its own name.

107 (e) The commission shall elect annually from among its members
108 a chairman, and a vice chairman who shall be from different states,
109 and a treasurer. The commission shall appoint an executive director
110 and fix his duties and compensation. Such executive director shall
111 serve at the pleasure of the commission. The executive director, the
112 treasurer, and such other personnel as the commission shall desig-
113 nate shall be bonded. The amount or amounts of such bond or bonds
114 shall be determined by the commission.

115 (f) Irrespective of the civil service, personnel or other merit sys-
116 tem laws of any of the party states, the executive director, with the
117 approval of the commission, shall appoint, remove, or discharge such
118 personnel as may be necessary for the performance of the commis-
119 sion's functions, and shall fix the duties and compensation of such
120 personnel.

121 (g) The commission may establish and maintain independently or
122 in conjunction with a party state, a suitable retirement system for

123 its employees. Employees of the commission shall be eligible for
 124 social security coverage in respect of old age survivors and disability
 125 insurance provided that the commission takes such steps as may be
 126 necessary pursuant to the laws of the United States, to participate
 127 in such program of insurance as a governmental agency or unit. The
 128 commission may establish and maintain or participate in such addi-
 129 tional programs of employee benefits as it may deem appropriate.

130 (h) The commission may accept or contract for the services of
 131 personnel from any state, the United States, or any other govern-
 132 mental agency, or from any person, firm, association or corporation.

133 (i) The commission may accept for any of its purposes and func-
 134 tions under this compact any and all donations, and grants of land
 135 or interests therein, water or interests therein, money, equipment,
 136 supplies, materials and services, conditional or otherwise, from any
 137 state, the United States, or any other governmental agency, or from
 138 any person, firm, association or corporation, and may receive, utilize
 139 and dispose of the same. Any donation or grant accepted by the com-
 140 mission pursuant to this paragraph or services accepted pursuant to
 141 paragraph (h) of this Article shall be a matter of public record kept
 142 by the commission. Such record shall include the nature, amount and
 143 conditions, if any, of the donation, grant or services accepted and the
 144 identity of the donor or lender.

145 (j) The commission may establish and maintain such facilities as
 146 may be necessary for the transacting of its business.

147 (k) The commission may acquire, hold and convey real and per-
 148 sonal property and any interests therein.

149 (l) The commission shall adopt bylaws for the conduct of its busi-
 150 ness and shall have the power to amend and rescind these bylaws.
 151 The commission shall publish its bylaws in convenient form and shall
 152 file a copy thereof and a copy of any amendment thereto, with the
 153 appropriate agency or officer in each of the party states.

154 (m) The commission annually shall make to the governor and
 155 legislature of each party state a report covering the activities of the
 156 commission for the preceding year, and embodying such recommen-
 157 dations as may have been made by the commission. The commission
 158 may make such additional reports as it may deem desirable.

159 ARTICLE V. POWERS.

160 In addition to any powers conferred on the commission elsewhere
 161 in this compact or pursuant thereto, the commission shall have power
 162 to:

163 1. a. Acquire, manage, and operate park and other recreational
 164 facilities within the district.

165 b. Regulate the use of its properties by the general public and
 166 maintain suitable forces of peace officers to assist therein.

167 c. Engage in and coordinate the planning of park and related rec-
 168 reational facilities and programs within the district.

169 d. Recommend common park and recreational policies to the party
 170 states or their subdivisions with respect to the district and its en-
 171 virons.

172 e. Develop and recommend measures for the protection of areas in
 173 the vicinity of any or all of its properties and any natural, historic,

- 174 scenic, or recreational areas within, or in the vicinity of the district,
 175 which will promote and provide protection for their park and recre-
 176 ational potential and which will prevent the creation or perpetuation
 177 of conditions detracting therefrom.
- 178 *f.* Establish and maintain recreational, cultural, and nature study
 179 programs relating to or benefiting from location within or use of its
 180 facilities and premises.
- 181 2. Conduct studies and develop recommendations to the present
 182 and future protection, use and development in the public interest of
 183 the lands, river valleys and waters in, adjacent to, or affecting the
 184 Upper Mississippi Riverway District or boundary areas between
 185 party states; and assist in coordinating the studies, conservation
 186 efforts and planning undertaken by the several departments, agencies
 187 or municipalities of the states party to this compact with respect to
 188 such lands, river valleys and waters; and assist in the participation
 189 by the states party to this compact in federal programs which relate
 190 to the present and future protection, use and development in the
 191 public interest of such lands, river valleys and waters; With respect
 192 to:
- 193 *a)* Joint regional planning for the development of such areas;
 194 *b)* Measures for controlling air and water pollution, maintaining
 195 water quality, and controlling water use;
 196 *c)* Programs for control of soil and river bank erosion and the gen-
 197 eral improvement of the river basins;
 198 *d)* Diversions of waters to and from the rivers;
 199 *e)* Other restrictions, regulations or programs the commission
 200 may recommend to the party states.
- 201 3. The commission shall make recommendations, review and cor-
 202 relate studies of the federal government and other agencies, develop
 203 plans and evolve findings and do all things necessary and proper to
 204 carry out the powers conferred upon the commission by this compact;
 205 provided that no recommendation, plan or finding of the commission
 206 except with respect to its own properties shall have the force of law
 207 or be binding upon or limit the powers of any party state or its de-
 208 partments, agencies or municipalities.
- 209 4. All departments, agencies, and officers of party states and their
 210 regional and local planning agencies shall cooperate with the com-
 211 mission and shall give the commission reasonable prior notice of
 212 plans and activities affecting the responsibilities of the commission.
- 213 5. Hold public hearings with respect to any matter within the
 214 purveu* of this compact.
- 215 6. Contract with any public or private persons and entities.
- 216 7. Do all things necessary or appropriate and incidental to the im-
 217 plementation of powers conferred upon it by this compact.

218

ARTICLE VI. TAXATION.

219 The commission and its properties shall not be subject to taxation
 220 by any of the party states or their subdivisions. In any case where
 221 the commission owns property within a subdivision or local taxing
 222 district, which pursuant to the laws of that state is subject to state
 223 payment in lieu of taxes, if owned by the state, the state in which

*According to enrolled Act.

224 such subdivision or local taxing district is situated shall assume such
225 liability, if any, for local taxes.

226 ARTICLE VII. COORDINATED SERVICES.

227 (a) Whenever it appears that two (2) or more parks, sites, recre-
228 ational or cultural attractions or facilities would be enhanced in their
229 usefulness or interest to the public by the coordination of particular
230 services or by the common provision thereof, the commission may
231 provide such services or arrange for their provision on a coordinated
232 basis. The services referred to in this paragraph may include, but
233 need not be limited to, the development of recreational or other pro-
234 grams utilizing the advantages and attractions of the parks, sites,
235 recreational or cultural attractions or other facilities concerned in an
236 integrated or sequential manner by tourists or other patrons; the
237 advertising and promotion of enjoyment of regional clusters of fa-
238 cilities and attractions; the development and designation of areas
239 containing two (2) or more facilities or attractions; and the develop-
240 ment and operation of facilities such as accommodations for the
241 general public which will add to the accessibility or convenience of
242 enjoyment of the facilities and attractions concerned.

243 (b) The commission may act pursuant to this Article either with
244 respect to facilities and attractions which are owned and operated by
245 it; owned and operated by other public or nonprofit bodies, or some
246 of which are owned and operated by the commission and some of
247 which are owned and operated by such other bodies. Whenever the
248 commission provides services wholly or partly for other public or
249 nonprofit bodies, it shall do so only by mutual consent and pursuant
250 to sufficient arrangements for the proper allocation of costs and any
251 other responsibilities involved.

252 ARTICLE VIII. CHARGES AND CONCESSIONS.

253 (a) Consistent with the policy of placing and keeping public recre-
254 ational facilities within the means of the general public, the commis-
255 sion may open any or all of its properties and facilities to the public
256 without charge or may fix and collect reasonable user charges cal-
257 culated to reimburse it in whole or in part for the cost of the prop-
258 erties in question and their maintenance.

259 (b) The terms of any concession granted by the commission shall
260 be such as to limit the concessionaire to a just and reasonable profit
261 and to assure the reliable performance and continuance of services
262 appropriate to the park and recreational purposes of this compact.

263 (c) Whenever the commission finds that any of its properties or
264 facilities suitable for use by the public may be appropriately oper-
265 ated by a party state or subdivision thereof it may provide, by lease
266 or contract, for such operation. In any such case, the lease or con-
267 tract shall contain conditions sufficient to assure the maintenance,
268 management and operation of the property or facilities in a manner
269 consistent with the purposes of this compact and the policies of the
270 commission.

271 ARTICLE IX. FINANCE.

272 (a) The commission shall submit to the governor or designated
273 officer or officers of each party state budgets of estimated expendi-

274 tures for such periods as may be required by the laws of that party
275 state for presentation to the legislature thereof.

276 (b) The commission shall make its budgets of estimated expendi-
277 tures and appropriation requests in two (2) parts: one (1) shall
278 be an "operations budget", and the other shall be a "capital outlay
279 budget".

280 (c) Each of the commission's budgets of estimated expenditures
281 shall contain specific recommendations of the amount or amounts to
282 be appropriated by each of the party states. Such recommendations
283 and requests for appropriations pursuant to an operations budget
284 shall be apportioned equally among the party states. Capital outlay
285 budgets and requests for appropriations therefor shall be on the basis
286 of specific real properties, projects or facilities to be newly con-
287 structed, acquired, enlarged or rehabilitated. The primary principle
288 governing requests for appropriations pursuant to capital outlay
289 budgets shall be that the state in which the property, project or facil-
290 ity is to be located shall supply the major part of any appropriated
291 funds necessary for initial construction, acquisition, enlargement or
292 rehabilitation, but that other party states may be requested to con-
293 tribute thereto if the location of the property, project or facility is
294 such that the people of such other state will be especially benefited
295 thereby. Upon completion of construction, acquisition, enlargement
296 or rehabilitation, subsequent expenditures for administration of the
297 property, project or facility shall be chargeable to the operations
298 budget.

299 (d) The commission shall not pledge the credit of any party state.
300 The commission may meet any of its obligations in whole or in part
301 with funds available to it under Article IV (i) of this compact or
302 otherwise acquired by it: provided that the commission takes spec-
303 ific action setting aside such funds prior to incurring any obligation
304 to be met in whole or in part in such manner.

305 (e) The commission shall keep accurate accounts of all receipts
306 and disbursements. The receipts and disbursements of the commis-
307 sion shall be subject to the audit and accounting procedures estab-
308 lished under its bylaws. All receipts and disbursements of funds
309 handled by the commission shall be audited yearly by a certified or
310 licensed public accountant and the report of the audit shall be in-
311 cluded in and become part of the annual report of the commission.

312 (f) The accounts of the commission shall be open at any reason-
313 able time for inspection by duly constituted officers of the party states
314 and by any persons authorized by the commission.

315 (g) Nothing contained herein shall be construed to prevent com-
316 mission compliance with laws relating to audit or inspection of ac-
317 counts by or on behalf of any government contributing to the support
318 of the commission.

319 ARTICLE X. LAND AND WATER USE.

320 (a) The commission shall study means of preserving and develop-
321 ing the scenic values of both public and private property. In this
322 connection, it shall consult with appropriate agencies of the party
323 states and their subdivisions within the district, and may acquire
324 scenic or other easements or make such other agreements as may be
325 suitable for preserving or securing patterns or features of land and

326 water use that will be consistent with the purposes of this compact.

327 (b) The commission may assist the party states and any of their
328 subdivisions in studying or formulating measures for land or water
329 use regulation affecting the district and may make recommendations
330 with respect to particular instances of land or water use practice,
331 restrictions or requirements, or the absence thereof.

332 (c) The commission may develop standards for the regulation of
333 the use of land and water resources, including zoning and subdivi-
334 sion control measures, and may make recommendations to the states
335 and their subdivisions with respect to the implementation and appli-
336 cation of such standards. The commission upon request shall be en-
337 titled to receive notice of any public hearing held prior to the adop-
338 tion or revision of a zoning or subdivision control law or ordinance
339 and shall have standing to appear and submit either oral or written
340 testimony with respect thereto. The commission also may comment
341 by any appropriate means on any land or water use matter affecting
342 the district with particular reference to the purposes of this compact
343 and the responsibilities of the commission thereunder.

344 ARTICLE XI. ADVISORY AND TECHNICAL COMMITTEES.

345 The commission may establish such advisory and technical commit-
346 tees as it may deem necessary, membership on which may include
347 private persons and public officials, and in furthering any of its ac-
348 tivities may cooperate with and use the services of any such commit-
349 tees and the organizations which the members represent.

350 ARTICLE XII. EFFECT ON OTHER LAWS, RIGHTS AND AUTHORITY.

351 Nothing in this compact shall be construed to:

352 1. Withdraw or limit the jurisdiction of any party state or of the
353 United States over the district or any part thereof.

354 2. Impair or limit the application of any law or ordinance of a
355 party state or any subdivision thereof to that portion of the district
356 lying within its territory, except as to the necessity for compliance
357 with Article X of this compact, and except that the commission shall
358 have power to make and enforce rules and regulations relating to the
359 use of its property and facilities.

360 3. Make any employee or agent of the commission an employee or
361 agent of any party state or subdivision thereof, or make any entity
362 other than the commission legally responsible for the acts or omis-
363 sions of the commission, its employees and agents.

364 ARTICLE XIII. ENTRY INTO FORCE AND WITHDRAWAL.

365 (a) This compact shall enter into force when enacted into law by
366 any three (3) of the states of Illinois, Iowa, Minnesota and Wiscon-
367 sin. Thereafter it shall become effective as to any other named state
368 upon enactment by it into law.

369 (b) The state of Missouri may become a party to the compact by
370 enacting the same into law. In such event the district may be ex-
371 panded to include such territory within the state of Missouri and
372 such additional territory within the state of Illinois as may be
373 mutually agreeable to the party states and commission.

374 (c) A party state may withdraw from this compact by enacting a
375 statute repealing the same. Any such withdrawal shall take effect

376 five (5) years after the governor of the withdrawing state shall have
377 notified the governors of all other party states in writing of the with-
378 drawal.

379 (d) Upon receipt of a notice of withdrawal, the remaining party
380 states shall determine whether they desire to continue the compact
381 in force among themselves. If they decide to terminate the compact,
382 they shall by timely negotiation and action provide for the winding
383 up of the affairs of the commission and the disposition of its prop-
384 erties.

385 (e) Any state which withdraws from the compact prior to termi-
386 nation thereof as among all the party states shall acquire all real
387 property of the commission situated within its territory by payment
388 to the commission of the fair value thereof at the time when the with-
389 drawal takes effect, less its allocation during the life of the commis-
390 sion for the acquisition of real property.

391 ARTICLE XIV. CONSTRUCTION AND SEVERABILITY.

392 This compact shall be liberally construed so as to effectuate the
393 purposes thereof. The provisions of this compact shall be severable
394 and if any phrase, clause, sentence or provision of this compact is
395 declared to be contrary to the constitution of any state or of the
396 United States or the applicability thereof to any government, agency,
397 person or circumstance is held invalid, the validity of the remainder
398 of this compact and the applicability thereof to any government,
399 agency, person or circumstance shall not be affected thereby. If this
400 compact shall be held contrary to the constitution of any state partic-
401 ipating herein, the compact shall remain in full force and effect as
402 to the remaining party states and in full force and effect as to the
403 state affected as to all severable matters.

1 SEC. 2. The director of the Iowa state conservation commission
2 shall be a permanent member from Iowa of the upper Mississippi
3 riverway commission and may designate an alternate in accordance
4 with Article IV (a) of the compact. The governor shall appoint the
5 three (3) remaining members from Iowa of the commission. Such
6 members may also be members of another board or commission
7 established by law. The appointment of the remaining three (3)
8 members shall be confirmed by a two-third ($\frac{2}{3}$) vote of the Senate.
9 Vacancies occurring while the general assembly is not in session shall
10 be filled by appointment of the governor and submitted to the Senate
11 for confirmation as herein provided, within thirty (30) days of con-
12 vening of the next regular session of the general assembly. The
13 members so appointed shall serve for a period of four (4) years,
14 except that for the initial appointments, the governor shall appoint
15 one (1) member to serve until June 30, 1969, one (1) member to
16 serve until June 30, 1970, and one (1) member to serve until June
17 30, 1971. Commission members from this state shall, upon certifica-
18 tion by the comptroller, be reimbursed for the actual and necessary
19 expenses incurred by them in the discharge of their duties.

1 SEC. 3. The commission may enter into an agreement with any
2 agency of this state for the inclusion of commission employees in any
3 program of retirement, health, medical, or other benefits for public
4 employees. The employees of the commission shall be placed in the

5 same position regarding obligations, benefits, and eligibilty as em-
6 ployees of this state, and the commission shall have responsibility for
7 such employer contributions as may be borne by this state on behalf
8 of its employees who participate in the program.

1 SEC. 4. The state shall make payments in lieu of taxes to com-
2 pensate for the loss of tax revenues occasioned by the fact that prop-
3 erty is owned by the upper Mississippi riverway commission, and
4 thereby exempt from taxation by subdivisions of this state. Such
5 payments shall be to the same extent and pursuant to the same pro-
6 cedures that apply to payments in lieu of taxes under chapter two
7 hundred eighty-four (284) of the Code.

1 SEC. 5. There is hereby appropriated from the general fund of
2 the state of Iowa to the upper Mississippi riverway commission the
3 sum of fifteen thousand (15,000) dollars for each year of the bien-
4 nium beginning July 1, 1967, and ending June 30, 1969, or so much
5 thereof as may be necessary to carry on the development of the river
6 area for population, agriculture, industry, tourism, recreation, and
7 natural resources.

1 SEC. 6. Chapter ninety-seven B (97B), Code 1966, is hereby
2 amended by adding thereto the following new section:

3 "The commission may enter into an agreement with the upper Mis-
4 sissippi riverway commission whereby the retirement system shall
5 be extended to employees of the riverway commission."

1 SEC. 7. Anything in this Act to the contrary notwithstanding,
2 none of the functions, powers, duties and discretions of the Upper
3 Mississippi Riverway District or the Upper Mississippi River Com-
4 mission shall supersede or limit the functions, powers, duties and
5 discretions of counties, townships, school districts, cities, towns,
6 levee districts, drainage districts, levee and drainage districts, or any
7 other governmental subdivision or of their governing officials.

1 SEC. 8. Sections two (2) and five (5) of this Act shall not be
2 effective until at least two (2) other states enact laws or legislation
3 pursuant to such state's constitution that will allow such state to
4 become a member state to the Upper Mississippi River Compact.
5 Nothing contained in such compact shall be construed to pledge the
6 general assembly of the state of Iowa to appropriate to the commis-
7 sion any specific funds or money even though such funds or money is
8 requested by the commission pursuant to Article IX of the compact;
9 nor shall anything therein contained be construed to or actually
10 effect any transfer of the state of Iowa's rights, title, and interest in
11 and to any of the lands and water within the boundaries of the Upper
12 Mississippi Riverway District. The Upper Mississippi Riverway
13 Commission and the Iowa members thereof shall not be an agency,
14 board or commission of the state of Iowa; the acts of the commission
15 shall be the acts, only, of the commission and not the state of Iowa.
16 The employees of such commission shall not be employees of the state
17 of Iowa.

Approved June 30, 1967.

CHAPTER 98

GOVERNMENTAL MEETINGS OPEN TO PUBLIC

S. F. 536

AN ACT requiring meetings of governmental agencies to be open to the public.

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

1 SECTION 1. All meetings of the following public agencies shall be
2 public meetings open to the public at all times, and meetings of any
3 public agency which are not open to the public are prohibited, unless
4 closed meetings are expressly permitted by law:

5 1. Any board, council, or commission created or authorized by the
6 laws of this state.

7 2. Any board, council, commission, trustees, or governing body of
8 any county, city, town, township, school corporation, political subdivi-
9 sion, or tax-supported district in this state.

10 3. Any committee of any such board, council, commission, trustees,
11 or governing body.

12 Wherever used in this Act, "public agency" or "public agencies"
13 includes all of the foregoing, and "meeting" or "meetings" includes all
14 meetings of every kind, regardless of where the meeting is held, and
15 whether formal or informal.

1 SEC. 2. Every citizen of Iowa shall have the right to be present at
2 any such meeting. However, any public agency may make and enforce
3 reasonable rules and regulations for conduct of persons attending its
4 meetings and situations where there is not enough room for all citizens
5 who wish to attend a meeting.

1 SEC. 3. Any public agency may hold a closed session by affirmative
2 vote of two-thirds ($\frac{2}{3}$) of its members present, when necessary to
3 prevent irreparable and needless injury to the reputation of an indi-
4 vidual whose employment or discharge is under consideration, or to
5 prevent premature disclosure of information on real estate proposed
6 to be purchased, or for some other exceptional reason so compelling as
7 to override the general public policy in favor of public meetings. The
8 vote of each member on the question of holding the closed session and
9 the reason for the closed session shall be entered in the minutes, but
10 the statement of such reason need not state the name of any individual
11 or the details of the matter discussed in the closed session. Any final
12 action on any matter shall be taken in a public meeting and not in
13 closed session, unless some other provision of the Code expressly per-
14 mits such action to be taken in a closed session. No regular or general
15 practice or pattern of holding closed sessions shall be permitted.

1 SEC. 4. Each public agency shall give advance public notice of the
2 time and place of each meeting, by notifying the communications
3 media or in some other way which gives reasonable notice to the pub-
4 lic. When it is necessary to hold an emergency meeting without notice,
5 the nature of the emergency shall be stated in the minutes.

1 SEC. 5. Each public agency shall keep minutes of all its meetings
2 showing the time and place, the members present, and the action taken

3 at each meeting. The minutes shall be public records open to public
4 inspection.

1 SEC. 6. This Act does not apply to any court, jury, or military or-
2 ganization.

1 SEC. 7. The provisions of this Act and all rights of citizens under
2 this Act may be enforced by mandamus or injunction, whether or not
3 any other remedy is also available.

1 SEC. 8. Any person knowingly violating or attempting to violate
2 any provision of this Act shall be guilty of a misdemeanor and upon
3 conviction shall be punished by a fine of not more than one hundred
4 (100) dollars.

Approved June 26, 1967.

CHAPTER 99

JOINT EXERCISE OF GOVERNMENTAL POWERS

S. F. 70

AN ACT relating to the recording of an agreement for joint exercise of governmental powers.

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

1 SECTION 1. Section twenty-eight E point eight (28E.8), Code
2 1966, is hereby amended by striking the word "auditor" from line four
3 (4) and inserting in lieu thereof the word "recorder".

Approved June 19, 1967.

CHAPTER 100

MILITARY FORCES

S. F. 691

AN ACT relating to the military forces of the state of Iowa.

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

1 SECTION 1. Section twenty-nine A point sixteen (29A.16), Code
2 1966, is hereby amended as follows:

3 1. By striking lines one (1) through four (4) and inserting in lieu
4 thereof the following:

5 "The governor shall appoint a deputy adjutant general, who shall be
6 a commissioned officer of the army national guard or the air national
7 guard, and an assistant adjutant general for the army national guard
8 who shall be a commissioned officer of the army national guard, and
9 an assistant adjutant general for the air national guard who shall be
10 a commissioned officer of the air national guard, upon the recommen-
11 dation of the adjutant gen-".

12 2. By striking from line five (5) the word "He" and inserting in
13 lieu thereof the word "They".

14 3. By striking from line eight (8) the words "his appointment shall
15 be a" and inserting in lieu thereof the words "their appointment shall
16 be".

17 4. By striking from line nine (9) the words "officer of the air" and
18 inserting in lieu thereof the words "officers of the".

19 5. By striking from line ten (10) the words "or army national
20 guard".

21 6. By striking from line fourteen (14) the word "he" and inserting
22 in lieu thereof the word "they".

23 7. By striking from line fifteen (15) the words "captain. He" and
24 inserting in lieu thereof the words "a field officer. They".

25 8. By striking from line sixteen (16) the word "his" and inserting
26 in lieu thereof the word "their".

27 9. By striking from line eighteen (18) the word "assistant" and in-
28 serting in lieu thereof the word "deputy".

29 10. By adding thereto the following new sentence:

30 "Each assistant adjutant general shall be responsible for such duties
31 with the army national guard or the air national guard, respectively,
32 as may be prescribed by the adjutant general".

1 SEC. 2. Section twenty-nine A point fifty-seven (29A.57), Code
2 1966, is hereby amended as follows:

3 1. By striking from line thirteen (13) the words "Civilian mem-
4 bers" and inserting in lieu thereof the word "Members".

5 2. By striking from line fourteen (14) the word "ten" and inserting
6 in lieu thereof the word "thirty (30)".

1 SEC. 3. Chapter twenty-nine A (29A), Code 1966, is hereby
2 amended by adding thereto the following new section:

3 "A member of the Iowa national guard, who was not retired, and
4 was otherwise qualified for any state service award or for state ap-
5 pointment or promotion to a higher grade or rank as provided in this
6 chapter, and who was unable to receive such award or appointment or
7 promotion by reason of death, is eligible for posthumous grant of the
8 award of state appointment or promotion to a higher grade or rank.
9 The adjutant general shall present the award or evidence of the state
10 appointment or promotion to the next of kin of the deceased member."

Approved June 10, 1967.

CHAPTER 101

G. A. R. REPORTS

S. F. 68

AN ACT to repeal the law requiring annual reports for the Grand Army of the Republic.

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

- 1 SECTION 1. Chapter thirty-three (33), Code 1966, is hereby re-
2 pealed.

Approved April 14, 1967.

CHAPTER 102

VIET NAM VETERANS' ORPHANS

S. F. 7

AN ACT relating to Viet Nam veteran's orphans.

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

- 1 SECTION 1. Section thirty-five point nine (35.9), Code 1966, is
2 amended by inserting in line thirteen (13) after the word "inclu-
3 sive," the words "or the Viet Nam Conflict at any time between
4 August 5, 1964 and ending on the date the armed forces of the
5 United States are directed by formal order of the government of the
6 United States to cease hostilities, both dates inclusive,".

Approved February 8, 1967.

CHAPTER 103

PARKING AND FACILITIES AT MEMORIAL HALLS

S. F. 6

AN ACT relating to memorial halls and monuments.

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

- 1 SECTION 1. Section thirty-seven point eighteen (37.18), Code
2 1966, is amended by adding thereto the following:
3 "The term memorial hall or memorial building as in this chapter
4 provided shall also mean and include such parking grounds, ramps,
5 buildings or facilities as the commission may build, acquire by pur-
6 chase or lease or gift to be used for purposes not inconsistent with
7 the uses as set out in this section."

Approved February 8, 1967.

CHAPTER 104

COUNTY SUPERVISORS AND TOWNSHIP TRUSTEES

S. F. 297

AN ACT relating to off-year terms of certain public officers which terms begin one year later than the next January following their election.

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

1 SECTION 1. Section thirty-nine point eighteen (39.18), Code 1966,
2 is amended by striking from lines seven (7) to thirteen (13), inclu-
3 sive, the words “; there shall also be elected a member or members
4 for a term of four years to succeed those whose terms will expire
5 on the second secular day in January one year later than the afore-
6 said date. It shall be specified on the ballot when each shall begin his
7 term of office” and inserting in lieu thereof the words “The term of
8 office of any supervisor or trustee, taking office for a four-year term
9 one year later than the January next succeeding his election, shall,
10 at the general election which next precedes by more than one year the
11 expiration of his term, be refilled by a member elected to a three-year
12 term or a five-year term, to be specified on the ballot as determined by
13 the board, so that the terms of no more than a bare majority of the
14 board will expire in the same year. Thereafter all succeeding members
15 shall be elected to four-year terms.”

1 SEC. 2. Section three hundred thirty-one point seven (331.7), Code
2 1966, is amended by striking lines seventeen (17) through twenty-five
3 (25), inclusive and inserting in lieu thereof the following:

4 “Where such proposition reduces the board to five members, two
5 persons shall be elected as members of the board for two years and
6 three for four years.

7 “In counties where the proposition reduces the board to three mem-
8 bers, one person shall be elected as a member of the board for two
9 years and two for four years.”

Approved July 5, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 105

REPRESENTATION IN SIXTY-THIRD GENERAL ASSEMBLY

H. F. 736

AN ACT to provide for representation in the senate and house of representatives in the Sixty-third General Assembly.

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

1 SECTION 1. Chapter forty-one (41), Code 1966, is hereby re-
2 pealed and sections two (2) through four (4) of this Act are en-
3 acted in lieu thereof.

1 SEC. 2. The general assembly hereby determines that during the
2 interim period before a constitutional amendment becomes effective

3 and in order to provide fair and equal representation to all citizens
4 of Iowa, the apportionment of the general assembly for the 1968
5 general election and any special election to fill any vacancy in the
6 sixty-third (63rd) general assembly shall be based upon the follow-
7 ing principles:

8 1. The senate and the house of representatives shall be appor-
9 tioned on a population basis to insure that the one (1) man, one (1)
10 vote principle shall be implemented and maintained in the appor-
11 tionment of the general assembly.

12 2. All senators to be elected in the 1968 general election shall be
13 elected from single-member senatorial districts or in any county
14 with a population entitling that county to elect more than one (1)
15 senator, each senator within the county shall be elected from a
16 single-member senatorial subdistrict.

17 3. All senators elected in 1966 shall in the sixty-third (63rd)
18 general assembly represent the single-member senatorial district
19 from which they were elected, or if elected from a county from
20 which more than one (1) senator was elected in 1966, they shall
21 represent a single-member senatorial subdistrict within the county.

22 4. All representatives shall be elected from single-member repre-
23 sentative districts and in any county or in any district with a popu-
24 lation entitling that county or district to elect more than one (1)
25 representative, each representative shall be elected from a single-
26 member representative subdistrict.

27 5. No county shall be divided and attached to another county or
28 part of a county in forming a senatorial or representative district
29 or subdistrict except where the attachment is necessitated to main-
30 tain the one (1) man, one (1) vote principle.

31 The general assembly hereby declares that the foregoing provi-
32 sions have been followed in this Act and that the provisions are
33 necessary and reasonable to provide fair and equal representation
34 in the general assembly to all citizens of Iowa.

1 SEC. 3. The number of senators in the general assembly is here-
2 by fixed as sixty-one (61) and they are hereby apportioned on a
3 population basis among the several counties and subdistricts within
4 the counties as follows:

5 1. Lee county shall constitute the first senatorial district with one
6 (1) senator.

7 2. Davis county, Jefferson county, and Van Buren county shall
8 constitute the second senatorial district with one (1) senator.

9 3. Appanoose county, Lucas county, and Monroe county shall con-
10 stitute the third senatorial district with one (1) senator.

11 4. Clarke county, Decatur county, Ringgold county, and Wayne
12 county shall constitute the fourth senatorial district with one (1)
13 senator.

14 5. Adams county, Montgomery county, Taylor county, and Union
15 county shall constitute the fifth senatorial district with one (1)
16 senator.

17 6. Fremont county, Mills county, and Page county shall constitute
18 the sixth district with one (1) senator.

19 7. Des Moines county shall constitute the seventh senatorial dis-
20 trict with one (1) senator.

21 8. Henry county, Louisa county, and Washington county shall
22 constitute the eighth senatorial district with one (1) senator.

23 9. Wapello county shall constitute the ninth senatorial district
24 with one (1) senator.

25 10. Keokuk county and Mahaska county shall constitute the tenth
26 district with one (1) senator.

27 11. Marion county and Warren county shall constitute the elev-
28 enth senatorial district with one (1) senator.

29 12. Adair county, Cass county, and Madison county shall consti-
30 tute the twelfth senatorial district with one (1) senator.

31 13. Pottawattamie county shall constitute the thirteenth senato-
32 rial district and shall be subdivided into the two (2) following senato-
33 rial subdistricts with one (1) senator for each subdistrict:

34 a. Subdistrict one (1) shall constitute that portion of Pottawat-
35 tamie county which includes the townships of Rockford, Boomer,
36 Neola, Minden, Pleasant, Knox, Layton, Crescent, Hazel Dell, Nor-
37 walk, York, James, Valley, Lincoln, Lake, Garner, Hardin, Wash-
38 ington, Belknap, Carson, Center, Wright, Silver Creek, Macedonia,
39 Grove, and Waveland as the townships existed in 1960, that part
40 of Kane township outside the 1960 corporate limits of the city of
41 Council Bluffs and outside the 1960 corporate limits of the city of
42 Carter Lake, and that part of the city of Council Bluffs described
43 as follows:

44 Beginning at the intersection of the center line of South Ninth
45 street and the southern 1960 corporate limits of the city of Council
46 Bluffs; thence north along the center line of South Ninth street to
47 the center line of Ninth avenue; thence east along the center line
48 of Ninth avenue to the center line of South Main street; thence
49 northwest along the center line of South Main street to the center
50 line of Broadway; thence west along the center line of Broadway
51 to the center line of North Eighth street; thence northerly along
52 the center line of North Eighth street to the center line of River
53 boulevard; thence north along the center line of River boulevard to
54 the northern 1960 corporate limits of the city of Council Bluffs;
55 thence easterly, thence southerly, and thence westerly along the
56 1960 corporate limits of the city of Council Bluffs to the center line
57 of South Ninth street, the point of beginning.

58 b. Subdistrict two (2) shall constitute that portion of Pottawat-
59 tamie county which includes the townships of Lewis and Keg Creek
60 as the townships existed in 1960, all of the city of Carter Lake
61 within the 1960 corporate limits, and that part of the city of Coun-
62 cil Bluffs described as follows:

63 Beginning at the intersection of the center line of South Ninth
64 street and the southern 1960 corporate limits of the city of Council
65 Bluffs; thence west along the 1960 corporate limits to the center
66 of the Missouri river; thence northeasterly along the center of the
67 Missouri river to the northern 1960 corporate limits of the city of
68 Council Bluffs; thence east along the northern 1960 corporate lim-
69 its to the center line of River boulevard; thence south along the
70 center line of River boulevard to the center line of North Eighth
71 street; thence southerly along the center line of North Eighth street
72 to the center line of Broadway; thence southeast along the center

73 line of Broadway to the center line of South Main street; thence
 74 southwest along the center line of South Main street to the center
 75 line of Ninth avenue; thence west along the center line of Ninth
 76 avenue to the center line of South Ninth street; thence south along
 77 the center line of South Ninth street to the southern 1960 corporate
 78 limits of the city of Council Bluffs, the point of beginning.

79 14. Cedar county and Muscatine county shall constitute the four-
 80 teenth senatorial district with one (1) senator.

81 15. Scott county shall constitute the fifteenth senatorial district
 82 and shall be subdivided into the two (2) following senatorial sub-
 83 districts with one (1) senator for each subdistrict:

84 a. Subdistrict one (1) shall constitute that portion of Scott coun-
 85 ty which includes the townships of Winfield, Allen's Grove, Liberty,
 86 Cleona, Hickory Grove, Sheridan, Buffalo, and Blue Grass as the
 87 townships existed in 1960, and that part of the city of Davenport,
 88 city of Davenport township and Davenport township described as
 89 follows:

90 Beginning at the intersection of the center of the main channel
 91 of the Mississippi river and the western 1960 corporate limits of the
 92 city of Davenport; thence northerly along the 1960 corporate limits
 93 of the city of Davenport to the township line between townships
 94 seventy-eight (78) north and seventy-nine (79) north; thence east
 95 along such township line to the projected center line of Marquette
 96 street; thence south along the center line of Marquette street to the
 97 center line of West Lombard street; thence east along the center
 98 line of West Lombard street to the center line of Brady street;
 99 thence northeast along the center line of Brady street to the center
 100 line of East Rusholme street; thence east along the center line of
 101 East Rusholme street to the center line of Pershing avenue; thence
 102 south along the center line of Pershing avenue to the center line of
 103 East Twelfth street; thence west along the center line of East and
 104 West Twelfth street and the projected center line of West Twelfth
 105 street to the center line of Warren street; thence south along the
 106 center line and projected center line of Warren street to the center
 107 of the main channel of the Mississippi river; thence southwest
 108 along the center of the main channel of the Mississippi river to the
 109 western 1960 corporate limits of the city of Davenport, the point of
 110 beginning.

111 b. Subdistrict two (2) shall constitute that portion of Scott coun-
 112 ty which includes the townships of Butler, Princeton, LeClaire, Lin-
 113 coln, Pleasant Valley, as the townships existed in 1960, the city of
 114 Bettendorf as it existed in 1960 and that part of the city of Daven-
 115 port, city of Davenport township and Davenport township described
 116 as follows:

117 Beginning at the intersection of the center of the main channel of
 118 the Mississippi river and the projected center line of Warren street;
 119 thence north along the projected center line and center line of
 120 Warren street to the projected center line of West Twelfth street;
 121 thence east along the projected center line and center line of West
 122 Twelfth street and East Twelfth street to the center line of Pershing
 123 avenue; thence north along the center line of Pershing avenue to
 124 the center line of East Rusholme street; thence west along the cen-

125 ter line of East Rusholme street to the center line of Brady street;
126 thence southwest along the center line of Brady street to the center
127 line of West Lombard street; thence west along the center line of
128 West Lombard street to the center line of Marquette street; thence
129 north along the center line and projected center line of Marquette
130 street to the township line between townships seventy-eight (78)
131 north and seventy-nine (79) north; thence east along such township
132 line to the northwest corner of section three (3), township seventy-
133 eight (78) north, range four (4) east; thence south along the west
134 section lines of section three (3) and section ten (10), township
135 seventy-eight (78) north, range four (4) east, to the 1960 corporate
136 limits of the city of Bettendorf; thence west and south along the
137 common 1960 corporate limits of the cities of Bettendorf and Daven-
138 port to the center of the main channel of the Mississippi river;
139 thence in a southwesterly direction along the center of the Missis-
140 sippi river to the projected center line of Warren street, the point
141 of beginning.

142 16. Clinton county shall constitute the sixteenth senatorial dis-
143 trict with one (1) senator.

144 17. Johnson county shall constitute the seventeenth senatorial
145 district with one (1) senator.

146 18. Iowa county and Poweshiek county shall constitute the eight-
147 eenth senatorial district with one (1) senator.

148 19. Jasper county shall constitute the nineteenth senatorial dis-
149 trict with one (1) senator.

150 20. Polk county shall constitute the twentieth senatorial district
151 and shall be subdivided into the five (5) following senatorial subdis-
152 tricts and each subdistrict shall have one (1) senator:

153 a. Subdistrict one (1) shall constitute that portion of Polk county
154 which includes the townships of Washington, Elkhart, Lincoln,
155 Madison, Crocker, Douglas, Franklin, Beaver, Clay, Delaware, and
156 Saylor as the townships existed in 1960, and that part of the city
157 of Des Moines described as follows:

158 Beginning at the intersection of the center line of North Union
159 street and the northern 1960 corporate limits of the city of Des
160 Moines; thence east and south along the 1960 corporate limits to
161 the center line of East University avenue; thence west along the
162 center line of East University avenue to the center line of East
163 Twenty-seventh street; thence south along the center line of East
164 Twenty-seventh street to the center line of the right-of-way of the
165 Rock Island railroad; thence westerly along the center line of such
166 right-of-way to the center line of East Eighteenth street; thence
167 north along the center line of East Eighteenth street to the center
168 line of East University avenue; thence east along the center line
169 of East University avenue to the center line of East Twenty-fifth
170 street; thence north along the center line of East Twenty-fifth street
171 to the center line of Guthrie avenue; thence west along the center
172 line and projected center line of Guthrie avenue to the center line
173 of the right-of-way of the Chicago and North Western railroad;
174 thence southwest along the center line of such right-of-way to the
175 center line of East Washington avenue; thence west along the center
176 line of East Washington avenue to the center line of East Four-

177 tenth street; thence north on the center line of East Fourteenth
178 street to the center line of Sheridan avenue; thence west along the
179 center line of Sheridan avenue to the center line of North Union
180 street; thence north along the center line of North Union street to
181 the northern 1960 corporate limits of the city of Des Moines, the
182 point of beginning.

183 *b.* Subdistrict two (2) shall constitute that portion of Polk county
184 which includes the townships of Union and Jefferson as the town-
185 ships existed in 1960, those parts of Webster and Walnut townships
186 lying outside the 1960 corporate limits of the city of Des Moines,
187 and that part of the city of Des Moines described as follows:

188 Beginning at the intersection of the center line of Fifth avenue
189 and the northern 1960 corporate limits of the city of Des Moines;
190 thence south along the center line of Fifth avenue to the center line
191 of Sheridan avenue; thence west along the center line of Sheridan
192 avenue to the center line of Sixth avenue; thence south along the
193 center line of Sixth avenue to the center of the Des Moines river;
194 thence north and west along the center of the Des Moines river to
195 the projected center line of Prospect road; thence westerly along
196 the projected center line and center line of Prospect road to the
197 center line of Harding road; thence south along the center line of
198 Harding road to the center line of University avenue; thence west
199 along the center line of University avenue to the center line of
200 Twenty-third street; thence north along the center line of Twenty-
201 third street to the east and west center line of section thirty-three
202 (33), township seventy-nine (79) north, range twenty-four (24)
203 west; thence west along such center line to the center line of Thir-
204 tieth street; thence north along the center line of Thirtieth street
205 to the south line of lot twelve (12), Meyer place; thence west along
206 the south line of such lot twelve (12) to the west line thereof;
207 thence north along the west line of such lot twelve (12) to the cen-
208 ter line of Hickman road; thence west along the center line of
209 Hickman road to the center line of Beaver avenue; thence south
210 along the center line of Beaver avenue to the center line of Allison
211 avenue; thence west along the center line of Allison avenue to the
212 west line of lot forty-six (46), Tabernacle place; thence south
213 along the west line of such lot forty-six (46) and the west line of
214 lot three (3), Hazelhurst addition, to the center line of Franklin
215 avenue; thence east along the center line of Franklin avenue to the
216 center line of Beaver avenue; thence south along the center line of
217 Beaver avenue and the center line of Forty-first street to the east
218 and west center line of section thirty-two (32), township seventy-
219 nine (79) north, range twenty-four (24) west; thence west along
220 such east and west center line to the east line of the west half of
221 the south ten (10) acres of the southwest quarter of the northwest
222 quarter of section thirty-two (32); thence north along the east line
223 of such west half of such ten (10) acre tract to the north line there-
224 of; thence west along the north line of such ten (10) acre tract to
225 the center line of Forty-fourth street; thence south along the center
226 line of Forty-fourth street to the east and west center line of section
227 thirty-one (31), township seventy-nine (79) north, range twenty-
228 four (24) west; thence west along such east and west center line

229 and the east and west center line of section thirty-six (36), town-
230 ship seventy-nine (79) north, range twenty-five (25) west to the
231 western 1960 corporate limits of the city of Des Moines; thence
232 north and east along the 1960 corporate limits to the center line of
233 Fifth avenue, the point of beginning.

234 c. Subdistrict three (3) shall constitute that portion of Polk coun-
235 ty which includes the townships of Camp, Four Mile, and Allen as
236 the townships existed in 1960, that part of Bloomfield township
237 lying south and east of the 1960 corporate limits of the city of Des
238 Moines, and that part of the city of Des Moines described as fol-
239 lows:

240 Beginning at the intersection of the 1960 corporate limits of the
241 city of Des Moines and the center line of Southwest Ninth street;
242 thence north along the center line of Southwest Ninth street to the
243 center line of McKinley avenue; thence west along the center line
244 of McKinley avenue to the center line of Fleur drive; thence north
245 along the center line of Fleur drive to the projected center line of
246 Pleasant View drive; thence east along the projected center line and
247 center line of Pleasant View drive to the center line of Southeast
248 Fifth street; thence north along the center line of Southeast Fifth
249 street to the projected center line of Fulton drive; thence west along
250 the projected center line and center line of Fulton drive to the center
251 line of Southwest Ninth street; thence north along the center
252 line of Southwest Ninth street to the center of the Raccoon river;
253 thence easterly along the center of the Raccoon river to the center
254 line of Southwest Seventh street; thence northerly along the center
255 line of Southwest Seventh street and Seventh street to the center
256 line of Center street; thence east along the center line and projected
257 center line of Center street to the center of the Des Moines river;
258 thence northerly along the center of the Des Moines river to the
259 projected center line of East Jefferson avenue; thence east along
260 the projected center line and center line of East Jefferson avenue
261 to the projected center line of North Union street; thence north
262 along the projected center line and center line of North Union street
263 to the center line of Sheridan avenue; thence east along the center
264 line of Sheridan avenue to the center line of East Fourteenth street;
265 thence south along the center line of East Fourteenth street to the
266 center line of East Washington avenue; thence east along the center
267 line of East Washington avenue to the center line of the right-of-
268 way of the Chicago and North Western railroad; thence northeast
269 along the center line of such right-of-way to the projected center
270 line of Guthrie avenue; thence east along the projected center line
271 and center line of Guthrie avenue to the center line of East Twenty-
272 fifth street; thence south along the center line of East Twenty-fifth
273 street to the center line of East University avenue; thence west
274 along the center line of East University avenue to the center line of
275 East Eighteenth street; thence south along the center line of East
276 Eighteenth street to the center line of the right-of-way of the Rock
277 Island railroad; thence easterly along the center line of such right-
278 of-way to the center line of East Twenty-seventh street; thence
279 north along the center line of East Twenty-seventh street to the
280 center line of East University avenue; thence east along the center

281 line of East University avenue to the eastern 1960 corporate limits
282 of the city of Des Moines; thence southerly, thence westerly, thence
283 southerly and thence westerly along the 1960 corporate limits to the
284 center line of Southwest Ninth street, the point of beginning.

285 *d.* Subdistrict four (4) shall constitute that portion of Polk coun-
286 ty which includes that part of the city of Des Moines described as
287 follows:

288 Beginning with the intersection of the 1960 corporate limits of
289 the city of Des Moines and the center line of North Union street;
290 thence south along the center line and projected center line of North
291 Union street to the center line of East Jefferson avenue; thence west
292 along the center line and projected center line of East Jefferson
293 avenue to the center of the Des Moines river; thence southerly along
294 the center of the Des Moines river to the projected center line of
295 Center street; thence west along the projected center line and center
296 line of Center street to the center line of Thirteenth street; thence
297 south along the center line of Thirteenth street and the alley be-
298 tween lots four (4) and five (5) of Holland's subdivision to the center
299 line of Pleasant street; thence southeasterly along a diagonal
300 line to the center of the intersection of Twelfth street and Callanan
301 drive; thence south along the center line of Twelfth street to the
302 center line of High street; thence west along the center line of High
303 street to the center line of Seventeenth street; thence south along
304 the center line of Seventeenth street to the center line of Grand
305 avenue; thence west along the center line of Grand avenue to the
306 center line of Twenty-eighth street; thence north along the center
307 line of Twenty-eighth street to a point five hundred (500) feet south
308 of the center line of Center street; thence west along a line five hun-
309 dred (500) feet south of and parallel to the center line of Center
310 street a distance of five hundred (500) feet; thence north along a
311 line five hundred (500) feet west of and parallel to the center line
312 of Twenty-eighth street a distance of five hundred (500) feet to the
313 center line of Center street; thence west along the center line of
314 Center street to the center line of Thirty-fifth street; thence north
315 along the center line of Thirty-fifth street to the center line of King-
316 man boulevard; thence west along the center line of Kingman boule-
317 vard to the center line of Forty-second street; thence north along
318 the center line of Forty-second street to the center line of Univer-
319 sity avenue; thence east along the center line of University avenue
320 to the center line of Forty-first street; thence north along the center
321 line of Forty-first street and Beaver avenue to the center line of
322 Franklin avenue; thence west along the center line of Franklin
323 avenue to the west line of lot three (3), Hazelhurst addition; thence
324 north along the west line of such lot three (3) and the west line
325 of lot forty-six (46), Tabernacle place, to the center line of Allison
326 avenue; thence east along the center line of Allison avenue to the
327 center line of Beaver avenue; thence north along the center line of
328 Beaver avenue to the center line of Hickman road; thence east along
329 the center line of Hickman road to the west line of lot twelve (12),
330 Meyer place; thence south along the west line of such lot twelve
331 (12), to the south line thereof; thence east along the south line of
332 such lot twelve (12) to the center line of Thirtieth street; thence

333 south along the center line of Thirtieth street to the east and west
334 center line of section thirty-three (33), township seventy-nine (79)
335 north, range twenty-four (24) west; thence east along such center
336 line to the center line of Twenty-third street; thence south along the
337 center line of Twenty-third street to the center line of University
338 avenue; thence east along the center line of University avenue to
339 the center line of Harding road; thence north along the center line
340 of Harding road to the center line of Prospect road; thence east-
341 erly along the center line and projected center line of Prospect road
342 to the center of the Des Moines river; thence east and south along
343 the center of the Des Moines river to the center line of Sixth ave-
344 nue; thence north along the center line of Sixth avenue to the center
345 line of Sheridan avenue; thence east along the center line of Sheri-
346 dan avenue to the center line of Fifth avenue; thence north along
347 the center line of Fifth avenue to the northern 1960 corporate limits
348 of the city of Des Moines; thence east along the 1960 corporate
349 limits to the center line of North Union street, the point of begin-
350 ning.

351 *e.* Subdistrict five (5) shall constitute that portion of Polk county
352 which includes the township of Valley as the township existed in
353 1960, that part of Bloomfield township lying south and west of the
354 1960 corporate limits of the city of Des Moines, and that part of the
355 city of Des Moines described as follows:

356 Beginning with the intersection of the southern 1960 corporate
357 limits of the city of Des Moines and Southwest Ninth street; thence
358 west and north along the 1960 corporate limits to the east and west
359 center line of section thirty-six (36), township seventy-nine (79)
360 north, range twenty-five (25) west; thence east along the east and
361 west center line of section thirty-six (36) and section thirty-one
362 (31), township seventy-nine (79) north, range twenty-four (24)
363 west to the center line of Forty-fourth street; thence north along
364 the center line of Forty-fourth street to the north line of the south
365 ten (10) acres of the southwest quarter of the northwest quarter of
366 section thirty-two (32), township seventy-nine (79) north, range
367 twenty-four (24) west; thence east along the north line of such ten
368 (10) acre tract to the east line of the west half of such south ten
369 (10) acre tract; thence south along the east line of the west half of
370 such ten (10) acre tract to the east and west center line of section
371 thirty-two (32); thence east along such east and west center line
372 to the center line of Forty-first street; thence south along the cen-
373 ter line of Forty-first street to the center line of University avenue;
374 thence west along the center line of University avenue to the center
375 line of Forty-second street; thence south along the center line of
376 Forty-second street to the center line of Kingman boulevard; thence
377 east along the center line of Kingman boulevard to the center line
378 of Thirty-fifth street; thence south along the center line of Thirty-
379 fifth street to the center line of Center street; thence east along the
380 center line of Center street to a point five hundred (500) feet west
381 of Twenty-eighth street; thence south along a line five hundred
382 (500) feet west of and parallel to the center line of Twenty-eighth
383 street a distance of five hundred (500) feet; thence east along a
384 line five hundred (500) feet south of and parallel to the center line

385 of Center street a distance of five hundred (500) feet to the center
386 line of Twenty-eighth street; thence south along the center line of
387 Twenty-eighth street to the center line of Grand avenue; thence
388 east along the center line of Grand avenue to the center line of
389 Seventeenth street; thence north along the center line of Seven-
390 teenth street to the center line of High street; thence east along the
391 center line of High street to the center line of Twelfth street;
392 thence north along the center line of Twelfth street to the center
393 line of Callanan drive; thence northwesterly along a diagonal line
394 to the north and south alley between lots four (4) and five (5) of
395 Holland's subdivision; thence north along the center line of such
396 alley and the center line of Thirteenth street to the center line of
397 Center street; thence east along the center line of Center street to
398 the center line of Seventh street; thence southwest along the center
399 line of Seventh street and Southwest Seventh street to the center
400 of the Raccoon river; thence westerly along the center of the Rac-
401 coon river to the center line of Southwest Ninth street; thence south
402 along the center line of Southwest Ninth street to the center line of
403 Fulton drive; thence east along the center line and projected center
404 line of Fulton drive to the center line of Southeast Fifth street;
405 thence south along the center line of Southeast Fifth street to the
406 center line of Pleasant View drive; thence west along the center
407 line and projected center line of Pleasant View drive to the center
408 line of Fleur drive; thence south along the center line of Fleur drive
409 to the center line of McKinley avenue; thence east along the center
410 line of McKinley avenue to the center line of Southwest Ninth
411 street; thence south along the center line of Southwest Ninth street
412 to the southern 1960 corporate limits of the city of Des Moines, the
413 point of beginning.

414 21. Audubon county, Dallas county, and Guthrie county shall con-
415 stitute the twenty-first senatorial district with one (1) senator.

416 22. Harrison county, Monona county, and Shelby county shall
417 constitute the twenty-second senatorial district with one (1) sen-
418 ator.

419 23. Jackson county and Jones county shall constitute the twenty-
420 third senatorial district with one (1) senator.

421 24. Linn county shall constitute the twenty-fourth senatorial dis-
422 trict and shall be subdivided into the three (3) following senatorial
423 subdistricts with one (1) senator for each subdistrict:

424 a. Subdistrict one (1) shall constitute that portion of Linn county
425 which includes the townships of Grant, Spring Grove, Jackson,
426 Boulder, Buffalo, Maine, Otter Creek, Washington, Fayette, Mon-
427 roe, Marion, Brown, Linn, Franklin, Bertram, Putnam, College,
428 Fairfax, and Clinton as the townships existed in 1960.

429 b. Subdistrict two (2) shall constitute that portion of Linn county
430 which includes that part of the city of Cedar Rapids described as
431 follows:

432 Beginning with the intersection of the center line of F avenue
433 northwest and the center line of Edgewood avenue; thence north-
434 erly, thence easterly, and thence southerly along the 1960 corporate
435 limits of the city of Cedar Rapids to the center line of Mansfield
436 avenue southeast projected easterly; thence west along the pro-

437 jected center line and the center line of Mansfield avenue southeast
438 to the center line of Memorial drive southeast; thence south along
439 the center line of Memorial drive southeast to the center line of
440 Meadowbrook drive southeast; thence westerly along the center line
441 of Meadowbrook drive southeast and the center line of Fifth avenue
442 southeast to the center line of Eighth street southeast; thence north-
443 west along the center line of Eighth street southeast to the center
444 line of First avenue northeast; thence northwest along the center
445 line and projected center line of Eighth street northeast to the
446 right-of-way of the Chicago, Milwaukee, St. Paul and Pacific rail-
447 road; thence southwest along the center line of such right-of-way
448 to the center of the Red Cedar river; thence southeast along the
449 center of the Red Cedar river to the projected center line of E
450 avenue northwest; thence west along the center line of E avenue
451 northwest to the center line of Thirteenth street northwest; thence
452 north along the center line of Thirteenth street northwest to the
453 center line of F avenue northwest; thence west along the center line
454 of F avenue northwest to the center line of Edgewood road, the
455 point of beginning.

456 c. Subdistrict three (3) shall constitute that portion of Linn coun-
457 ty which includes that part of the city of Cedar Rapids described
458 as follows:

459 Beginning with the intersection of the projected easterly center
460 line of Mansfield avenue southeast and the 1960 corporate limits of
461 the city of Cedar Rapids; thence southerly, thence westerly, and
462 thence northerly along the 1960 corporate limits of the city of Cedar
463 Rapids to the northwest corner of the southwest quarter of the
464 southwest quarter of section nineteen (19), township eighty-three
465 (83) north, range seven (7) west; thence south along the center line
466 of Edgewood road to the center line of F avenue northwest; thence
467 east along the center line of F avenue northwest to the center line
468 of Thirteenth street northwest; thence south along the center line
469 of Thirteenth street northwest to the center line of E avenue north-
470 west; thence east along the projected center line and the center line
471 of E avenue northwest to the center of the Red Cedar river; thence
472 northwest following the center of the Red Cedar river to the center
473 line of the right-of-way of the Chicago, Milwaukee, St. Paul and
474 Pacific railroad; thence northeast following the center line of such
475 right-of-way to the projected center line of Eighth street northeast;
476 thence southeast along the projected center line and the center line
477 of Eighth street northeast to the center line of First avenue east;
478 thence southeast along the center line of Eighth street southeast to
479 the center line of Fifth avenue southeast; thence easterly along the
480 center lines of Fifth avenue southeast and Meadowbrook drive
481 southeast to the center line of Memorial drive southeast; thence
482 north along the center line of Memorial drive southeast to the cen-
483 ter line of Mansfield avenue southeast; thence east following the
484 center line and the projected center line of Mansfield avenue to the
485 eastern 1960 corporate limits of the city of Cedar Rapids, the point
486 of beginning.

487 25. Benton county and Tama county shall constitute the twenty-
488 fifth senatorial district with one (1) senator.

489 26. Marshall county shall constitute the twenty-sixth senatorial
490 district with one (1) senator.

491 27. Story county shall constitute the twenty-seventh senatorial
492 district with one (1) senator.

493 28. Boone county and Greene county shall constitute the twenty-
494 eighth senatorial district with one (1) senator.

495 29. Carroll county and Crawford county shall constitute the
496 twenty-ninth senatorial district with one (1) senator.

497 30. Dubuque county shall constitute the thirtieth senatorial dis-
498 trict and shall be subdivided into the two (2) following senatorial
499 subdistricts with one (1) senator for each subdistrict:

500 a. Subdistrict one (1) shall constitute that portion of Dubuque
501 county which includes that part of the city of Dubuque described
502 as follows:

503 Beginning at the intersection of the center of the Mississippi
504 river and the southern 1960 corporate limits of the city of Dubuque;
505 thence west along the southern 1960 corporate limits to the south-
506 west corner of section thirty-five (35), township eighty-nine (89)
507 north, range two (2) east; thence northerly along the 1960 corpo-
508 rate limits of the city of Dubuque to the center line of U.S. High-
509 way twenty (20); thence due north to a point one hundred ninety
510 (190) feet north of U.S. Highway twenty (20); thence easterly
511 along a line parallel to and one hundred ninety (190) feet north of
512 U.S. Highway twenty (20) to a point midway between the center
513 line of Devon drive and the projected center line of Princeton place;
514 thence northerly along a line midway between the center line of
515 Devon drive and the projected center line and the center line of
516 Princeton place to the projected center line of West Third street;
517 thence westerly along the projected center line of West Third street
518 to the intersection of the center lines of Mineral street and New
519 Haven street; thence northerly along a line directly from such inter-
520 section to the intersection of the center lines of University avenue
521 and Van Buren street; thence northeasterly along the center line of
522 University avenue to the center line of Finley street; thence north-
523 westerly along the center line of Finley street to the center line of
524 Bunker Hill road; thence northerly along the center line of Bunker
525 Hill road to the center line of Asbury road; thence northwesterly
526 along the center line of Asbury road to the center line of Carter road;
527 thence northerly along the center line of Carter road to the section
528 line between sections fifteen (15) and twenty-two (22), township
529 eighty-nine (89) north, range two (2) east; thence west along such
530 section line to the center line of John F. Kennedy road; thence
531 northerly along the center line of John F. Kennedy road to the 1960
532 corporate limits of the city of Dubuque; thence easterly and thence
533 northerly along the corporate limits of the city of Dubuque to the
534 east and west center line of section fifteen (15), township eighty-
535 nine (89) north, range two (2) east; thence east along the east and
536 west center line of section fifteen (15) to the east line thereof;
537 thence south along the east line of section fifteen (15) to a line six
538 hundred (600) feet north of and parallel to Kane street; thence
539 southeasterly along such line to a point six hundred (600) feet
540 north of the projected center line of Gay street; thence south along

541 a line directly from such point to the intersection of the projected
542 center line of Gay street and the center line of Kane street; thence
543 southeasterly along the center line of Kane street to the center line
544 of Monroe street; thence northeasterly along the center line of
545 Monroe street to the center line of Wallace street; thence south-
546 easterly along the center line of Wallace street to the south line of
547 Highland addition; thence easterly along the south line of Highland
548 addition to the center line of Lewis street; thence southeasterly
549 along the center line of Lewis street to the center line of Valeria
550 street; thence southeasterly along the center line of Valeria street
551 to the center line of Kaufmann avenue; thence easterly along the
552 center lines of Kaufmann avenue and East Twenty-second street to
553 the center line of Prince street; thence northerly along the center line
554 of Prince street to the center line of East Twenty-fourth street;
555 thence easterly along the center line of East Twenty-fourth street
556 to the center line of Queen street; thence northerly along the center
557 line of Queen street to the center line of Marquette place; thence
558 northwesterly along the center line and the projected center line of
559 Marquette place to the center line of Morton street; thence north-
560 westerly along the center line and the projected center line of Mor-
561 ton street to the south line of section twelve (12), township eighty-
562 nine (89) north, range two (2) east; thence east along the south
563 line of section twelve (12) to the north and south center line there-
564 of; thence north along the north and south center line of section
565 twelve (12) to the center thereof; thence easterly, thence southerly
566 and thence easterly along the 1960 corporate limits of the city of
567 Dubuque to the east line of section twelve (12); thence south along
568 the east line of sections twelve (12) and thirteen (13), township
569 eighty-nine (89) north, range two (2) east to the center line of
570 Thomas street; thence southwesterly along the center line of
571 Thomas street to the center line of Stafford street; thence south-
572 easterly along the center line and the projected center line of Staf-
573 ford street to the projected center line of East Twentieth street;
574 thence easterly along the projected center line of East Twentieth
575 street to the center of the Mississippi river; thence southerly along
576 the center of the Mississippi river to the southern 1960 corporate
577 limits of the city of Dubuque, the point of beginning.

578 *b.* Subdistrict two (2) shall constitute that portion of Dubuque
579 county which includes the townships of Liberty, Concord, Jefferson,
580 Peru, New Wine, Iowa, Center, Dubuque, Dodge, Taylor, Vernon,
581 Table Mound, Mosalem, Cascade, Whitewater, Prairie Creek, and
582 Washington as the townships existed in 1960, and those parts of
583 the city of Dubuque described as follows:

584 (1). Beginning at the intersection of the western 1960 corporate
585 limits of the city of Dubuque and a line parallel to and one hundred
586 ninety (190) feet north of U.S. Highway twenty (20); thence
587 northerly and westerly along the 1960 corporate limits of the city
588 of Dubuque to the section line between sections fifteen (15) and
589 twenty-two (22), township eighty-nine (89) north, range two (2)
590 east; thence east along such section line to the center line of Carter
591 road; thence southerly along the center line of Carter road to the
592 center line of Asbury road; thence southeasterly along the center

593 line of Asbury road to the center line of Bunker Hill road; thence
594 southerly along the center line of Bunker Hill road to the center line
595 of Finley street; thence southeasterly along the center line of Finley
596 street to the center line of University avenue; thence southwesterly
597 along the center line of University avenue to the intersection of the
598 center lines of University avenue and Van Buren street; thence
599 southerly along a line directly from such intersection to the inter-
600 section of the center lines of Mineral street and New Haven street;
601 thence easterly along the projected center line of West Third street
602 to a line midway between the center line of Devon drive and the
603 center line of Princeton place; thence southerly along a line midway
604 between the center line of Devon drive and the center line and the
605 projected center line of Princeton place to a point one hundred
606 ninety (190) feet north of the center line of U.S. Highway twenty
607 (20); thence westerly along a line parallel to and one hundred
608 ninety (190) feet north of U.S. Highway twenty (20) to the 1960
609 corporate limits of the city of Dubuque, the point of beginning.

610 (2). Beginning at the intersection of the projected center line of
611 Gay street and the center line of Kane street; thence north along a
612 line directly from such intersection to a point six hundred (600)
613 feet due north of Kane street; thence northwesterly along a line
614 parallel to and six hundred (600) feet north of Kane street to the
615 east line of section fifteen (15), township eighty-nine (89) north,
616 range two (2) east; thence north along the east line of section fif-
617 teen (15) to the east and west center line thereof; thence west
618 along the east and west center line of section fifteen (15) to the
619 1960 corporate limits of the city of Dubuque; thence northerly and
620 thence easterly along the 1960 corporate limits to the projected
621 center line of Morton street; thence southeasterly along the pro-
622 jected center line and the center line of Morton street to the pro-
623 jected center line of Marquette place; thence southeasterly along the
624 projected center line and the center line of Marquette place to the
625 center line of Queen street; thence southerly along the center line
626 of Queen street to the center line of East Twenty-fourth street;
627 thence westerly along the center line of East Twenty-fourth street
628 to the center line of Prince street; thence southerly along the center
629 line of Prince street to the center line of East Twenty-second street;
630 thence westerly along the center lines of East Twenty-second street
631 and of Kaufmann avenue to the center line of Valeria street; thence
632 northwesterly along the center line of Valeria street to the center
633 line of Lewis street; thence northwesterly along the center line of
634 Lewis street to the south line of Highland addition; thence westerly
635 along the south line of Highland addition to the center line of Wal-
636 lace street; thence northwesterly along the center line of Wallace
637 street to the center line of Monroe street; thence southwesterly
638 along the center line of Monroe street to the center line of Kane
639 street; thence northwesterly along the center line of Kane street to
640 the projected center line of Gay street, the point of beginning.

641 (3). Beginning at the intersection of the center of the Mississippi
642 river and the projected center line of East Twentieth street; thence
643 westerly along the projected center line of East Twentieth street to
644 the projected center line of Stafford street; thence northwesterly

645 along the projected center line and the center line of Stafford street
646 to the center line of Thomas street; thence northeasterly along the
647 center line of Thomas street to the section line between section thir-
648 teen (13), township eighty-nine (89) north, range two (2) east
649 and section eighteen (18), township eighty-nine (89) north, range
650 three (3) east; thence north along such section line and the section
651 line between section twelve (12), township eighty-nine (89) north,
652 range two (2) east and section seven (7), township eighty-nine
653 (89) north, range three (3) east to the northwest corner of section
654 seven (7); thence east along the north line of section seven (7) to
655 the center of the Mississippi river; thence southerly along the cen-
656 ter of the Mississippi river to the projected center line of East
657 Twentieth street, the point of beginning.

658 31. Buchanan county and Delaware county shall constitute the
659 thirty-first senatorial district with one (1) senator.

660 32. Black Hawk county shall constitute the thirty-second sena-
661 torial district and shall be subdivided into the three (3) following
662 senatorial subdistricts with one (1) senator for each subdistrict:

663 a. Subdistrict one (1) shall constitute that portion of Black
664 Hawk county which includes the townships of Union, Washington,
665 Mt. Vernon, Bennington, Barclay, and Lester as the townships
666 existed in 1960, that part of East Waterloo township lying outside
667 the 1960 corporate limits of the cities of Waterloo, Elk Run Heights,
668 and Evansdale, that part of Cedar Falls township lying outside the
669 1960 corporate limits of the city of Cedar Falls, and those parts of
670 the city of Waterloo described as follows:

671 (1). Beginning at the intersection of the center of the main chan-
672 nel of the Cedar river and the western 1960 corporate limits of the
673 city of Waterloo; thence northerly, thence easterly, and thence
674 southerly along the 1960 corporate limits of the city of Waterloo
675 to the 1960 corporate limits of the city of Evansdale; thence along
676 the common boundary of the 1960 corporate limits of the city of
677 Evansdale and of the city of Waterloo to the center of the main
678 channel of the Cedar river; thence northwest following the center
679 of the main channel of the Cedar river to the western 1960 corpo-
680 rate limits of the city of Waterloo, the point of beginning.

681 (2). That part of the city of Waterloo lying east of the center of
682 the main channel of the Cedar river and south of the northern 1960
683 corporate limits of the city of Evansdale.

684 b. Subdistrict two (2) shall constitute that portion of Black
685 Hawk county which includes that part of Waterloo township lying
686 outside the 1960 corporate limits of the city of Waterloo, all of the
687 city of Cedar Falls lying within the 1960 corporate boundaries, and
688 that part of the city of Waterloo described as follows:

689 Beginning at the intersection of the center of the main channel of
690 the Cedar river and the center line of West Fourth street; thence
691 southwest following the center line and the projected center line of
692 West Fourth street to the southern 1960 corporate limits of the city
693 of Waterloo; thence northerly and thence easterly following the
694 1960 corporate limits of the city of Waterloo to the center of the
695 main channel of the Cedar river; thence easterly following the cen-
696 ter of the main channel of the Cedar river to the center line of West
697 Fourth street, the point of beginning.

698 c. Subdistrict three (3) shall constitute that portion of Black
699 Hawk county which includes the townships of Black Hawk, Orange,
700 Cedar, Poyner, Fox, Lincoln, Eagle, Big Creek, and Spring Creek
701 as the townships existed in 1960, the city of Evansdale lying within
702 the 1960 corporate limits, all of the city of Elk Run Heights lying
703 within the 1960 corporate limits, and that part of the city of Water-
704 loo described as follows:

705 Beginning with the intersection of the southern 1960 corporate
706 limits of the city of Waterloo and the center of the main channel of
707 the Cedar river; thence westerly along the southern 1960 corporate
708 limits of the city of Waterloo to the projected center line of West
709 Fourth street; thence northeast along the projected center line and
710 the center line of West Fourth street to the center of the main chan-
711 nel of the Cedar river; thence southeast and south following the
712 center of the main channel of the Cedar river to the 1960 corporate
713 limits of the city of Waterloo, the point of beginning.

714 33. Franklin county, Grundy county, Hardin county shall consti-
715 tute the thirty-third senatorial district with one (1) senator.

716 34. Hamilton county and Wright county shall constitute the
717 thirty-fourth senatorial district with one (1) senator.

718 35. Webster county shall constitute the thirty-fifth senatorial dis-
719 trict with one (1) senator.

720 36. Calhoun county, Ida county, and Sac county shall constitute
721 the thirty-sixth senatorial district with one (1) senator.

722 37. Woodbury county shall constitute the thirty-seventh senatori-
723 al district and shall be subdivided into the following two (2) sena-
724 torial subdistricts with one (1) senator for each subdistrict:

725 a. Subdistrict one (1) shall constitute that portion of Woodbury
726 county which includes that part of the city of Sioux City described
727 as follows:

728 Beginning at the intersection of the center line of the Combina-
729 tion bridge and the center of the main channel of the Missouri river;
730 thence westerly along the center of the main channel of the Mis-
731 souri river to its intersection with the center of the main channel
732 of the Big Sioux river; thence in a westerly and thence northerly
733 direction along the main channel of the Big Sioux river to its inter-
734 section with the northern 1967 corporate limits of the city of Sioux
735 City; thence easterly and thence southerly along the 1967 corporate
736 limits of the city of Sioux City to the east and west center line of
737 section thirteen (13), township eighty-nine (89) north, range
738 forty-seven (47) west; thence west along the center line of sections
739 thirteen (13) and fourteen (14), township eighty-nine (89) north,
740 range forty-seven (47) west, to the center line of U.S. Highway
741 seventy-five (75); thence southwesterly along the center line of
742 U.S. Highway seventy-five (75) to the projected center line of
743 Twenty-eighth street; thence west along the projected center line
744 and the center line of Twenty-eighth street to the center of the
745 Floyd river flood control channel as established by the United States
746 army corps of engineers; thence southwesterly along the center of
747 the Floyd river flood control channel to the center line of Eighteenth
748 street; thence west along the center line of Eighteenth street to the
749 center line of Steuben street; thence northwesterly along the center

750 line of Steuben street to the intersection with the center lines of
751 Hawkeye drive and of Nineteenth street; thence northwesterly
752 across the railroad tracks along the center line of Nineteenth street
753 to the center line of Floyd boulevard; thence southwesterly along the
754 center line of Floyd boulevard to the projected center line of Oak
755 street; thence west along the projected center line and the center
756 line of Oak street to the center line of Court street; thence north
757 along the center line of Court street to the center line of Sixteenth
758 street; thence west and thence northwesterly along the center line
759 of Sixteenth street to the center line of Ingleside avenue; thence
760 southwesterly along the center line of Ingleside avenue to the center
761 line of Fourteenth street; thence west along the center line of
762 Fourteenth street to the center line of Jones street; thence south
763 along the center line of Jones street to the center line of Tenth
764 street; thence west along the center line of Tenth street to the center
765 line of Perry creek; thence south and southwest along the center
766 line of Perry creek and of Perry street to the center line of Wesley
767 way; thence southerly along the center line of Wesley way to the
768 center line of Bridgeway street; thence southwest along the center
769 line of Bridgeway street to the center line of the Combination
770 bridge; thence south along the center line of the Combination bridge
771 to the center of the main channel of the Missouri river, the point of
772 beginning.

773 *b.* Subdistrict two (2) shall constitute that portion of Woodbury
774 county which includes the townships of Concord, Banner, Arlington,
775 Rutland, Union, Floyd, Merville, Wolf Creek, Kedron, Rock, Liberty,
776 Grange, West Fork, Grant, Miller, Morgan, Lakeport, Sloan, Wil-
777 low, Little Sioux, Oto, and Liston as the townships existed in 1960,
778 that part of Woodbury township lying outside the 1967 corporate
779 limits of the city of Sioux City, and that part of the city of Sioux
780 City described as follows:

781 Beginning at the intersection of the center line of the Combina-
782 tion bridge and the center of the main channel of the Missouri river;
783 thence north along the center line of the Combination bridge to the
784 center line of Bridgeway street; thence northeast along the center
785 line of Bridgeway street to the center line of Wesley way; thence
786 northerly along the center line of Wesley way to the center line of
787 Perry street; thence northeast and north along the center line of
788 Perry street and Perry creek to the center line of Perry creek and
789 Tenth street; thence east along the center line of Tenth street to
790 the center line of Jones street; thence north along the center line
791 of Jones street to the center line of Fourteenth street; thence east
792 along the center line of Fourteenth street to the center line of
793 Ingleside avenue; thence northeasterly along the center line of Ingle-
794 side avenue to the center line of Sixteenth street joining Ingleside
795 avenue from the east; thence southeast and east along the center
796 line of Sixteenth street to the center line of Court street; thence
797 south along the center line of Court street to the center line of Oak
798 street; thence east along the center line and projected center line of
799 Oak street to the center line of Floyd boulevard; thence northeast-
800 erly along the center line of Floyd boulevard to the center line of
801 Nineteenth street; thence southeasterly across the railroad tracks

802 along the center line of Nineteenth street to the intersection of the
 803 center lines of Hawkeye drive and Steuben street; thence southeast-
 804 erly along the center line of Steuben street to the center line of
 805 Eighteenth street; thence east along the center line of Eighteenth
 806 street to the center of the Floyd river control channel as established
 807 by the United States army corps of engineers; thence northeasterly
 808 along the center of the Floyd river flood control channel to the cen-
 809 ter line of Twenty-eighth street; thence east along the center line
 810 and the projected center line of Twenty-eighth street to the center
 811 line of U.S. Highway seventy-five (75); thence northeasterly along
 812 the center line of U.S. Highway seventy-five (75) to the center line
 813 of section fourteen (14), township eighty-nine (89) north, range
 814 forty-seven (47) west; thence east following the center lines of sec-
 815 tions fourteen (14) and thirteen (13), township eighty-nine (89)
 816 north, range forty-seven (47) west, to the eastern 1967 corporate
 817 limits of the city of Sioux City; thence southerly and easterly along
 818 the 1967 corporate limits of the city of Sioux City to the southeast
 819 corner section eight (8), township eighty-eight (88), range forty-
 820 seven (47); thence westerly along the 1967 corporate limits to the
 821 north one-quarter corner of section eighteen (18), township eighty-
 822 eight (88), range forty-seven (47); thence south one-quarter mile;
 823 thence west one-eighth mile; thence south one-quarter mile; thence
 824 west three-eighths mile to the west one-quarter corner of section
 825 eighteen (18), township eighty-eight (88), range forty-seven (47);
 826 thence south one-half mile to the northwest corner of section nine-
 827 teen (19), township eighty-eight (88), range forty-seven (47);
 828 thence east along north line section nineteen (19) to east line of
 829 Highway seventy-five (75); thence southerly along east line of
 830 Highway seventy-five (75), four hundred sixty-five feet; thence
 831 east four hundred thirty and three-tenths feet; thence north four
 832 hundred fifty-four and seven-tenths feet to the north line section
 833 nineteen (19); thence easterly and southerly along boundaries of
 834 Green Valley municipal golf course to the westerly line of Lakeport
 835 road; thence southerly and westerly along the 1967 city limit line
 836 of the city of Sioux City to the center of the main channel of the
 837 Missouri river; thence north and west along the center of the main
 838 channel of the Missouri river to the intersection of the center line
 839 of the Combination bridge and the center of the main channel of
 840 the Missouri river, the point of beginning.

841 38. Allamakee county and Clayton county shall constitute the
 842 thirty-eighth senatorial district with one (1) senator.

843 39. Fayette county and Winneshiek county shall constitute the
 844 thirty-ninth senatorial district with one (1) senator.

845 40. Bremer county, Chickasaw county, and Howard county shall
 846 constitute the fortieth senatorial district with one (1) senator.

847 41. Butler county, Floyd county, and Mitchell county shall consti-
 848 tute the forty-first senatorial district with one (1) senator.

849 42. Cerro Gordo county shall constitute the forty-second senato-
 850 rial district with one (1) senator.

851 43. Hancock county, Winnebago county, and Worth county shall
 852 constitute the forty-third senatorial district with one (1) senator.

- 853 44. Humboldt county and Kossuth county shall constitute the
854 forty-fourth senatorial district with one (1) senator.
- 855 45. Emmet county, Palo Alto county, and Pocahontas county shall
856 constitute the forty-fifth senatorial district with one (1) senator.
- 857 46. Buena Vista county and Clay county shall constitute the forty-
858 sixth senatorial district with one (1) senator.
- 859 47. Cherokee county and Plymouth county shall constitute the
860 forty-seventh senatorial district with one (1) senator.
- 861 48. Dickinson county, O'Brien county, and Osceola county shall
862 constitute the forty-eighth senatorial district with one (1) senator.
- 863 49. Lyon county and Sioux county shall constitute the forty-ninth
864 senatorial district with one (1) senator.
- 865 The following single-member senatorial districts or single-
866 member senatorial subdistricts in the year 1968 shall each elect one
867 (1) senator for a four-year term:
- 868 Second senatorial district
869 Third senatorial district
870 Fourth senatorial district
871 Fifth senatorial district
872 Tenth senatorial district
873 Eleventh senatorial district
874 Twelfth senatorial district
875 Thirteenth senatorial district, subdistrict two (2)
876 Fifteenth senatorial district, subdistrict one (1)
877 Seventeenth senatorial district
878 Twentieth senatorial district, subdistrict one (1)
879 Twentieth senatorial district, subdistrict four (4)
880 Twenty-first senatorial district
881 Twenty-fourth senatorial district, subdistrict one (1)
882 Twenty-sixth senatorial district
883 Twenty-eighth senatorial district
884 Thirty-first senatorial district
885 Thirty-second senatorial district, subdistrict three (3)
886 Thirty-fifth senatorial district
887 Thirty-seventh senatorial district, subdistrict one (1)
888 Thirty-eighth senatorial district
889 Thirty-ninth senatorial district
890 Forty-first senatorial district
891 Forty-second senatorial district
892 Forty-third senatorial district
893 Forty-fourth senatorial district
894 Forty-fifth senatorial district
895 Forty-sixth senatorial district
896 Forty-seventh senatorial district
897 Forty-eighth senatorial district
898 Forty-ninth senatorial district
- 899 All senators shall at the time of their election be residents of the
900 senatorial district or senatorial subdistrict from which elected.
- 901 All senators elected in 1966 from the following single-member
902 senatorial districts for terms of four (4) years or elected subse-
903 quently to fill a vacancy in any such term shall continue to serve
904 until December 31, 1970.

- 905 First senatorial district
 906 Sixth senatorial district
 907 Seventh senatorial district
 908 Eighth senatorial district
 909 Ninth senatorial district
 910 Fourteenth senatorial district
 911 Sixteenth senatorial district
 912 Eighteenth senatorial district
 913 Nineteenth senatorial district
 914 Twenty-second senatorial district
 915 Twenty-third senatorial district
 916 Twenty-fifth senatorial district
 917 Twenty-seventh senatorial district
 918 Twenty-ninth senatorial district
 919 Thirty-third senatorial district
 920 Thirty-fourth senatorial district
 921 Thirty-sixth senatorial district
 922 Fortieth senatorial district
 923 Those senators elected in 1966 for terms of four (4) years or
 924 elected subsequently to fill a vacancy in any such term and who were
 925 elected from a senatorial district electing more than one (1) senator
 926 shall continue to serve until December 31, 1970 and shall represent
 927 that subdistrict established by this Act in which they resided at the
 928 time of their election. The subdistricts so represented shall be as
 929 follows:
- 930 Thirteenth senatorial district, subdistrict one (1)
 931 Fifteenth senatorial district, subdistrict two (2)
 932 Twentieth senatorial district, subdistrict two (2)
 933 Twentieth senatorial district, subdistrict three (3)
 934 Twentieth senatorial district, subdistrict five (5)
 935 Twenty-fourth senatorial district, subdistrict two (2)
 936 Twenty-fourth senatorial district, subdistrict three (3)
 937 Thirtieth senatorial district, subdistrict one (1)
 938 Thirtieth senatorial district, subdistrict two (2)
 939 Thirty-second senatorial district, subdistrict one (1)
 940 Thirty-second senatorial district, subdistrict two (2)
 941 Thirty-seventh senatorial district, subdistrict two (2)
 942 Any vacancy in any senatorial district or subdistrict shall be filled
 943 by an election in that district or subdistrict. Any senator elected to
 944 fill a vacancy shall at the time of election be a resident of the dis-
 945 trict or subdistrict from which elected. In the year 1970, each sen-
 946 ator elected shall be nominated and elected from districts as shall be
 947 determined by the sixty-third (63) general assembly.

1 SEC. 4. The number of representatives in the general assembly
 2 is hereby fixed at one hundred twenty-four (124) and they are here-
 3 by apportioned among the several counties and subdistricts within
 4 the counties on a population basis. Representatives shall be elected
 5 in 1968 from the following districts and subdistricts:

6 1. The counties of Lyon and Osceola shall constitute one (1) rep-
 7 resentative district and elect one (1) representative.

8 2. The counties of Dickinson and Clay shall constitute one (1)
 9 representative district and elect one (1) representative.

- 10 3. The counties of Emmet and Palo Alto shall constitute one (1)
 11 representative district and elect one (1) representative.
- 12 4. The counties of Winnebago and Worth shall constitute one (1)
 13 representative district and elect one (1) representative.
- 14 5. The counties of Mitchell and Howard shall constitute one (1)
 15 representative district and elect one (1) representative.
- 16 6. The counties of Pocahontas and Humboldt shall constitute one
 17 (1) representative district and elect one (1) representative.
- 18 7. The counties of Ida and Sac shall constitute one (1) represent-
 19 ative district and elect one (1) representative.
- 20 8. The counties of Audubon and Guthrie shall constitute one (1)
 21 representative district and elect one (1) representative.
- 22 9. The counties of Adair and Madison shall constitute one (1)
 23 representative district and elect one (1) representative.
- 24 10. The counties of Mills and Fremont shall constitute one (1)
 25 representative district and elect one (1) representative.
- 26 11. The counties of Montgomery and Adams shall constitute one
 27 (1) representative district and elect one (1) representative.
- 28 12. The counties of Taylor and Ringgold shall constitute one (1)
 29 representative district and elect one (1) representative.
- 30 13. The counties of Union and Clarke shall constitute one (1)
 31 representative district and elect one (1) representative.
- 32 14. The counties of Decatur and Wayne shall constitute one (1)
 33 representative district and elect one (1) representative.
- 34 15. The counties of Lucas and Monroe shall constitute one (1)
 35 representative district and elect one (1) representative.
- 36 16. The counties of Appanoose and Davis shall constitute one (1)
 37 representative district and elect one (1) representative.
- 38 17. The counties of Jefferson and Van Buren shall constitute one
 39 (1) representative district and elect one (1) representative.
- 40 18. The county of Cerro Gordo shall constitute one (1) represent-
 41 ative district and shall be subdivided into the two (2) following
 42 representative subdistricts and each subdistrict shall elect one (1)
 43 representative:
- 44 a. Subdistrict one (1) shall constitute the following portions of
 45 Cerro Gordo county which include the townships of Grant, Lincoln,
 46 Lime Creek, Falls, Clear Lake, Clear Lake City, and Lake as the
 47 townships existed in 1960, and that part of the city of Mason City
 48 described as follows:
- 49 Beginning at the intersection of the eastern 1960 corporate limits
 50 of the city of Mason City and the center line of East State street
 51 projected east to said eastern corporate limits; thence west along
 52 the projected center line of East State street and the center line of
 53 East State street to the center line of Federal avenue; thence north
 54 along the center line of Federal avenue to the center line of First
 55 street north; thence west along the center line of First street north-
 56 west to the center line of Pierce avenue; thence south along the cen-
 57 ter line of Pierce avenue to the center line of Fourth street south-
 58 west; thence west on the center line of Fourth street southwest to
 59 the western 1960 corporate limits of the city of Mason City; thence
 60 northerly, thence easterly, and thence southerly along the 1960 cor-
 61 porate limits of the city of Mason City to the center line of East
 62 State street projected east, the point of beginning.

63 **b.** Subdistrict two (2) shall constitute the following portions of
 64 Cerro Gordo county which include the townships of Mason, Port-
 65 land, Union, Mount Vernon, Bath, Owen, Grimes, Pleasant Valley,
 66 Geneseo, and Dougherty as the townships existed in 1960, and that
 67 part of the city of Mason City described as follows:

68 Beginning at the intersection of the western 1960 corporate limits
 69 of the city of Mason City and Fourth street southwest; thence east
 70 along the center line of Fourth street southwest to the center line
 71 of Pierce avenue; thence north along the center line of Pierce ave-
 72 nue to the center line of First street northwest; thence east along
 73 the center line of First street northwest to the center line of Fed-
 74 eral avenue; thence south along the center line of Federal avenue
 75 to the center line of East State street; thence east along the center
 76 line and projected center line of East State street to the eastern
 77 1960 corporate limits of the city of Mason City; thence southerly,
 78 thence westerly, and thence northerly along the 1960 corporate
 79 limits of the city of Mason City to the center line of Fourth street
 80 southwest, the point of beginning.

81 19. The county of Clinton shall constitute one (1) representative
 82 district and shall be subdivided into the two (2) following repre-
 83 sentative subdistricts and each subdistrict shall elect one (1) repre-
 84 sentative:

85 **a.** Subdistrict one (1) shall constitute the following portions of
 86 Clinton county which include the townships of Sharon, Brookfield,
 87 Bloomfield, Waterford, Deep Creek, Elk River, Spring Valley,
 88 Hampshire, Center, Washington, Welton, Grant, Liberty, Spring
 89 Rock, Olive, Orange, De Witt, Eden, Camanche, and Lincoln as the
 90 townships existed in 1960, and that part of the city of Clinton
 91 described as follows:

92 Beginning at the intersection of the thread of the Beaver slough
 93 channel of the Mississippi river and the north section line of section
 94 twenty-four (24), township eighty-one (81) north, range six (6)
 95 east; thence westerly and thence northerly along the 1960 corporate
 96 limits of the city of Clinton to the center line of South Bluff boule-
 97 vard; thence northeast along the center line of South Bluff boule-
 98 vard to the center line of Twelfth avenue south; thence east along
 99 the center line of Twelfth avenue south to the center line of South
 100 Fourteenth street; thence north along the center line of South Four-
 101 teenth street to the center line of Eleventh avenue south; thence
 102 east along the center line of Eleventh avenue south to the center
 103 line of South Tenth street; thence north along the center line of
 104 South Tenth street to the center line of Eleventh avenue south;
 105 thence east along the center line of Eleventh avenue south to the
 106 center line of South Ninth street; thence north along the center line
 107 of South Ninth street to the center line of Tenth avenue south;
 108 thence east along the center line of Tenth avenue south to the cen-
 109 ter of the right-of-way of the Chicago and Northwestern railroad;
 110 thence southwest along the center of such right-of-way to the pro-
 111 jected center line of Eighteenth place; thence southeast along the
 112 projected center line, the center line, and the projected center line
 113 of Eighteenth place to the thread of Beaver slough channel of the
 114 Mississippi river; thence southwest along the thread of Beaver

115 slough channel to the north section line of section twenty-four (24),
116 township eighty-one (81) north, range six (6) east, the point of
117 beginning.

118 *b.* Subdistrict two (2) shall constitute that portion of Clinton
119 county which includes that part of the city of Clinton described as
120 follows:

121 Beginning with the intersection of the thread of the Beaver slough
122 channel of the Mississippi river and the north section line of section
123 twenty-four (24), township eighty-one (81) north, range six (6)
124 east; thence northeast along the thread of the Beaver slough channel
125 to the projected center line of Eighteenth place; thence northwest
126 along the projected center line, the center line, and the projected
127 center line of Eighteenth place to the center of the right-of-way of
128 the Chicago and Northwestern railroad; thence northeast along the
129 center of such right-of-way to the center line of Tenth avenue
130 south; thence west along the center line of Tenth avenue south to
131 the center line of South Ninth street; thence south along the center
132 line of South Ninth street to the center line of Eleventh avenue
133 south; thence west along the center line of Eleventh avenue south
134 to the center line of South Tenth street; thence south along the cen-
135 ter line of South Tenth street to the center line of Eleventh avenue
136 south; thence west along the center line of Eleventh avenue south
137 to the center line of South Fourteenth street; thence south along the
138 center line of South Fourteenth street to the center line of Twelfth
139 avenue south; thence west along the center line of Twelfth avenue
140 south to the center line of South Bluff boulevard; thence southwest
141 along the center line of South Bluff boulevard to the 1960 corporate
142 limits of the city of Clinton; thence north and east along the 1960
143 corporate limits of the city of Clinton to the thread of the main
144 channel of the Mississippi river; thence in a southerly direction
145 along the thread of the main channel of the Mississippi river to the
146 center line of section twenty-five (25), township eighty-one (81)
147 north, range six (6) east; thence north along the center line of
148 sections twenty-five (25) and twenty-four (24), township eighty-
149 one (81) north, range six (6) east, to the north line of section
150 twenty-four (24); thence west to the thread of the Beaver slough
151 channel of the Mississippi river, the point of beginning.

152 20. The county of Des Moines shall constitute one (1) representa-
153 tive district and shall be subdivided into the two (2) following
154 representative subdistricts and each subdistrict shall elect one (1)
155 representative:

156 *a.* Subdistrict one (1) shall constitute the following portions of
157 Des Moines county which include the townships of Yellow Springs,
158 Washington, Pleasant Grove, Danville, Augusta, and Concordia as
159 the townships existed in 1960, those parts of Flint River and Union
160 townships outside the 1960 corporate limits of the city of Burling-
161 ton, and that part of the city of Burlington described as follows:

162 Beginning at the intersection of the middle of the main channel of
163 the Mississippi river and the southern 1960 corporate limits of the
164 city of Burlington; thence west along the 1960 corporate limits to
165 the center line of Madison avenue; thence north along the center
166 line of Madison avenue to the center line of South street; thence

167 west along the center line of South street to the center line of Central
168 central avenue; thence northerly along the center line of Central ave-
169 nue to the center line of Angular street; thence westerly along the
170 center line of Angular street to the center line of Stony Lonesome
171 sewer; thence northeasterly along the center line of Stony Lonesome
172 sewer to the center line of Division street; thence east along the
173 center line of Division street to the center line of Central avenue;
174 thence northeast along the center line of Central avenue to the center
175 line of Linden street; thence west along the center line of Linden
176 street to the center line of the first alley east of Osborn street;
177 thence north along the center line of such alley and the center line
178 of Mark lane to the center line of Corse street; thence east along
179 the center line of Corse street to the center line of the first alley
180 east of Osborn street; thence north along the center line and the
181 projected center line of such alley to the 1960 corporate limits of
182 the city of Burlington; thence easterly along the 1960 corporate
183 limits to the center of the Mississippi river; thence south along the
184 middle of the main channel of the Mississippi river to the southern
185 1960 corporate limits of the city of Burlington, the point of begin-
186 ning.

187 b. Subdistrict two (2) shall constitute the following portions of
188 Des Moines county which include the townships of Huron, Franklin,
189 Benton, and Jackson as the townships existed in 1960, that part of
190 Tama township outside the 1960 corporate limits of the city of Bur-
191 lington, and that part of the city of Burlington described as fol-
192 lows:

193 Beginning at the intersection of the southern 1960 corporate
194 limits of the city of Burlington and the center line of Madison
195 avenue; thence westerly, thence northerly, and thence easterly along
196 the 1960 corporate limits of the city of Burlington to the projected
197 center line of the first alley east of Osborn street; thence south
198 along the projected center line and the center line of such alley to
199 the center line of Corse street; thence west along the center line of
200 Corse street to the center line of Mark lane; thence south along the
201 center line of Mark lane and the center line of the first alley east
202 of Osborn street to the center line of Linden street; thence east
203 along the center line of Linden street to the center line of Central
204 avenue; thence southwest along the center line of Central avenue
205 to the center line of Division street; thence west along the center
206 line of Division street to the center line of Stony Lonesome sewer;
207 thence southwesterly along the center line of Stony Lonesome sewer
208 to the center line of Angular street; thence easterly along the center
209 line of Angular street to the center line of Central avenue; thence
210 southerly along the center line of Central avenue to the center line
211 of South street; thence east along the center line of South street to
212 the center line of Madison avenue; thence south along the center
213 line of Madison avenue to the southern 1960 corporate limits of the
214 city of Burlington, the point of beginning.

215 21. The county of Jasper shall constitute one (1) representative
216 district and shall be subdivided into the two (2) following repre-
217 sentative subdistricts and each subdistrict shall elect one (1) repre-
218 sentative:

219 *a.* Subdistrict one (1) shall constitute the following portions of
220 Jasper county which include the townships of Clear Creek, Inde-
221 pendence, Malaka, Mariposa, Hickory Grove, Poweshiek, Sherman,
222 Kellogg, Rock Creek, and Washington as the townships existed in
223 1960, that part of Newton township lying outside the 1960 corporate
224 limits of the city of Newton, and that part of the city of Newton
225 described as follows:

226 Beginning at the center of the city block bounded on the north by
227 North Second avenue, on the east by First street, on the south by
228 First avenue, and on the west by West Second street; thence south
229 along the center line and the projected center line of the alley be-
230 tween West Second street and First street to the 1960 southern
231 corporate limits of the city of Newton; thence westerly, thence
232 northerly, and thence easterly along the 1960 corporate limits of
233 the city of Newton to the projected center line of East Seventh
234 street north; thence south along the projected center line and the
235 center line of East Seventh street north to the projected center line
236 of the alley between First avenue and North Second avenue; thence
237 west along the projected center line and the center line of such alley
238 to the center line of the alley between West Second street and First
239 street, the point of beginning.

240 *b.* Subdistrict two (2) shall constitute the following portions of
241 Jasper county which include the townships of Mound Prairie,
242 Buena Vista, Richland, Des Moines, Fairview, Elk Creek, and Lynn
243 Grove as the townships existed in 1960, that part of Palo Alto
244 township outside the 1960 corporate limits of the city of Newton,
245 and that part of the city of Newton described as follows:

246 Beginning at the center of the block bounded on the north by
247 North Second avenue, on the east by First street, on the south by
248 First avenue, and on the west by West Second street; thence east
249 on the center line and the projected center line of the alley between
250 North Second avenue and First avenue to the center line of East
251 Seventh street north; thence north along the center line and the
252 projected center line of East Seventh street north to the northern
253 1960 corporate limits of the city of Newton; thence easterly, thence
254 southerly, and thence westerly along the 1960 corporate limits of the
255 city of Newton to the projected center line of the alley between
256 West Second street and First street; thence north along the pro-
257 jected center line and the center line of such alley to the center line
258 of the alley between First avenue and North Second avenue, the
259 point of beginning.

260 22. The county of Johnson shall constitute one (1) representative
261 district and shall be subdivided into the two (2) following repre-
262 sentative subdistricts and each subdistrict shall elect one (1) repre-
263 sentative:

264 *a.* Subdistrict one (1) shall constitute the following portions of
265 Johnson county which include the townships of Big Grove, Cedar,
266 Newport, Graham, East Lucas, Scott, Pleasant Valley, Lincoln, and
267 Fremont as the townships existed in 1960, and that part of the city
268 of Iowa City described as follows:

269 Beginning at the intersection of Iowa avenue and the center line
270 of the Iowa river; thence east along the center line of Iowa avenue

271 to the center line of Madison street; thence south along the center
 272 line of Madison street to the center line of Washington street;
 273 thence east along the center line of Washington street to the center
 274 line of South Linn street; thence north along the center line of
 275 South and North Linn street to the center line of Bloomington
 276 street; thence east along Bloomington street to the center line of
 277 North Van Buren street; thence north along the center line and the
 278 projected center line of North Van Buren street to the 1960 cor-
 279 porate limits of the city of Iowa City; thence westerly, thence south-
 280 erly, and thence easterly along the 1960 corporate limits of the city
 281 of Iowa City to the center line of the Iowa river; thence northerly
 282 along the center line of the Iowa river to the center line of Iowa
 283 avenue, the point of beginning.

284 b. Subdistrict two (2) shall constitute the following portions of
 285 Johnson county which include the townships of Monroe, Jefferson,
 286 Oxford, Madison, Penn, Clear Creek, Hardin, Union, West Lucas,
 287 Washington, Sharon, and Liberty as the townships existed in 1960,
 288 and that part of the city of Iowa City described as follows:

289 Beginning at the intersection of Iowa avenue and the center line
 290 of the Iowa river; thence southerly along the center line of the Iowa
 291 river to the 1960 corporate limits of the city of Iowa City; thence
 292 easterly, thence northerly, and thence westerly along the 1960 cor-
 293 porate limits of the city of Iowa City to the projected center line of
 294 North Van Buren street; thence south along the projected center
 295 line and the center line of North Van Buren street to the center line
 296 of Bloomington street; thence west along the center line of Bloom-
 297 ington street to the center line of North Linn street; thence south
 298 along the center line of North and South Linn street to the center
 299 line of Washington street; thence west along Washington street to
 300 the center line of Madison street; thence north along the center line
 301 of Madison street to the center line of Iowa avenue; thence west
 302 along the center line of Iowa avenue to the center line of the Iowa
 303 river, the point of beginning.

304 23. The county of Lee shall constitute one (1) representative dis-
 305 trict and shall be subdivided into the two (2) following representa-
 306 tive subdistricts and each subdistrict shall elect one (1) representa-
 307 tive:

308 a. Subdistrict one (1) shall constitute the following portions of
 309 Lee county which include the townships of Cedar, Marion, Pleasant
 310 Ridge, Denmark, Harrison, Franklin, West Point, Washington,
 311 Green Bay, and Madison as the townships existed in 1960.

312 b. Subdistrict two (2) shall constitute the following portions of
 313 Lee county which include the townships of Van Buren, Charleston,
 314 Jefferson, Des Moines, Montrose, Jackson, and Keokuk as the town-
 315 ships existed in 1960.

316 24. The county of Marshall shall comprise one (1) representative
 317 district and shall be subdivided into the two (2) following repre-
 318 sentative subdistricts and each subdistrict shall elect one (1) repre-
 319 sentative:

320 a. Subdistrict one (1) shall constitute the following portions of
 321 Marshall county which shall include the townships of Liberty,
 322 Bangor, Liscomb, Vienna, Minerva, Marietta, Iowa, Taylor, and

323 Marion as the townships existed on June 1, 1967, and that part of
324 the city of Marshalltown described as follows:

325 All that part of the city of Marshalltown lying north of the center
326 line of East Main street and east of the center line of North Center
327 street and extending to the north and east corporation lines (first
328 ward); all that part of the city of Marshalltown lying north of the
329 center line of West Main street and between the center line of North
330 Center street and the center line of North Twelfth street to the
331 north line of West Summit street, thence east to the west line of
332 North Ninth street along the east line of the Soldiers Home grounds
333 and the east line of the Soldiers Home grounds produced to the
334 north corporation line, the said ward being bounded by the north
335 corporation line (second ward); and all that area of the city of
336 Marshalltown north of the center line of West Anson street and
337 West Anson street produced to the west corporation line and lying
338 west of the center line of Twelfth street and including the Soldiers
339 Home grounds and extending west to the west and north corporation
340 boundaries (sixth ward); all as the precincts existed on June 1,
341 1967.

342 b. Subdistrict two (2) shall constitute the following portions of
343 Marshall county which shall include the townships of State Center,
344 Washington, Timber Creek, Le Grand, Eden, Logan, Jefferson, and
345 Greencastle as the townships existed on June 1, 1967, and that part
346 of the city of Marshalltown described as follows:

347 All that part of the city of Marshalltown lying south of the center
348 line of West Main street and north of the center line of West Anson
349 street and West Anson street produced and extending west from the
350 center line of South Center street to the center line of South Twelfth
351 street (third ward); all that part of the city of Marshalltown lying
352 south of the center line of East Main street extending east to the
353 east corporation line and lying north of the center line of East
354 Anson street and East Anson street extended east to the east cor-
355 poration line and east of the center line of South Center street ex-
356 tending east from said south Center street to the east corporation
357 line (fourth ward); and all that part of the city of Marshalltown
358 lying south of the center line of Anson street and Anson street
359 extended, both east and west, to the corporate limits and including
360 the entire area from the said center line of Anson street as above
361 described to the south corporation line (fifth ward); all as the pre-
362 cincts existed on June 1, 1967.

363 25. The county of Story shall comprise one (1) representative
364 district and shall be subdivided into the two (2) following repre-
365 sentative subdistricts and each subdistrict shall elect one (1) repre-
366 sentative:

367 a. Subdistrict one (1) shall constitute the following portions of
368 Story county: the townships of Lafayette, Howard, Warren, Lin-
369 coln, Milford, Richland, and Sherman; that part of Franklin town-
370 ship outside the corporate limits of the city of Ames; all of the city
371 of Nevada; and that part of the city of Ames described as follows:

372 All that part of the city lying north of the main line tracks of the
373 Chicago and Northwestern railway company, east of the center line
374 of Burnett avenue, and south of the center line of Thirteenth street;

375 also all that part of the city lying north of the center line of Thir-
 376 teenth street and east of the center line of Grand avenue; also all
 377 that part of the city lying north of the main line tracks of the
 378 Chicago and Northwestern railway company, south of the center
 379 line of Thirteenth street, west of the center line of Burnett avenue,
 380 and east of the west half of the west half of section three (3), town-
 381 ship eighty-three (83) north, range twenty-four (24) west; also
 382 all that part of the city lying north of the center line of Thirteenth
 383 street, west of the center line of Grand avenue, and east of a line
 384 described as beginning at the intersection of the center line of
 385 Thirteenth street and the west line of section thirty-four (34),
 386 township eighty-four (84) north, range twenty-four (24) west,
 387 thence north along the west line of said section thirty-four (34),
 388 and following the corporate limits of the city to the north branch
 389 line of the Chicago and Northwestern railway company, thence
 390 northwesterly along said railroad tracks to the north corporate
 391 limits; and all that part of the city lying south of the main line
 392 tracks of the Chicago and Northwestern railway company lying east
 393 of the west half of the west half of sections three (3), ten (10), and
 394 fifteen (15), township eighty-three (83) north, range twenty-four
 395 (24) west, and south of the center line of Lincoln way lying west
 396 of the east half of the west half of sections ten (10) and fifteen
 397 (15), township eighty-three (83) north, range twenty-four (24)
 398 west except that part lying east of the center line of Hayward
 399 avenue and such line extended south and west of the east half of
 400 the west half of section ten (10), township eighty-three (83) north,
 401 range twenty-four (24) west, and such line as extended south, and
 402 except that part lying west of the center line of Hayward avenue
 403 and such line extended south.

404 b. Subdistrict two (2) shall constitute the following portions of
 405 Story county: the townships of New Albany, Palestine, Union,
 406 Indian Creek, and Collins; that part of Nevada township outside
 407 the corporate limits of the city of Nevada; that part of Grant and
 408 Washington townships outside the corporate limits of the city of
 409 Ames; and that part of the city of Ames described as follows:

410 All that part of the city lying north of the center line of Lincoln
 411 way and west of a line described as beginning at the intersection of
 412 the center line of Lincoln way and the southeast corner of the the*
 413 southwest quarter of the southwest quarter of section three (3),
 414 township eighty-three (83) north, range twenty-four (24) west,
 415 thence north to the center line of Thirteenth street, thence west
 416 along the center line of Thirteenth street to its intersection with the
 417 west line of section thirty-four (34), township eighty-four (84)
 418 north, range twenty-four (24) west, thence north to the northwest
 419 corner of the southwest quarter of the northwest quarter of said
 420 section thirty-four (34); and all that part of the city lying south
 421 of the main line tracks of the Chicago and Northwestern railway
 422 company lying east of the west half of the west half of sections
 423 three (3), ten (10), and fifteen (15), township eighty-three (83)
 424 north, range twenty-four (24) west, and south of the center line
 425 of Lincoln way lying west of the east half of the west half of sec-

*According to enrolled Act.

426 tions ten (10) and fifteen (15), township eighty-three (83) north,
427 range twenty-four (24) west, except that part lying east of the
428 west half of the west half of sections three (3) and ten (10), town-
429 ship eighty-three (83) north, range twenty-four (24) west, and
430 such line as extended south.

431 26. The county of Wapello shall constitute one (1) representative
432 district and shall be subdivided into the two (2) following repre-
433 sentative subdistricts and each subdistrict shall elect one (1) repre-
434 sentative:

435 a. Subdistrict one (1) shall constitute the following portions of
436 Wapello county which include the townships of Columbia, Richland,
437 Highland, Competine, Polk, Cass, Dahlonga, Agency, Pleasant,
438 Adams, Green, Keokuk, and Washington as the townships existed
439 in 1960, that part of Center township outside the 1960 corporate
440 limits of the city of Ottumwa, and that part of the city of Ottumwa
441 described as follows:

442 (1). Beginning at the southwest corner of the southeast quarter
443 of section twelve (12), township seventy-two (72) north, range
444 fourteen (14) west; thence northerly, thence easterly, and thence
445 southerly along the 1960 corporate limits of the city of Ottumwa
446 to the line between the north half and the south half of the south
447 half of the south half section of section seven (7), township seventy-
448 two (72) north, range thirteen (13) west; thence west along such
449 line to the projected center line of Elm street; thence south along
450 the projected center line of Elm street to the center line of Carter
451 avenue; thence west along the center line of Carter avenue to the
452 east line of Grandview addition; thence south along the east line of
453 Grandview addition to the center line of Grandview avenue; thence
454 west along the center line of Grandview avenue to the center line
455 of North Court street; thence northwest along the center line of
456 North Court street to the south line of section seven (7), township
457 seventy-two (72) north, range thirteen (13) west; thence west
458 along the south line of such section and the south line of section
459 twelve (12), township seventy-two (72) north, range fourteen (14)
460 west, to the north and south center line of section twelve (12), the
461 point of beginning.

462 (2). Beginning at the intersection of the center line of Milner
463 street and the south line of section thirty-six (36), township seven-
464 ty-two (72) north, range fourteen (14) west; thence southerly,
465 thence westerly, and thence northerly along the 1960 corporate
466 limits of the city of Ottumwa to the center line of Benton street;
467 thence east along the center line of Alta Vista avenue to the center
468 line of U.S. Highway sixty-three (63) north; thence southerly along
469 the center line of U.S. Highway sixty-three (63) north to the center
470 line of Woodland avenue; thence west along the center line of Wood-
471 land avenue to the center line of East Division street; thence south-
472 westerly along a line between the intersection of the center line of
473 Woodland avenue and the center line of East Division street to the
474 intersection of the center line of West Division street and the center
475 line of Woodland avenue; thence west along the center line of Wood-
476 land avenue to the center line of Benton street; thence north along
477 the center line of Benton street to the center line of Clay street;

478 thence southwesterly along the center line and the projected center
479 line of Clay street to the center of the main channel of the Des
480 Moines river; thence southeasterly along the center of the main
481 channel of the Des Moines river to the center line of South Wapello
482 street; thence southwest along the center line of South Wapello
483 street and South Wapello street extension to the center of the lagoon
484 formed by the old channel of the Des Moines river; thence south-
485 easterly along the center of the lagoon formed by the old channel
486 of the Des Moines river to the projected center line of the north-
487 easterly extension of Adella street; thence southwesterly along the
488 projected center line and the center line of Adella street to the cen-
489 ter line of Chester avenue; thence west along the center line of
490 Chester avenue to the center line of Milner street; thence south
491 along the center line of Milner street to the south line of section
492 thirty-six (36), township seventy-two (72) north, range fourteen
493 (14) west, the point of beginning.

494 b. Subdistrict two (2) shall constitute that portion of Wapello
495 county which includes the following part of the city of Ottumwa
496 described as follows:

497 Beginning at the intersection of the south line of section thirty-
498 six (36), township seventy-two (72) north, range fourteen (14)
499 west, and the center line of Milner street; thence north along the
500 center line of Milner street to the center line of Chester avenue;
501 thence east along the center line of Chester avenue to the center
502 line of Adella street; thence northeasterly along the center line and
503 the projected center line of Adella street to the center of the lagoon
504 formed by the old channel of the Des Moines river; thence north-
505 westerly along the center of the lagoon formed by the old channel
506 of the Des Moines river to the center line of South Wapello street
507 extension; thence northeast along the center line of South Wapello
508 street extension and South Wapello street to the center of the main
509 channel of the Des Moines river; thence northwesterly along the
510 center line of the main channel of the Des Moines river to the pro-
511 jected center line of Clay street; thence northeast along the pro-
512 jected center line and the center line of Clay street to the center line
513 of Benton street; thence south along the center line of Benton street
514 to the center line of Woodland avenue; thence east along the center
515 line of Woodland avenue to the center line of West Division street;
516 thence northeasterly along a line running between the intersection
517 of the center line of West Division street and the center line of
518 Woodland avenue and the intersection of the center line of East
519 Division street and the center line of Woodland avenue; thence east
520 along the center line of Woodland avenue to the center line of U.S.
521 Highway sixty-three (63) north; thence northerly along the center
522 line of U.S. Highway sixty-three (63) north to the center line of
523 Alta Vista avenue; thence west along the center line of Alta Vista
524 avenue to the center line of Benton street; thence north along the
525 center line of Benton street to the south line of section twelve (12),
526 township seventy-two (72) north, range fourteen (14) west; thence
527 east along the south lines of sections twelve (12) and seven (7),
528 township seventy-two (72) north, range thirteen (13) west, to the
529 center line of North Court street; thence southeast along the center

530 line of North Court street to the center line of Grandview avenue;
 531 thence east along the center line of Grandview avenue to the east
 532 line of Grandview addition; thence north along the east line of
 533 Grandview addition to the center line of Carter avenue; thence east
 534 along the center line of Carter avenue to the center line of Elm
 535 street; thence north along the projected center line of Elm street
 536 to the line between the north half and the south half of the south
 537 half of the south half section of section seven (7), township seven-
 538 ty-two (72) north, range thirteen (13) west; thence east along such
 539 line to the 1960 corporate limits of the city of Ottumwa; thence
 540 southerly and thence westerly along the 1960 corporate limits of
 541 the city of Ottumwa to the center line of Milner street; thence south
 542 along the center line of Milner street to the south line of section
 543 thirty-six (36), township seventy-two (72) north, range fourteen
 544 (14) west, the point of beginning.

545 27. The county of Webster shall constitute one representative
 546 district and shall be subdivided into the two (2) following repre-
 547 sentative subdistricts and each subdistrict shall elect one (1) repre-
 548 sentative:

549 a. Subdistrict one (1) shall constitute the following portions of
 550 Webster county which include the townships of Jackson, Deer
 551 Creek, Johnson, Douglas, Fulton, Elkhorn, Roland, Clay, Gowrie,
 552 and Lost Grove as the townships existed on June 1, 1967, and that
 553 part of the city of Fort Dodge described as follows:

554 Beginning at the intersection of Avenue A west and the western
 555 June 1, 1967 corporate limits of the city of Fort Dodge; thence
 556 northerly, thence easterly, and thence southerly along the June 1,
 557 1967 corporate limits of the city of Fort Dodge to the northeast
 558 corner of the southwest quarter of the southeast quarter of section
 559 twenty-two (22), township eighty-nine (89) north, range twenty-
 560 eight (28) west; thence west along the east and west center lines
 561 of the south half of sections twenty-two (22) and twenty-one (21),
 562 township eighty-nine (89) north, range twenty-eight (28) west, to
 563 the northwest corner of the southwest quarter of the southeast
 564 quarter of section twenty-one (21); thence north along the center
 565 line of South Twenty-ninth street to the center line of First avenue
 566 south; thence west along the center line of First avenue south to the
 567 center line of Twelfth street; thence south along the center line of
 568 Twelfth street to the center line of First avenue south; thence west
 569 along the center line of First avenue south projected to the center
 570 of the west channel of the Des Moines river; thence south along the
 571 center of the west channel of the Des Moines river to the projected
 572 center line of Avenue A west; thence west along the projected center
 573 line and the center line of Avenue A west to the western June
 574 1, 1967 corporate limits of the city of Fort Dodge, the point of
 575 beginning.

576 b. Subdistrict two (2) shall constitute the following portions of
 577 Webster county which include the townships of Badger, Newark,
 578 Cooper, Colfax, Pleasant Valley, Otho, Washington, Burnside, Sum-
 579 ner, Webster, Yell, Dayton, and Hardin as the townships existed
 580 on June 1, 1967, and that part of the city of Fort Dodge described
 581 as follows:

582 Beginning at the intersection of the western June 1, 1967 corpo-
583 rate limits of the city of Fort Dodge and the center line of Avenue
584 A west; thence east along the center line of Avenue A west pro-
585 jected to the center of the west channel of the Des Moines river;
586 thence north along the center of the west channel of the Des Moines
587 river to the projected center line of First avenue south; thence east
588 along the projected center line and the center line of First avenue
589 south to the center line of Twelfth street; thence north along the
590 center line of Twelfth street to the center line of First avenue south;
591 thence east along the center line of First avenue south to the center
592 line of South Twenty-ninth street; thence south along the center
593 line of South Twenty-ninth street to the northwest corner of the
594 southwest quarter of the southeast quarter of section twenty-one
595 (21), township eighty-nine (89) north, range twenty-eight (28)
596 west; thence east along the east and west center line of the south
597 half of sections twenty-one (21) and twenty-two (22), township
598 eighty-nine (89) north, range twenty-eight (28) west to the north-
599 east corner of the southwest quarter of the southeast quarter of
600 section twenty-two (22); thence southerly, thence westerly, and
601 thence northerly along the June 1, 1967 corporate limits of the city
602 of Fort Dodge to the center line of Avenue A west, the point of
603 beginning.

604 28. The counties of Louisa and Muscatine shall constitute one (1)
605 representative district and shall be subdivided into the two (2) fol-
606 lowing representative subdistricts and each subdistrict shall elect
607 one (1) representative:

608 a. Subdistrict one (1) shall constitute the following portions of
609 Muscatine county which include the townships of Wapsinonoc,
610 Goshen, Moscow, Wilton, Fulton, Pike, Lake, Sweetland, and Mont-
611 pelier as the townships existed in 1960, that part of Bloomington
612 township outside the 1960 corporate limits of the city of Muscatine,
613 and that part of the city of Muscatine described as follows:

614 Beginning at the intersection of the west line of the 1960 corpo-
615 rate limits of the city of Muscatine and the projected center line of
616 Fulliam avenue extended westerly from the intersection of the center
617 line of Houser street and the center line of Fulliam avenue;
618 thence northerly, thence easterly, and thence southerly along the
619 1960 corporate limits to the low water mark of the Mississippi
620 river; thence southwesterly along the low water mark of the river
621 to the projected center line of Chestnut street; thence northwesterly
622 along the projected center line and the center line of Chestnut street
623 to the center line of Eighth street; thence northwesterly along the
624 projected center line of Chestnut street to the east and west center
625 line of section thirty-five (35), township seventy-seven (77) north,
626 range two (2) west; thence west along such east and west center
627 line to the southwest corner of lot seventy-seven (77) of the sub-
628 division of the northwest quarter of such section thirty-five (35);
629 thence north to the center line of Fulliam avenue; thence westerly
630 along the center line of Fulliam avenue to the center line of Houser
631 street; thence westerly along the projected center line of Fulliam
632 avenue to the west line of the 1960 corporate limits of the city of
633 Muscatine, the point of beginning. All references in this Act to the

634 1960 corporate limits of the city of Muscatine mean such 1960 cor-
 635 porate limits as they existed after completion of the 1960 annexation
 636 of territory by the city of Muscatine.

637 b. Subdistrict two (2) shall constitute Louisa county and the fol-
 638 lowing portions of Muscatine county which include the townships of
 639 Orono, Cedar, Seventy-six, and Fruitland as the townships existed
 640 in 1960, and that part of the city of Muscatine which is within the
 641 1960 corporate limits of the city of Muscatine and which is not in-
 642 cluded in subdistrict one (1) as hereinabove provided.

643 29. The county of Dubuque shall constitute one (1) representa-
 644 tive district and shall be subdivided into the three (3) following
 645 representative subdistricts and each subdistrict shall elect one (1)
 646 representative:

647 a. Subdistrict one (1) shall constitute the following portions of
 648 Dubuque county which include the townships of Liberty, Concord,
 649 Jefferson, Peru, New Wine, Iowa, Center, Dubuque, Dodge, Taylor,
 650 and Vernon as the townships existed in 1960, and those parts of the
 651 city of Dubuque described as follows:

652 (1). Beginning at the intersection of the projected center line of
 653 Gay street and the center line of Kane street; thence north along a
 654 line directly from such intersection to a point six hundred (600)
 655 feet north of Kane street; thence northwesterly along a line six
 656 hundred (600) feet north of and parallel to Kane street to the east
 657 line of section fifteen (15), township eighty-nine (89) north, range
 658 two (2) east; thence north along the east line of section fifteen (15)
 659 to the east and west center line thereof; thence west along the east
 660 and west center line of section fifteen (15) to the 1960 corporate
 661 limits of the city of Dubuque; thence northeasterly, thence easterly,
 662 and thence northerly along the 1960 corporate limits to the north
 663 line of section fourteen (14), township eighty-nine (89) north,
 664 range two (2) east; thence east along the north lines of sections
 665 fourteen (14) and thirteen (13), township eighty-nine (89) north,
 666 range two (2) east to the projected center line of Morton street;
 667 thence southeasterly along the projected center line and the center
 668 line of Morton street to the projected center line of Marquette place;
 669 thence southeasterly along the projected center line and the center
 670 line of Marquette place to the center line of East Twenty-sixth
 671 street; thence southwesterly along the center line of East Twenty-
 672 sixth street to the center line of Central avenue; thence southerly
 673 along the center line of Central avenue to the center line of Diagonal
 674 street; thence westerly along the center line of Diagonal street to
 675 the center line of Broadway street; thence northwesterly along the
 676 center line of Broadway street to the center line of Gay street;
 677 thence westerly along the center line and the projected center line
 678 of Gay street to the center line of Kane street, the point of begin-
 679 ning.

680 (2). Beginning at the intersection of the center of the Mississippi
 681 river and the projected center line of East Twentieth street; thence
 682 southwesterly along the projected center line of East Twentieth
 683 street to the projected center line of Stafford street; thence north-
 684 westerly along the projected center line and the center line of Staf-
 685 ford street to the center line of Thomas street; thence northeasterly

686 along the center line of Thomas street to the section line between
 687 section thirteen (13), township eighty-nine (89) north, range two
 688 (2) east and section eighteen (18), township eighty-nine (89)
 689 north, range three (3) east; thence north along the west line of
 690 sections eighteen (18) and seven (7), township eighty-nine (89)
 691 north, range three (3) east to the northwest corner of section seven
 692 (7); thence east along the north line of section seven (7) to the
 693 center of the Mississippi river; thence southerly along the center
 694 of the Mississippi river to the projected center line of East Twen-
 695 tieth street, the point of beginning.

696 b. Subdistrict two (2) shall constitute the following portions of
 697 Dubuque county which include the townships of Cascade, White-
 698 water, Prairie Creek, Washington, Table Mound, and Mosalem as
 699 the townships existed in 1960, and that part of the city of Dubuque
 700 described as follows:

701 Beginning at the intersection of the center of the Mississippi river
 702 and the southern 1960 corporate limits of the city of Dubuque;
 703 thence west along the 1960 corporate limits to the southwest corner
 704 of section thirty-five (35), township eighty-nine (89) north, range
 705 two (2) east; thence northerly and thence westerly along the 1960
 706 corporate limits of the city of Dubuque to the section line between
 707 sections fifteen (15) and twenty-two (22), township eighty-nine
 708 (89) north, range two (2) east; thence east along such section line
 709 to the center line of Carter road; thence southerly along the center
 710 line of Carter road to the center line of Kaufmann avenue; thence
 711 easterly along the center line of Kaufmann avenue to the section line
 712 between sections twenty-two (22) and twenty-three (23), township
 713 eighty-nine (89) north, range two (2) east; thence south along such
 714 section line to the projected center line of the alley between Clarke
 715 drive and Lowell street; thence easterly along the projected center
 716 line of such alley to the center line of Abbott street; thence south-
 717 erly along the projected center line of Abbott street to the center
 718 line of West Locust street; thence southwesterly along the center
 719 line of West Locust street to the intersection of the center lines of
 720 Clarke drive and West Locust street; thence southeasterly along a
 721 line directly from such intersection to the intersection of the center
 722 lines of Rosedale avenue and Adair street; thence northeasterly
 723 along the center line of Rosedale avenue to the projected center line
 724 of Kirkwood street; thence northeasterly along the projected center
 725 line and the center line of Kirkwood street to the center line of
 726 Alta Vista street; thence southerly along the center line of Alta
 727 Vista street to the center line of Loras boulevard; thence easterly
 728 along the center line of Loras boulevard to the center line of Bel-
 729 mont street; thence southerly along the center line of Belmont street
 730 to the center line of Rose street; thence easterly along the center
 731 line of Rose street to the center line of Center place; thence south-
 732 erly along the center line of Center place to the center line of Uni-
 733 versity avenue; thence easterly along the center line of University
 734 avenue to the center line of Wilson street; thence southerly along
 735 the center line of Wilson street to the center line of West Fifth
 736 street; thence easterly along the center line of West Fifth street
 737 to the center line of Hill street; thence southwesterly along the cen-

738 ter line of Hill street to the center line of Dodge street; thence
 739 easterly along the center line of Dodge street to the center line of
 740 Rising street; thence easterly along the center line of Rising street
 741 to the center line of Union street; thence southerly along the center
 742 line of Union street to the center line of Quinn street; thence south-
 743 easterly along the center lines of Quinn street and Valley street to
 744 the westerly side of Southern avenue; thence southwesterly along
 745 the westerly side of Southern avenue to the northeasterly side of
 746 Samuel street; thence northwesterly along the northeasterly side of
 747 Samuel street to Levi street; thence across Samuel street at Levi
 748 street to the southwesterly side of Samuel street; thence southeast-
 749 erly along the southwesterly side of Samuel street to the westerly
 750 side of Southern avenue; thence southwesterly along the westerly
 751 side of Southern avenue to the east and west center line of section
 752 thirty-six (36), township eighty-nine (89) north, range two (2)
 753 east; thence easterly along the east and west center line of section
 754 thirty-six (36) to the southeasterly line of lot nineteen (19) of
 755 Rowan's addition; thence northeasterly along the southeasterly
 756 line of lot nineteen (19) to the northwesterly line of the subdivision
 757 of mineral lot twenty (20); thence northeasterly along the north-
 758 westerly line of such subdivision to Laurel street; thence easterly
 759 along the northerly line and the projected northerly line of Lin-
 760 hein's subdivision to the center of the Mississippi river; thence
 761 southeasterly along the center of the Mississippi river to the south-
 762 ern 1960 corporate limits of the city of Dubuque, the place of be-
 763 ginning.

764 c. Subdistrict three (3) shall constitute that portion of Dubuque
 765 county which includes that part of the city of Dubuque described as
 766 follows:

767 Beginning at the intersection of the center of the Mississippi river
 768 and the projected north line of Linhein's subdivision; thence west
 769 along the projected northerly line and the northerly line of Linhein's
 770 subdivision to Laurel street; thence southwesterly along the north-
 771 westerly line of the subdivision of mineral lot twenty (20) to the
 772 southeasterly line of lot nineteen (19) of Rowan's addition; thence
 773 southwesterly to the east and west center line of section thirty-six
 774 (36), township eighty-nine (89) north, range two (2) east; thence
 775 west along the east and west center line of section thirty-six (36)
 776 to the westerly side of Southern avenue; thence northeasterly along
 777 the westerly side of Southern avenue to the southwesterly side of
 778 Samuel street; thence northwesterly along the southwesterly side
 779 of Samuel street to Levi street; thence across Samuel street at Levi
 780 street to the northeasterly side of Samuel street; thence southeast-
 781 erly along the northeasterly side of Samuel street to the westerly
 782 side of Southern avenue (including all residents on both sides of
 783 Southern avenue and Samuel street south and east of Levi street);
 784 thence northeasterly along the westerly side of Southern avenue to
 785 the center line of Valley street; thence northwesterly along the
 786 center lines of Valley street and Quinn street to the center line of
 787 Union street; thence northerly along the center line of Union street
 788 to the center line of Rising street; thence westerly along the center
 789 line of Rising street to the center line of Dodge street; thence west-

790 erly along the center line of Dodge street to the center line of Hill
791 street; thence northeasterly along the center line of Hill street to
792 the center line of West Fifth street; thence westerly along the center
793 line of West Fifth street to the center line of Wilson street;
794 thence northerly along the center line of Wilson street to the center
795 line of University avenue; thence westerly along the center line of
796 University avenue to the center line of Center place; thence north-
797 erly along the center line of Center place to the center line of Rose
798 street; thence westerly along the center line of Rose street to the
799 center line of Belmont street; thence northerly along the center line
800 of Belmont street to the center line of Loras boulevard; thence
801 westerly along the center line of Loras boulevard to the center line
802 of Alta Vista street; thence northerly along the center line of Alta
803 Vista street to the center line of Kirkwood street; thence south-
804 westerly along the center line and the projected center line of Kirk-
805 wood street to the center line of Rosedale avenue; thence south-
806 westerly along the center line of Rosedale avenue to the intersection
807 of the center lines of Adair street and Rosedale avenue; thence
808 northwesterly along a line directly from such intersection to the
809 intersection of the center lines of Clarke drive and West Locust
810 street; thence northeasterly along the center line of West Locust
811 street to the projected center line of Abbott street; thence north-
812 erly along the projected center line of Abbott street to the center
813 line of the alley between Clarke drive and Lowell street; thence
814 westerly along the projected center line of such alley to the section
815 line between sections twenty-two (22) and twenty-three (23),
816 township eighty-nine (89) north, range two (2) east; thence north
817 along such section line to the center line of Kaufmann avenue;
818 thence westerly along the center line of Kaufmann avenue to the
819 center line of Carter road; thence northerly along the center line
820 of Carter road to the section line between sections fifteen (15) and
821 twenty-two (22), township eighty-nine (89) north, range two (2)
822 east; thence west along such section line to the 1960 corporate lim-
823 its of the city of Dubuque; thence northerly, thence easterly, and
824 thence northerly along the 1960 corporate limits of the city of
825 Dubuque to the east and west center line of section fifteen (15);
826 thence east along the east and west center line of section fifteen
827 (15) to the east line thereof; thence south along the east line of
828 section fifteen (15) to a line six hundred (600) feet north of and
829 parallel to Kane street; thence southeasterly along a line six hun-
830 dred (600) feet north of and parallel to Kane street to a point six
831 hundred (600) feet due north of the intersection of the center line
832 of Kane street and the projected center line of Gay street; thence
833 south along a line directly from such intersection to the intersection
834 of the center line of Kane street and the projected center line of
835 Gay street; thence easterly along the projected center line and the
836 center line of Gay street to the center line of Broadway street;
837 thence southeasterly along the center line of Broadway street to the
838 center line of Diagonal street; thence easterly along the center line
839 of Diagonal street to the center line of Central avenue; thence north-
840 erly along the center line of Central avenue to the center line of
841 East Twenty-sixth street; thence northeasterly along the center line

842 of East Twenty-sixth street to the center line of Marquette place;
 843 thence northwesterly along the center line and the projected center
 844 line of Marquette place to the center line of Morton street; thence
 845 northwesterly along the center line and the projected center line of
 846 Morton street to the section line between sections thirteen (13) and
 847 twelve (12), township eighty-nine (89) north, range two (2) east;
 848 thence east along such section line to the north and south center line
 849 of section twelve (12); thence north along the north and south center
 850 line of section twelve (12) to the center thereof; thence easterly,
 851 thence southerly, and thence easterly along the 1960 corporate limits
 852 of the city of Dubuque to the east line of section twelve (12);
 853 thence south along the east line of sections twelve (12) and thirteen
 854 (13), township eighty-nine (89) north, range two (2) east to the
 855 center line of Thomas street; thence southwesterly along the center
 856 line of Thomas street to the center line of Stafford street; thence
 857 southeasterly along the center line and the projected center line of
 858 Stafford street to the projected center line of East Twentieth street;
 859 thence northeasterly along the projected center line of East Twen-
 860 tieth street to the center of the Mississippi river; thence southerly
 861 along the center of the Mississippi river to the projected northerly
 862 line of Linhein's subdivision, the point of beginning.

863 30. The county of Pottawattamie shall constitute one (1) repre-
 864 sentative district and shall be subdivided into the four (4) follow-
 865 ing representative subdistricts and each subdistrict shall elect one
 866 (1) representative:

867 a. Subdistrict one (1) shall constitute the following portions of
 868 Pottawattamie county which include the townships of Garner,
 869 Hardin, Washington, Belknap, Center, Wright, Waveland, Grove,
 870 Macedonia, Carson, and Silver Creek as the townships existed in
 871 1960, that part of Kane township outside the 1960 corporate limits
 872 of the cities of Council Bluffs and Carter Lake, and that part of the
 873 city of Council Bluffs described as follows:

874 Beginning at the intersection of the center line of South Ninth
 875 street and the southern 1960 corporate limits of the city of Council
 876 Bluffs; thence north along the center line of South Ninth street to
 877 the center line of Ninth avenue; thence east along the center line
 878 of Ninth avenue to the center line of South Main street; thence
 879 northeasterly along the center line of South Main street to the cen-
 880 ter line of Broadway; thence northeasterly along the center line of
 881 Broadway to the center line of Oak street; thence southeast along
 882 the center line of Oak street to the center line of East Pierce street;
 883 thence northeast along the center line of East Pierce street to the
 884 center line of McPherson avenue; thence southerly along the center
 885 line of McPherson avenue to the 1960 corporate limits of the city
 886 of Council Bluffs; thence southerly and thence westerly along the
 887 1960 corporate limits of the city of Council Bluffs to the center line
 888 of South Ninth street, the point of beginning.

889 b. Subdistrict two (2) shall constitute the following portions of
 890 Pottawattamie county which include the townships of Rockford,
 891 Boomer, Neola, Minden, Pleasant, Knox, Layton, Lincoln, Valley,
 892 James, York, Norwalk, Hazel Dell, Crescent, and Lake as the town-
 893 ships existed in 1960, and that part of the city of Council Bluffs
 894 described as follows:

895 Beginning with the intersection of the center line of Broadway
 896 and North Eighth street; thence northerly along the center line of
 897 North Eighth street to the center line of River boulevard; thence
 898 north along the center line of River boulevard to the northern 1960
 899 corporate limits of the city of Council Bluffs; thence easterly and
 900 thence southerly along the 1960 corporate limits to the center line
 901 of McPherson avenue; thence northerly along the center line of
 902 McPherson avenue to the center line of East Pierce street; thence
 903 southwest along the center line of East Pierce street to the center
 904 line of Oak street; thence northwest along the center line of Oak
 905 street to the center line of Broadway; thence southwesterly along
 906 the center line of Broadway to the center line of North Eighth
 907 street, the point of beginning.

908 *c.* Subdistrict three (3) shall constitute that portion of Potta-
 909 wattamie county which includes all of the city of Carter Lake within
 910 the 1960 corporate limits and that part of the city of Council Bluffs
 911 described as follows:

912 Beginning with the intersection of the center lines of Ninth ave-
 913 nue and South Ninth street; thence north along the center line of
 914 South Ninth street to the center line of Broadway; thence west
 915 along the center line of Broadway to the center of the Missouri
 916 river; thence northeasterly along the center of the Missouri river
 917 to the northern 1960 corporate limits of the city of Council Bluffs;
 918 thence east along the northern 1960 corporate limits to the center
 919 line of River boulevard; thence south along the center line of River
 920 boulevard to the center line of North Eighth street; thence south-
 921 erly along the center line of North Eighth street to the center line
 922 of Broadway; thence east along the center line of Broadway to the
 923 center line of South Main street; thence southwesterly along the
 924 center line of South Main street to the center line of Ninth avenue;
 925 thence west along the center line of Ninth avenue to the center line
 926 of South Ninth street, the point of beginning.

927 *d.* Subdistrict four (4) shall constitute the following portions of
 928 Pottawattamie county which include the townships of Lewis and
 929 Keg Creek as the townships existed in 1960, and that part of the
 930 city of Council Bluffs described as follows:

931 Beginning at the intersection of the center lines of South Ninth
 932 street and the southern 1960 corporate limits of the city of Council
 933 Bluffs; thence westerly along the southern 1960 corporate limits of
 934 the city of Council Bluffs to the center of the Missouri river; thence
 935 northwesterly along the center of the Missouri river to the center
 936 line of Broadway; thence east along the center line of Broadway to
 937 the center line of South Ninth street; thence south along the center
 938 line of South Ninth street to the southern 1960 corporate limits of
 939 the city of Council Bluffs, the point of beginning.

940 31. The county of Black Hawk shall constitute one (1) represent-
 941 ative district and shall be subdivided into the five (5) following
 942 representative subdistricts and each subdistrict shall elect one (1)
 943 representative:

944 *a.* Subdistrict one (1) shall constitute the following portions of
 945 Black Hawk county which include the township of Union as the
 946 township existed in 1960, that part of Cedar Falls township lying

947 outside the 1960 corporate limits of the city of Cedar Falls, and all
 948 of the city of Cedar Falls lying within the 1960 corporate limits.

949 b. Subdistrict two (2) shall constitute that portion of Black
 950 Hawk county which includes that part of the city of Waterloo de-
 951 scribed as follows:

952 Beginning with the intersection of the center of the main channel
 953 of the Cedar river and the center line of West Fourth street; thence
 954 southwest along the center line of West Fourth street to the center
 955 line of Commercial street; thence southeast along the center line of
 956 Commercial street to the center line of West Fourth street; thence
 957 southwest along the center line of West Fourth street to the center
 958 line of South street; thence southeast along the center line of South
 959 street to the center line of Hammond avenue; thence south along the
 960 center line of Hammond avenue to the center line of Williston ave-
 961 nue; thence east along the center line of Williston avenue to the
 962 center line of West Eleventh street; thence south along the center
 963 line of West Eleventh street to the center line of Cornwall avenue;
 964 thence west along the center line of Cornwall avenue to the center
 965 line of Hammond avenue; thence south along the center line and the
 966 projected center line of Hammond avenue to the 1960 corporate
 967 limits of the city of Waterloo; thence west along the 1960 corporate
 968 limits of the city of Waterloo to the projected center line of West
 969 Fourth street; thence northeast along the projected center line and
 970 the center line of West Fourth street to the center line of Baltimore
 971 street; thence northwest along the center line of Baltimore street
 972 to the center line of Sullivan avenue; thence southwesterly along
 973 the center line of Sullivan avenue to its intersection with the center
 974 line of Denver street; thence westerly along the southerly boundary
 975 of Elmwood cemetery to the center line of Pett street; thence west
 976 along the center lines and the projected center lines of Pett street
 977 and Elsa street to the center of Black Hawk creek; thence northeast
 978 along the center of the main channel of Black Hawk creek, entering
 979 the Cedar river between the projected center lines of Fairview ave-
 980 nue and Ashland avenue, to the center of the main channel of the
 981 Cedar river; thence northwesterly along the main channel of the
 982 Cedar river to the projected center line of Ashland avenue; thence
 983 north following the projected center line and the center line of Ash-
 984 land avenue to the center line of the right-of-way of the Illinois Cen-
 985 tral railroad; thence northwest along the center of such right-of-way
 986 to the center of the right-of-way of the Waterloo, Cedar Falls, and
 987 Northern railroad; thence east along the center line of such right-of-
 988 way to the center line of Broadway; thence south along the center
 989 line of Broadway to the center line of the Illinois Central railroad
 990 right-of-way; thence southeast along the center line of such right-
 991 of-way to the center line of Dawson street; thence east along the
 992 center line of Dawson street to the center line of Logan avenue;
 993 thence north along the center line of Logan avenue to the center line
 994 of Ricker street; thence east along the center line of Ricker street
 995 to the center line of East Fourth street; thence south and southwest
 996 along the center line of East Fourth street to the center of the main
 997 channel of the Cedar river, the point of beginning.

998 c. Subdistrict three (3) shall constitute that portion of Black

1000 Hawk county which includes that part of the city of Waterloo described as follows:

1001 Beginning with the intersection of the center of the main channel
 1002 of the Cedar river and the southern 1960 corporate limits of the city
 1003 of Waterloo; thence west along the 1960 corporate limits of the city
 1004 of Waterloo to the projected center line of Hammond avenue; thence
 1005 north along the projected center line and the center line of Ham-
 1006 mond avenue to the center line of Cornwall avenue; thence east
 1007 along the center line of Cornwall avenue to the center line of West
 1008 Eleventh street; thence north along the center line of West Elev-
 1009 enth street to the center line of Williston avenue; thence west along
 1010 the center line of Williston avenue to the center line of Hammond
 1011 avenue; thence north along the center line of Hammond avenue to
 1012 the center line of South street; thence northwest along the center
 1013 line of South street to the center line of West Fourth street; thence
 1014 northeast along the center line of West Fourth street to the center
 1015 line of Commercial street; thence northwest along the center line of
 1016 Commercial street to the center line of West Fourth street; thence
 1017 northeast and north along the center lines of West Fourth street
 1018 and East Fourth street to the northern 1960 corporate limits of the
 1019 city of Waterloo; thence easterly and thence southerly following the
 1020 1960 corporate limits of the city of Waterloo to the intersection of
 1021 the center of the main channel of the Cedar river and the southern
 1022 1960 corporate limits of the city of Waterloo, the point of beginning.

1023 *d.* Subdistrict four (4) shall constitute the following portions of
 1024 Black Hawk county which include the townships of Washington,
 1025 Bennington, Lester, Poyner, and Barclay as the townships existed
 1026 in 1960, those parts of East Waterloo and Mt. Vernon townships
 1027 outside the 1960 corporate limits of the city of Waterloo, and that
 1028 part of the city of Waterloo described as follows:

1029 Beginning at the intersection of the center of the main channel
 1030 of the Cedar river and the projected center line of Ashland avenue;
 1031 thence in a northwesterly direction along the center of the main
 1032 channel of the Cedar river to the western 1960 corporate limits of
 1033 the city of Waterloo; thence northerly and thence easterly along the
 1034 1960 corporate limits of the city of Waterloo to the center line of
 1035 East Fourth street; thence south along the center line of East
 1036 Fourth street to the center line of Ricker street; thence west along
 1037 the center line of Ricker street to the center line of Logan avenue;
 1038 thence south along the center line of Logan avenue to the center
 1039 line of Dawson street; thence west along the center line of Dawson
 1040 street to the center of the right-of-way of the Illinois Central rail-
 1041 road; thence northwest along the center line of such right-of-way
 1042 to the center line of Broadway; thence north along the center line
 1043 of Broadway to the center line of the right-of-way of the Waterloo,
 1044 Cedar Falls, and Northern railroad; thence west along the center of
 1045 such right-of-way of the Waterloo, Cedar Falls, and Northern rail-
 1046 road to the center of the right-of-way of the Illinois Central rail-
 1047 road; thence southeast along the center line of such right-of-way to
 1048 the center line of Ashland avenue; thence south along the center line
 1049 and the projected center line of Ashland avenue to the center of the
 1050 main channel of the Cedar river, the point of beginning.

1051 e. Subdistrict five (5) shall constitute the following portions of
 1052 Black Hawk county which include the townships of Lincoln, Eagle,
 1053 Big Creek, Spring Creek, Fox, Cedar, Orange, and Black Hawk as
 1054 the townships existed in 1960, that part of Waterloo township lying
 1055 outside the 1960 corporate limits of the city of Waterloo, and that
 1056 part of the city of Waterloo described as follows:

1057 Beginning with the intersection of the center of the main channel
 1058 of the Cedar river and the center of the main channel of Black
 1059 Hawk creek entering the Cedar river between the projected center
 1060 line of Ashland avenue and the projected center line of Fairview
 1061 avenue; thence southwest along the main channel of Black Hawk
 1062 creek to the projected center line of Elsa street; thence east along
 1063 the projected center line and the center line of Elsa street and the
 1064 projected center line and the center line of Pett street to the west-
 1065 ern boundary of Elmwood cemetery; thence southeast and east
 1066 along the southerly boundary of Elmwood cemetery to the inter-
 1067 section of Denver street and Sullivan avenue; thence northeast
 1068 along the center line of Sullivan avenue to the center line of Balti-
 1069 more street; thence southeast along the center line of Baltimore
 1070 street to the center line of West Fourth street; thence southwest
 1071 along the center line and the projected center line of West Fourth
 1072 street to the 1960 corporate limits of the city of Waterloo; thence
 1073 northerly and thence easterly along the 1960 corporate limits of the
 1074 city of Waterloo to the center of the main channel of the Cedar
 1075 river; thence southeast following the center of the main channel of
 1076 the Cedar river to the center of the main channel of Black Hawk
 1077 creek entering the Cedar river between the projected center lines of
 1078 Ashland avenue and Fairview avenue, the point of beginning.

1079 32. The county of Scott shall constitute one (1) representative
 1080 district and shall be subdivided into the five (5) following repre-
 1081 sentative subdistricts and each subdistrict shall elect one (1) repre-
 1082 sentative:

1083 a. Subdistrict one (1) shall constitute the following portions of
 1084 Scott county which include the townships of Blue Grass and Buf-
 1085 falo as the townships existed in 1960, and that part of the city of
 1086 Davenport, City of Davenport township and Davenport township
 1087 described as follows:

1088 Beginning at the intersection of the center of the main channel of
 1089 the Mississippi river and the western 1960 corporate limits of the
 1090 city of Davenport; thence north along the 1960 corporate limits of
 1091 the city of Davenport to the township line between township seven-
 1092 ty-eight (78) north and township seventy-nine (79) north; thence
 1093 east along such township line to the projected center line of Mar-
 1094 quette street; thence south along the projected center line and cen-
 1095 ter line of Marquette street to the center line of Kimberly road;
 1096 thence west along the center line of Kimberly road to the center line
 1097 of Division street; thence south along the center line of Division
 1098 street to the center line of Locust street; thence west along the cen-
 1099 ter line of Locust street to the north and south center line of section
 1100 twenty-one (21), township seventy-eight (78) north, range three
 1101 (3) east; thence south along the north and south center line of sec-
 1102 tions twenty-one (21), twenty-eight (28), and thirty-three (33),

1103 township seventy-eight (78) north, range three (3) east, to the
1104 center line of Forest Park lane; thence southeast along the center
1105 line of Forest Park lane to the center line of Telegraph road; thence
1106 southwest along the center line of Telegraph road to the projected
1107 center line of Rolff street; thence southeast along the projected
1108 center line, the center line, and the projected center line of Rolff
1109 street to the center of the main channel of the Mississippi river;
1110 thence southwest along the center of the main channel of the Missis-
1111 sippi river to the 1960 corporate limits of the city of Davenport, the
1112 point of beginning.

1113 *b.* Subdistrict two (2) shall constitute that portion of Scott coun-
1114 ty which includes that part of the city of Davenport described as
1115 follows:

1116 Beginning at the intersection of the center of the main channel of
1117 the Mississippi river and the projected center line of Rolff street;
1118 thence northerly along the projected center line, the center line, and
1119 the projected center line of Rolff street to the center line of Tele-
1120 graph road; thence northeast along the center line of Telegraph
1121 road to the center line of Forest Park lane; thence northwest along
1122 the center line of Forest Park lane to the north and south center line
1123 of section thirty-three (33), township seventy-eight (78) north,
1124 range three (3) east; thence north along the north and south center
1125 lines of sections thirty-three (33), twenty-eight (28), and
1126 twenty-one (21), township seventy-eight (78) north, range three
1127 (3) east to the center line of Locust street; thence east along the
1128 center line of Locust street to the center line of Division street;
1129 thence north along the center line of Division street to the center
1130 line of Kimberly road; thence east along the center line of Kimberly
1131 road to the center line of Marquette street; thence south along the
1132 center line of Marquette street to the center line of West Lombard
1133 street; thence east along the center line of West Lombard street to
1134 the center line of Warren street; thence south along the center line
1135 and the projected center line of Warren street to the center of the
1136 main channel of the Mississippi river; thence southwest following
1137 the center of the main channel of the Mississippi river to the pro-
1138 jected center line of Rolff street, the point of beginning.

1139 *c.* Subdistrict three (3) shall constitute that portion of Scott
1140 county which includes that part of the city of Davenport, City of
1141 Davenport township and Davenport township described as follows:

1142 Beginning at the intersection of the center of the main channel of
1143 the Mississippi river and the projected center line of Warren
1144 street; thence north along the projected center line and the center
1145 line of Warren street to the center line of Lombard street; thence
1146 west along the center line of Lombard street to the center line of
1147 Marquette street; thence north along the center line and the pro-
1148 jected center line of Marquette street to the township line between
1149 townships seventy-eight (78) and seventy-nine (79) north, range
1150 three (3) east; thence east along such township line to the projected
1151 center line of Eastern avenue; thence south along the projected
1152 center line and the center line of Eastern avenue to the center line
1153 of East Central Park avenue; thence west along the center line of
1154 East Central Park avenue to the center line of Pershing avenue;

1155 thence south along the center line and the projected center line of
 1156 Pershing avenue to the center of the main channel of the Mississippi
 1157 river; thence west southwest along the center of the main channel
 1158 of the Mississippi river to the projected center line of Warren
 1159 street, the point of beginning.

1160 *d.* Subdistrict four (4) shall constitute the following portions of
 1161 Scott county which include the township of Lincoln lying outside
 1162 the 1960 corporate limits of the city of Davenport and that part of
 1163 the city of Davenport, City of Davenport township and Davenport
 1164 township described as follows:

1165 Beginning at the intersection of the center of the main channel of
 1166 the Mississippi river and the projected center line of Pershing ave-
 1167 nue; thence north along the projected center line and the center line
 1168 of Pershing avenue to the center line of East Central Park avenue;
 1169 thence east along the center line of East Central Park avenue to the
 1170 center line of Eastern avenue; thence north along the center line
 1171 and the projected center line of Eastern avenue to the township
 1172 line between townships seventy-eight (78) and seventy-nine (79)
 1173 north; thence east along such township line to the northwest corner
 1174 of section three (3), township seventy-eight (78) north, range four
 1175 (4) east; thence south along the west section line of sections three
 1176 (3) and ten (10), township seventy-eight (78) north, range four
 1177 (4) east to the 1960 corporate limits of the city of Bettendorf;
 1178 thence west and south along the common 1960 corporate limits of
 1179 the cities of Bettendorf and Davenport to the center of the main
 1180 channel of the Mississippi river; thence in a southwesterly direction
 1181 along the center of the main channel of the Mississippi river to the
 1182 projected center line of Pershing avenue, the point of beginning.

1183 *e.* Subdistrict five (5) shall constitute the following portions of
 1184 Scott county which include the townships of Pleasant Valley, Le-
 1185 Claire, Princeton, Butler, Winfield, Allen's Grove, Liberty, Cleona,
 1186 Hickory Grove, and Sheridan as the townships existed in 1960 and
 1187 all of the city of Bettendorf as it existed in 1960.

1188 33. The county of Woodbury shall constitute one (1) representa-
 1189 tive district and shall be subdivided into the five (5) following
 1190 representative subdistricts and each subdistrict shall elect one (1)
 1191 representative:

1192 *a.* Subdistrict one (1) shall constitute that portion of Woodbury
 1193 county which includes that part of the city of Sioux City described
 1194 as follows:

1195 Beginning at the intersection of the center of the main channel of
 1196 the Missouri river and the projected center line of the Floyd river
 1197 flood control channel as established by the United States army corps
 1198 of engineers; thence northerly along the projected center line and
 1199 the center line of the Floyd river flood control channel to the center
 1200 line of the Gordon drive viaduct; thence easterly along the center
 1201 line of the Gordon drive viaduct and Gordon drive to the projected
 1202 center line of Washington avenue; thence east along the projected
 1203 center line and the center line of Washington avenue to the eastern
 1204 1967 corporate limits of the city of Sioux City; thence southerly
 1205 and easterly along the 1967 corporate limits of the city of Sioux
 1206 City to the southeast corner section eight (8), township eighty-

1207 eight (88), range forty-seven (47); thence westerly along the 1967
 1208 corporate limits to the north one-quarter corner of section eighteen
 1209 (18), township eighty-eight (88), range forty-seven (47); thence
 1210 south one-quarter mile; thence west one-eighth mile; thence south
 1211 one-quarter mile; thence west three-eighths mile to the west one-
 1212 quarter corner of section eighteen (18), township eighty-eight (88),
 1213 range forty-seven (47); thence south one-half mile to the north-
 1214 west corner of section nineteen (19), township eighty-eight (88),
 1215 range forty-seven (47); thence east along north line section nine-
 1216 teen (19) to east line of Highway seventy-five (75); thence south-
 1217 erly along east line of Highway seventy-five (75) four hundred
 1218 sixty-five feet; thence east four hundred thirty and three-tenths
 1219 feet; thence north four hundred fifty-four and seven-tenths feet to
 1220 the north line section nineteen (19); thence easterly and southerly
 1221 along boundaries of Green Valley municipal golf course to the
 1222 westerly line of Lakeport road; thence southerly and westerly along
 1223 the 1967 city limit line of the city of Sioux City to the center of the
 1224 main channel of the Missouri river; thence north and west along the
 1225 center of the main channel of the Missouri river to the projected
 1226 center line of the Floyd river control channel, the point of begin-
 1227 ning.

1228 b. Subdistrict two (2) shall constitute that portion of Woodbury
 1229 county which includes that part of the city of Sioux City described
 1230 as follows:

1231 Beginning at the intersection of the center line of the Combina-
 1232 tion bridge and the center of the main channel of the Missouri river;
 1233 thence westerly along the center of the main channel of the Missouri
 1234 river to its intersection with the center of the main channel of the
 1235 Big Sioux river; thence westerly and thence northerly along the
 1236 main channel of the Big Sioux river to its intersection with the
 1237 northern 1967 corporate limits of the city of Sioux City; thence
 1238 easterly along the northern 1967 corporate limits of the city of
 1239 Sioux City to the north and south center line of section six (6),
 1240 township eighty-nine (89) north, range forty-seven (47) west;
 1241 thence south along the north and south center lines of sections six
 1242 (6), seven (7), and eighteen (18), township eighty-nine (89) north,
 1243 range forty-seven (47) west, to the center line of Plum Creek road;
 1244 thence easterly along the center line of Plum Creek road to the cen-
 1245 ter line of Broken Kettle road; thence southerly along the center
 1246 line of Broken Kettle road to the center line of West Clifton avenue;
 1247 thence east along the center line of West Clifton avenue to the cen-
 1248 ter line of Lone Tree creek, also referred to as Plum creek; thence
 1249 southerly along the center line of Lone Tree creek, also referred to
 1250 as Plum creek, to its confluence with Perry creek; thence south
 1251 along the center line of Perry creek to the center line of West Twen-
 1252 tieth street; thence west along the center line of West Twentieth
 1253 street to the center line of Isabella street; thence south along the
 1254 center line of Isabella street to the center line of West Sixth street;
 1255 thence east and southeast along the center line of West Sixth street
 1256 to the center line of Perry street; thence southwesterly along the
 1257 center line of Perry street to the center line of Wesley way; thence
 1258 southerly along the center line of Wesley way to the center line of

1259 Bridgeway street; thence southwest along the center line of Bridge-
 1260 way street to the center line of the Combination bridge; thence
 1261 south along the center line of the Combination bridge to the center
 1262 of the main channel of the Missouri river, the point of beginning.

1263 *c.* Subdistrict three (3) shall constitute that portion of Wood-
 1264 bury county which includes that part of the city of Sioux City de-
 1265 scribed as follows:

1266 Beginning at the intersection of the center of the main channel of
 1267 the Missouri river and the projected center line of Jones street;
 1268 thence north along the projected center line and the center line of
 1269 Jones street to the center line of Fourteenth street; thence easterly
 1270 along the center line of Fourteenth street to the center line of Ingle-
 1271 side avenue; thence northeasterly along the center line of Ingleside
 1272 avenue to the center line of Seventeenth street; thence west along
 1273 the center line of Seventeenth street to the center line of Jones
 1274 street; thence north along the center line of Jones street to the center
 1275 line of Twenty-sixth street; thence east along the center line
 1276 of Twenty-sixth street to the center line of Court street; thence
 1277 north along the center line of Court street to the center line of
 1278 Twenty-ninth street; thence west along the center line of Twenty-
 1279 ninth street to the center line of Jones street; thence north along
 1280 the center line and the projected center line of Jones street to the
 1281 center line of Forty-sixth street; thence east along the center line
 1282 and the projected center line of Forty-sixth street to the west line
 1283 of section three (3), township eighty-nine (89) north, range forty-
 1284 seven (47) west; thence north along the west line of such section
 1285 to the northern 1967 corporate limits of the city of Sioux City;
 1286 thence easterly and thence southerly along the 1967 corporate limits
 1287 of the city of Sioux City to the projected center line of Seventh
 1288 street; thence west along the projected center line and the center
 1289 line of Seventh street to the center line of the Floyd river flood con-
 1290 trol channel as established by the United States army corps of engi-
 1291 neers; thence southwesterly along the Floyd river flood control
 1292 channel projected to the center of the main channel of the Missouri
 1293 river; thence northwest along the center of the main channel of the
 1294 Missouri river to the projected center line of Jones street, the point
 1295 of beginning.

1296 *d.* Subdistrict four (4) shall constitute that portion of Woodbury
 1297 county which includes that part of the city of Sioux City described
 1298 as follows:

1299 Beginning with the intersection of the center of the Missouri
 1300 river and the center line of the Combination bridge; thence north
 1301 along the center line of the Combination bridge to the center line of
 1302 Bridgeway street; thence northeast along the center line of Bridge-
 1303 way street to the center line of Wesley way; thence northerly along
 1304 the center line of Wesley way to the center line of Perry street;
 1305 thence northeast along the center line of Perry street to the center
 1306 line of West Sixth street; thence northwest and west along the center
 1307 line of West Sixth street to the center line of Isabella street;
 1308 thence north along the center line of Isabella street to the center
 1309 line of West Twentieth street; thence east along the center line of
 1310 West Twentieth street to the center line of Perry creek; thence

1311 northerly along the center of Perry creek to its confluence with
 1312 Lone Tree creek, also referred to as Plum creek; thence northerly
 1313 along the center of Lone Tree creek, also referred to as Plum creek,
 1314 to the center line of West Clifton avenue; thence west along the
 1315 center line of West Clifton avenue to the center line of Broken
 1316 Kettle road; thence northerly along the center line of Broken Ket-
 1317 tle road to the center line of Plum Creek road; thence westerly
 1318 along the center line of Plum Creek road to the center line of sec-
 1319 tion eighteen (18), township eighty-nine (89) north, range forty-
 1320 seven (47) west; thence north along the center line of sections
 1321 eighteen (18), seven (7), and six (6), township eighty-nine (89)
 1322 north, range forty-seven (47) west, to the northern 1967 corporate
 1323 limits of the city of Sioux City; thence east along the northern 1967
 1324 corporate limits of the city of Sioux City to the northwest corner
 1325 of section three (3), township eighty-nine (89) north, range forty-
 1326 seven (47) west; thence south along the west line of such section
 1327 to the projected center line of Forty-sixth street; thence west along
 1328 the projected center line and the center line of Forty-sixth street
 1329 to the projected center line of Jones street; thence south along the
 1330 projected center line and the center line of Jones street to the cen-
 1331 ter line of Twenty-ninth street; thence east along the center line of
 1332 Twenty-ninth street to the center line of Court street; thence south
 1333 along the center line of Court street to the center line of Twenty-
 1334 sixth street; thence west along the center line of Twenty-sixth street
 1335 to the center line of Jones street; thence south along the center line
 1336 of Jones street to the center line of Seventeenth street; thence east
 1337 along the center line of Seventeenth street to the center line of Ingle-
 1338 side avenue; thence southwesterly along the center line of Ingleside
 1339 avenue to the center line of Fourteenth street; thence westerly along
 1340 the center line of Fourteenth street to the center line of Jones street;
 1341 thence south along the center line and the projected center line of
 1342 Jones street to the center of the main channel of the Missouri river;
 1343 thence in a westerly direction following the center of the main chan-
 1344 nel of the Missouri river to the center line of the Combination
 1345 bridge, the point of beginning.

1346 e. Subdistrict five (5) shall constitute the following portions of
 1347 Woodbury county which include the townships of Concord, Banner,
 1348 Arlington, Rutland, Union, Floyd, Merville, Wolf Creek, Kedron,
 1349 Rock, Liberty, Grange, West Fork, Grant, Miller, Morgan, Lake-
 1350 port, Sloan, Willow, Little Sioux, Oto, and Liston as the townships
 1351 existed in 1960, that part of Woodbury township lying outside the
 1352 1967 corporate limits of the city of Sioux City, and that part of the
 1353 city of Sioux City described as follows:

1354 Beginning at the intersection of the center line of the Gordon
 1355 drive viaduct and the center line of the Floyd river flood control
 1356 channel as established by the United States army corps of engineers;
 1357 thence northerly along the center of the Floyd river flood control
 1358 channel to the center line of Seventh street; thence east along the
 1359 center line and the projected center line of Seventh street to the
 1360 eastern 1967 corporate limits of the city of Sioux City; thence south
 1361 along the eastern 1967 corporate limits of the city of Sioux City to
 1362 the center line of Washington avenue; thence west along the center

1363 line and projected center line of Washington avenue to the center
 1364 line of Gordon drive; thence westerly along the center line of Gordon
 1365 drive and the center line of the Gordon drive viaduct to the center
 1366 of the Floyd river flood control channel, the point of beginning.

1367 34. The county of Linn shall constitute one (1) representative
 1368 district and shall be subdivided into the six (6) following repre-
 1369 sentative subdistricts and each subdistrict shall elect one (1) repre-
 1370 sentative:

1371 a. Subdistrict one (1) shall constitute the following portions of
 1372 Linn county which include the townships of Grant, Spring Grove,
 1373 Jackson, Washington, Otter Creek, Maine, Fayette, and Marion as
 1374 the townships existed in 1960.

1375 b. Subdistrict two (2) shall constitute the following portions of
 1376 Linn county which include the townships of Boulder, Buffalo, Brown,
 1377 Linn, Franklin, Bertram, Putnam, College, Fairfax, Clinton, and
 1378 Monroe as the townships existed in 1960.

1379 c. Subdistrict three (3) shall constitute that portion of Linn
 1380 county which includes that part of the city of Cedar Rapids de-
 1381 scribed as follows:

1382 Beginning with the northwest corner of the southwest quarter of
 1383 the southwest quarter of section twenty-five (25), township eighty-
 1384 three (83) north, range seven (7) west; thence west along the east
 1385 and west center line of the south half of section twenty-six (26),
 1386 township eighty-three (83) north, range seven (7) west, to the
 1387 southwest corner of the northeast quarter of the southwest quarter
 1388 of section twenty-six (26); thence north along the north and south
 1389 center line of the west half of section twenty-six (26) to the north-
 1390 west corner of the southeast quarter of the northwest quarter of
 1391 section twenty-six (26); thence west along the projected center line
 1392 and the center line of Twelfth avenue southeast to the center line
 1393 of Ninth street southeast; thence northwesterly along the center
 1394 line of Ninth street southeast to the center line of Eleventh avenue
 1395 southeast; thence southwesterly along the center line and the pro-
 1396 jected center line of Eleventh avenue southeast to the center of the
 1397 Red Cedar river; thence northwest along the center of the Red
 1398 Cedar river to the projected center line of Fifth avenue southeast;
 1399 thence northeast along the projected center line and the center line
 1400 of Fifth avenue southeast to the center line of Eighth street south-
 1401 east; thence northwest along the center line of Eighth street south-
 1402 east to the center line of First avenue east; thence northwest along
 1403 the center line and the projected center line of Eighth street north-
 1404 east to the right-of-way of the Chicago, Milwaukee, St. Paul and
 1405 Pacific railroad; thence northeast along the center line of such
 1406 right-of-way across Cedar lake to the center line of Sixteenth street
 1407 northeast; thence southeast along the center line of Sixteenth street
 1408 northeast to the center line of First avenue east; thence northeast
 1409 along the center line of First avenue east to the center line of Six-
 1410 teenth street southeast; thence southeast along the center line of
 1411 Sixteenth street southeast to the center line of Third avenue south-
 1412 east; thence southwest along the center line of Third avenue south-
 1413 east to the center line of Grande avenue southeast; thence in an
 1414 easterly direction along the center line and the projected center line

1415 of Grande avenue southeast to the east boundary of Bever park;
 1416 thence north along the east boundary of Bever park to the north-
 1417 east corner thereof; thence east on the north line of sections twenty-
 1418 three (23) and twenty-four (24), township eighty-three (83) north,
 1419 range seven (7) west, to the eastern 1960 corporate limits of the
 1420 city of Cedar Rapids; thence southerly along the 1960 corporate
 1421 limits of the city of Cedar Rapids to the northwest corner of the
 1422 southwest quarter of the southwest quarter of section twenty-five
 1423 (25), township eighty-three (83) north, range seven (7) west, the
 1424 point of beginning.

1425 *d.* Subdistrict four (4) shall constitute that portion of Linn coun-
 1426 ty which includes that part of the city of Cedar Rapids described
 1427 as follows:

1428 Beginning with the northwest corner of the southwest quarter of
 1429 the southwest quarter of section twenty-five (25), township eighty-
 1430 three (83) north, range seven (7) west; thence southerly, thence
 1431 westerly, and thence northerly along the 1960 corporate limits of
 1432 the city of Cedar Rapids to the center line of Edgewood road;
 1433 thence north along the center line of Edgewood road to the center
 1434 line of F avenue northwest; thence east along the center line of F
 1435 avenue northwest to the projected center line of Eighteenth street
 1436 northwest; thence south along the projected center line and the
 1437 center line of Eighteenth street northwest to the center line of
 1438 Maple drive northwest; thence east along the center line of Maple
 1439 drive northwest to the center line of Johnson avenue northwest;
 1440 thence east along the center line of Johnson avenue northwest to
 1441 the intersection of A avenue northwest and Fifteenth street north-
 1442 west; thence east and northeasterly along the center line of A
 1443 avenue northwest to the center line of Eighth street northwest;
 1444 thence north on the center line of Eighth street northwest to the
 1445 center line of B avenue northwest; thence east along the center line
 1446 of B avenue northwest to the center line of the right-of-way of the
 1447 Chicago and Northwestern railroad; thence southerly along the
 1448 center line of such right-of-way to the center line of Twelfth street
 1449 southwest; thence south along the center line of Twelfth street
 1450 southwest to the center line of the right-of-way of the Chicago,
 1451 Milwaukee, St. Paul and Pacific railroad; thence northeasterly along
 1452 the center line of such right-of-way and bridge to the center of the
 1453 Red Cedar river; thence southeast along the center of the Red Cedar
 1454 river to the projected center line of Eleventh avenue southeast;
 1455 thence northeast along the projected center line and the center line
 1456 of Eleventh avenue southeast to the center line of Ninth street
 1457 southeast; thence southeast along the center line of Ninth street
 1458 southeast to the center line of Twelfth avenue southeast; thence
 1459 east along the center and the projected center line of Twelfth ave-
 1460 nue southeast to the northwest corner of the southeast quarter of
 1461 the northwest quarter of section twenty-six (26), township eighty-
 1462 three (83) north, range seven (7) west; thence south along the
 1463 north and south center line of the west half of section twenty-six
 1464 (26) to the southwest corner of the northeast quarter of the south-
 1465 west quarter of such section twenty-six (26); thence east along the
 1466 east and west center line of the south half of sections twenty-six

1467 (26) and twenty-five (25), township eighty-three (83) north, range
1468 seven (7) west, to the northwest corner of the southwest quarter
1469 of the southwest quarter of section twenty-five (25), the point of
1470 beginning.

1471 e. Subdistrict five (5) shall constitute that portion of Linn county
1472 which includes those parts of the city of Cedar Rapids described
1473 as follows:

1474 (1). That part of the city of Cedar Rapids bounded by the 1960
1475 corporate limits of the city of Cedar Rapids lying west of the center
1476 line and the projected center line of Edgewood road.

1477 (2). Beginning at the intersection of the center line of F avenue
1478 northwest and the center line of Edgewood road; thence northerly
1479 and thence easterly along the 1960 corporate limits of the city of
1480 Cedar Rapids to the projected center line of Forty-second street
1481 northeast; thence east along the projected center line and the center
1482 line of Forty-second street northeast to the center line of Center
1483 Point road northeast; thence southerly along the center line of Cen-
1484 ter Point road northeast to the center line of Thirty-second street
1485 northeast; thence east along the center line of Thirty-second street
1486 northeast to the center line of Oakland road northeast; thence
1487 southerly along the center line of Oakland road northeast to the
1488 center line of the right-of-way of the Chicago, Milwaukee, St. Paul
1489 and Pacific railroad; thence southwesterly along the center line of
1490 such right-of-way across Cedar lake to the projected center line of
1491 Eighth street northeast; thence southeast along the projected cen-
1492 ter line and the center line of Eighth street northeast to the center
1493 line of First avenue east; thence southeast along the center line of
1494 Eighth street southeast to the center line of Fifth avenue southeast;
1495 thence southwest along the center line and the projected center line
1496 of Fifth avenue southeast to the center of the Red Cedar river;
1497 thence southeast along the center of the Red Cedar river to the
1498 center line of the Chicago, Milwaukee, St. Paul and Pacific railroad
1499 bridge; thence westerly along said bridge and right-of-way to the
1500 center line of Twelfth street southwest; thence north on the center
1501 line of Twelfth street southwest to the center line of the right-of-
1502 way of the Chicago and Northwestern railroad; thence northerly
1503 along the center line of such right-of-way to the center line of B
1504 avenue northwest; thence west along the center line of B avenue
1505 northwest to the center line of Eighth street northwest; thence
1506 south along the center line of Eighth street northwest to the center
1507 line of A avenue northwest; thence southwesterly and west along
1508 the center line of A avenue northwest to the intersection of A ave-
1509 nue northwest and Fifteenth street northwest; thence west on
1510 Johnson avenue northwest to the center line of Maple drive north-
1511 west; thence west on the center line of Maple drive northwest to the
1512 center line of Eighteenth street northwest; thence north on the
1513 center line and the projected center line of Eighteenth street north-
1514 west to the center line of F avenue northwest; thence west along
1515 the center line of F avenue northwest to Edgewood road, the point
1516 of beginning.

1517 f. Subdistrict six (6) shall constitute that portion of Linn county
1518 which includes that part of the city of Cedar Rapids described as
1519 follows:

1520 Beginning at the intersection of the center line of Forty-second
 1521 street northeast and the western 1960 corporate limits of the city
 1522 of Cedar Rapids; thence northerly, thence easterly, and thence
 1523 southerly along the 1960 corporate limits of the city of Cedar Rapids
 1524 to the north line of section twenty-four (24), township eighty-three
 1525 (83) north, range seven (7) west; thence west along the north line
 1526 of sections twenty-four (24) and twenty-three (23), township
 1527 eighty-three (83) north, range seven (7) west, to the northeast
 1528 corner of Bever park; thence south along the east boundary of
 1529 Bever park to the projected center line of Grande avenue southeast;
 1530 thence west along the projected center line and the center line of
 1531 Grande avenue southeast to the center line of Third avenue south-
 1532 east; thence northeast along the center line of Third avenue south-
 1533 east to the center line of Sixteenth street southeast; thence north-
 1534 west along the center line of Sixteenth street southeast to the center
 1535 line of First avenue east; thence southwest along the center line of
 1536 First avenue east to the center line of Sixteenth street northeast;
 1537 thence northwest along the center line of Sixteenth street northeast
 1538 to the center line of the right-of-way of the Chicago, Milwaukee,
 1539 St. Paul, and Pacific railroad; thence southwest along the center
 1540 line of such right-of-way to the point of intersection of Oakland
 1541 road and Thirteenth street northeast; thence north along the center
 1542 line of Oakland road to the center line of Thirty-second street north-
 1543 east; thence west along the center line of Thirty-second street north-
 1544 east to the center line of Center Point road northeast; thence
 1545 northerly along the center line of Center Point road northeast to
 1546 the center line of Forty-second street northeast; thence west along
 1547 the center line and the projected center line of Forty-second street
 1548 northeast to the western 1960 corporate limits of the city of Cedar
 1549 Rapids, the point of beginning.

1550 35. The county of Polk shall constitute one (1) representative
 1551 district and shall be subdivided into the eleven (11) following sub-
 1552 districts and each subdistrict shall elect one (1) representative:

1553 a. Subdistrict one (1) shall constitute the following portions of
 1554 Polk county which include the townships of Washington, Elkhart,
 1555 Lincoln, Union, Franklin, Douglas, Crocker, Beaver, Clay, and Dela-
 1556 ware as the townships existed in 1960, and that part of the city of
 1557 Des Moines described as follows:

1558 Beginning at the intersection of the northern and eastern 1960
 1559 corporate limits of the city of Des Moines; thence south along said
 1560 eastern corporate limits to the center line of East University ave-
 1561 nue; thence west along the center line of East University avenue to
 1562 the center line of East Thirty-second street; thence north along the
 1563 center line of East Thirty-second street to the center line of East
 1564 Washington avenue; thence east along the center line of East Wash-
 1565 ington avenue to the center line of East Thirty-second street; thence
 1566 north along the center line of East Thirty-second street to the center
 1567 line of Easton boulevard; thence southwesterly along the center line
 1568 of Easton boulevard to the projected center line of East Thirty-
 1569 second street; thence north along the projected center line and the
 1570 center line of East Thirty-second street to the north line of section
 1571 thirty-two (32), township seventy-nine (79) north, range twenty-

1572 three (23) west; thence east along the north line of section thirty-
1573 two (32) to the north and south center line of section twenty-nine
1574 (29), township seventy-nine (79) north, range twenty-three (23)
1575 west; thence north along such north and south center line to the
1576 center line of East Euclid avenue; thence east along the center line
1577 of East Euclid avenue to the center line of Four Mile creek; thence
1578 northerly along the center line of Four Mile creek to the northern
1579 1960 corporate limits of the city of Des Moines; thence east along
1580 the northern corporate limits to the point of beginning.

1581 b. Subdistrict two (2) shall constitute the following portions of
1582 Polk county which include the townships of Madison, Jefferson, and
1583 Saylor as the townships existed in 1960, that part of Webster town-
1584 ship lying outside the 1960 corporate limits of the city of Des
1585 Moines, and that part of the city of Des Moines described as fol-
1586 lows:

1587 Beginning at the intersection of the western and northern 1960
1588 corporate limits of the city of Des Moines; thence east along the
1589 northern corporate limits to the southwest corner of the northwest
1590 quarter of section twenty (20), township seventy-nine (79) north,
1591 range twenty-four (24) west; thence east along the east and west
1592 center line of such section to the center line of Fortieth street;
1593 thence south along the center line of Fortieth street to the center
1594 line of Madison avenue; thence east along the center line of Madison
1595 avenue to the center line of Fortieth street; thence south along the
1596 center line and the projected center line of Fortieth street to the
1597 south line of Clinton avenue; thence west along the south line of
1598 Clinton avenue to the east line of lot sixty-five (65) of Knapp place;
1599 thence south along the east line of such lot sixty-five (65) to the
1600 south line of Knapp place; thence east along the south line of Knapp
1601 place to the northeast corner of lot fourteen (14), Amick place;
1602 thence south to the southeast corner of such lot; thence southerly
1603 to the intersection of the south line of Amick avenue and the center
1604 line of Fortieth place; thence south along the center line of Forti-
1605 eth place to the center line of Adams avenue; thence west along the
1606 center line of Adams avenue to the center line of Beaver avenue;
1607 thence west along the east and west center line of sections twenty-
1608 nine (29) and thirty (30), township seventy-nine (79) north, range
1609 twenty-four (24) west, to the center line of Urbandale avenue;
1610 thence west along the center line of Urbandale avenue to the pro-
1611 jected east line of lot thirty-nine (39) in Deerfoot acres; thence
1612 south along the projected east line and east line of such lot to the
1613 southeast corner of such lot; thence west along the south lines of
1614 lots thirty-nine (39), thirty-eight (38), and thirty-seven (37) in
1615 Deerfoot acres to the center line of Fifty-third street; thence north
1616 along the center line of Fifty-third street to the center line of
1617 Urbandale avenue; thence west along the center line of Urbandale
1618 avenue to the western 1960 corporate limits of the city of Des
1619 Moines; thence northerly along the western corporate limits to the
1620 point of beginning.

1621 c. Subdistrict three (3) shall constitute the following portions of
1622 Polk county which include the townships of Camp, Four Mile, and
1623 Allen as the townships existed in 1960, that part of Bloomfield town-

1624 ship lying south and east of the 1960 corporate limits of the city of
1625 Des Moines, and those parts of the city of Des Moines described as
1626 follows:

1627 (1). Beginning at the intersection of Fleur drive (or Southwest
1628 Twenty-first street) and McKinley avenue; thence east along the
1629 center line of McKinley avenue to the center line of Southwest Ninth
1630 street; thence south along the center line of Southwest Ninth street
1631 to the center line of Porter avenue; thence east along the center line
1632 and the projected center line of Porter avenue to the 1960 corporate
1633 limits of the city of Des Moines; thence south and west along the
1634 1960 corporate limits to the center line of Southwest Ninth street;
1635 thence north along the center line of Southwest Ninth street to the
1636 center line of Army Post road; thence west along the center line of
1637 Army Post road to the center line of Fleur drive; thence north along
1638 the center line of Fleur drive to the point of beginning.

1639 (2). Beginning at the intersection of Delaware avenue and the
1640 northern 1960 corporate limits of the city of Des Moines; thence
1641 east along said northern corporate limits to the center line of Four
1642 Mile creek; thence southerly along the center line of Four Mile creek
1643 to the center line of East Euclid avenue; thence west along the center
1644 line of East Euclid avenue to the north and south center line of
1645 section twenty-nine (29), township seventy-nine (79) north, range
1646 twenty-three (23) west; thence south along such north and south
1647 center line to the north line of section thirty-two (32), township
1648 seventy-nine (79) north, range twenty-three (23) west; thence
1649 west along such north line to the center line of East Thirty-second
1650 street; thence south along the center line and the projected center
1651 line of East Thirty-second street to the center line of Easton boule-
1652 vard; thence northeasterly along the center line of Easton boule-
1653 vard to the center line of East Thirty-second street; thence south
1654 along the center line of East Thirty-second street to the center line
1655 of East Washington avenue; thence west along the center line of
1656 East Washington avenue to the center line of East Thirty-second
1657 street; thence south along the center line of East Thirty-second
1658 street to the center line of East University avenue; thence east
1659 along the center line of East University avenue to the eastern 1960
1660 corporate limits of the city of Des Moines; thence south along the
1661 eastern corporate limits to the center line of Scott street; thence
1662 west along the center line of Scott street to the center line of East
1663 Thirtieth street; thence north along the center line of East Thir-
1664 tieth street to the center line of the Rock Island right-of-way;
1665 thence west on the center line of such right-of-way to the center
1666 line of East Twenty-seventh street; thence north along the center
1667 line of East Twenty-seventh street to the center line of East Uni-
1668 versity avenue; thence west along the center line of East University
1669 avenue to the center line of East Twenty-fifth street; thence north
1670 along the center line of East Twenty-fifth street to the center line
1671 of Guthrie avenue; thence west along the center line of Guthrie
1672 avenue to the center line of Delaware avenue; thence north along
1673 the center line of Delaware avenue to the northern 1960 corporate
1674 limits of the city of Des Moines, the point of beginning.

1675 *d.* Subdistrict four (4) shall constitute the following portions of
 1676 Polk county which include the townships of Valley as the township
 1677 existed in 1960, that part of Bloomfield township lying south and
 1678 west of the 1960 corporate limits of the city of Des Moines, that
 1679 part of Walnut township lying outside the 1960 corporate limits of
 1680 the city of Des Moines, and that part of the city of Des Moines
 1681 described as follows:

1682 Beginning at the intersection of the western 1960 corporate limits
 1683 of the city of Des Moines and the center line of Urbandale avenue;
 1684 thence east along the center line of Urbandale avenue to the center
 1685 line of Fifty-third street; thence south along the center line of
 1686 Fifty-third street to the south line of lot thirty-seven (37) in Deer-
 1687 foot acres; thence east along the south line of lots thirty-seven (37),
 1688 thirty-eight (38), and thirty-nine (39) in Deerfoot acres to the
 1689 southeast corner of lot thirty-nine (39); thence north along the east
 1690 line and the projected east line of lot thirty-nine (39) to the center
 1691 line of Urbandale avenue; thence east along the center line of Ur-
 1692 bandale avenue to the center line of Fiftieth street; thence south
 1693 along the center line of Fiftieth street to the center line of Hickman
 1694 road; thence south along the north and south center line of section
 1695 thirty-one (31), township seventy-nine (79) north, range twenty-
 1696 four (24) west, to the east and west center line of section thirty-
 1697 one (31); thence west along the east and west center line of section
 1698 thirty-one (31) to the center line of Merle Hay road; thence west
 1699 along the east and west center line of section thirty-six (36), town-
 1700 ship seventy-nine (79) north, range twenty-five (25) west, to the
 1701 western 1960 corporate limits of the city of Des Moines; thence
 1702 north along the western 1960 corporate limits to the center line of
 1703 Urbandale avenue, the point of beginning.

1704 *e.* Subdistrict five (5) shall constitute that portion of Polk county
 1705 which includes that part of the city of Des Moines described as
 1706 follows:

1707 Beginning at the intersection of the center line of North Union
 1708 street and the northern 1960 corporate limits of the city of Des
 1709 Moines; thence east along the northern corporate limits to the center
 1710 line of Delaware avenue; thence south along the center line of
 1711 Delaware avenue to the center line of Guthrie avenue; thence east
 1712 along the center line of Guthrie avenue to the center line of East
 1713 Twenty-fifth street; thence south along the center line of East
 1714 Twenty-fifth street to the center line of East University avenue;
 1715 thence east along the center line of East University avenue to the
 1716 center line of East Twenty-seventh street; thence south along the
 1717 center line of East Twenty-seventh street to the center line of the
 1718 Rock Island railroad right-of-way; thence westerly along such
 1719 right-of-way to the center line of East Eighteenth street; thence
 1720 north along the center line of East Eighteenth street to the center
 1721 line of East Grand avenue; thence west along the center line of East
 1722 Grand avenue to the center line of East Fourteenth street; thence
 1723 northerly along the center line of East Fourteenth street to the
 1724 center line of East Washington avenue; thence west along the center
 1725 line and the projected center line of East Washington avenue to the
 1726 center line of the Des Moines river; thence northerly along the

1727 center line of the Des Moines river to the projected center line of
 1728 East Jefferson avenue; thence east along the projected center line
 1729 and the center line of East Jefferson avenue to the projected center
 1730 line of North Union street; thence north along the projected center
 1731 line and the center line of North Union street to the northern 1960
 1732 corporate limits of the city of Des Moines, the point of beginning.

1733 *f.* Subdistrict six (6) shall constitute that portion of Polk county
 1734 which includes that part of the city of Des Moines described as
 1735 follows:

1736 Beginning at the intersection of West Thirtieth street and the
 1737 northern 1960 corporate limits of the city of Des Moines; thence
 1738 east along the northern corporate limits to the center line of North
 1739 Union street; thence south along the center line and the projected
 1740 center line of North Union street to the center line of East Jefferson
 1741 avenue; thence west along the center line and the projected center
 1742 line of East Jefferson avenue to the center of the Des Moines river;
 1743 thence northwesterly along the center of the Des Moines river to the
 1744 center line of Sixth avenue; thence south along the center line of
 1745 Sixth avenue to the center line of Clark street; thence west along
 1746 the center line of Clark street to the center line of Thirteenth street;
 1747 thence north along the center line of Thirteenth street to the center
 1748 line of College avenue; thence west along the center line of College
 1749 avenue to the center line of Harding road; thence north along the
 1750 center line of Harding road to the center line of Washington ave-
 1751 nue; thence west along the center line of Washington avenue to the
 1752 center line of Twenty-third street; thence south along the center
 1753 line of Twenty-third street to the east and west center line of sec-
 1754 tion thirty-three (33), township seventy-nine (79) north, range
 1755 twenty-four (24) west; thence west along such east and west center
 1756 line to the center line of Thirtieth street; thence north along the
 1757 center line of Thirtieth street to the south line of lot twelve (12),
 1758 Meyer place; thence west along the south line of lot twelve (12),
 1759 Meyer place, to the west line of such lot twelve (12); thence north
 1760 along the west line of such lot twelve (12) to the center line of
 1761 Hickman road; thence east along the center line of Hickman road
 1762 to the west line of section twenty-eight (28), township seventy-nine
 1763 (79) north, range twenty-four (24) west; thence north along the
 1764 west line of sections twenty-eight (28) and twenty-one (21), town-
 1765 ship seventy-nine (79) north, range twenty-four (24) west, to the
 1766 northern 1960 corporate limits of the city of Des Moines, the point
 1767 of beginning.

1768 *g.* Subdistrict seven (7) shall constitute that portion of Polk
 1769 county which includes that part of the city of Des Moines described
 1770 as follows:

1771 Beginning at the intersection of the northern 1960 corporate lim-
 1772 its of the city of Des Moines and the west line of lot eight (8) in
 1773 Joe McCabe Plat No. 1; thence northerly, thence easterly, and
 1774 thence southerly along the 1960 corporate limits to the northeast
 1775 corner of the southeast quarter of section twenty (20), township
 1776 seventy-nine (79) north, range twenty-four (24) west; thence
 1777 south along the east line of sections twenty (20) and twenty-nine
 1778 (29), township seventy-nine (79) north, range twenty-four (24)

1779 west, to the center line of Hickman road; thence west along the
 1780 center line of Hickman road to the west line of lot twelve (12),
 1781 Meyer place; thence south along the west line of lot twelve (12),
 1782 Meyer place, to the south line of such lot twelve (12); thence east
 1783 along the south line of such lot twelve (12) to the center line of
 1784 Thirtieth street; thence south along the center line of Thirtieth
 1785 street to the east and west center line of section thirty-three (33),
 1786 township seventy-nine (79) north, range twenty-four (24) west;
 1787 thence east along the east and west center line of such section to the
 1788 center line of Twenty-third street; thence north along the center
 1789 line of Twenty-third street to the center line of Washington avenue;
 1790 thence east along the center line of Washington avenue to the center
 1791 line of Harding road; thence south along the center line of
 1792 Harding road to the center line of College avenue; thence east along
 1793 the center line of College avenue to the center line of Thirteenth
 1794 street; thence south along the center line of Thirteenth street to the
 1795 center line of University avenue; thence west along the center line
 1796 of University avenue to the center line of Twenty-eighth street;
 1797 thence north along the center line of Twenty-eighth street to the
 1798 center line of Forest avenue; thence west along the center line of
 1799 Forest avenue to the center line of Forty-first street; thence south
 1800 along the center line of Forty-first street to the center line of Uni-
 1801 versity avenue; thence west along the center line of University
 1802 avenue to the north and south center line of section thirty-one (31),
 1803 township seventy-nine (79) north, range twenty-four (24) west;
 1804 thence north along such north and south center line to the center
 1805 line of Hickman road; thence north along the center line of Fifti-
 1806 eth street to the center line of Urbandale avenue; thence east
 1807 along the center line of Urbandale avenue to the east and west
 1808 center line of sections twenty-nine (29) and thirty (30), township
 1809 seventy-nine (79) north, range twenty-four (24) west; thence east
 1810 along such east and west center line to the center line of Beaver
 1811 avenue; thence east along the center line of Adams avenue to the
 1812 center line of Fortieth place; thence north along the center line of
 1813 Fortieth place to the south line of Amick avenue; thence northerly
 1814 to the southeast corner of lot fourteen (14), Amick place; thence
 1815 north along the east line of such lot fourteen (14) to the northeast
 1816 corner thereof; thence west along the south line of Knapp place to
 1817 the east line of lot sixty-five (65) of Knapp place; thence north
 1818 along the east line of such lot sixty-five (65) to the south line of
 1819 Clinton avenue; thence east along the south line of Clinton avenue
 1820 to the projected center line of Fortieth street; thence north along
 1821 the projected center line and the center line of Fortieth street to the
 1822 center line of Madison avenue; thence west along the center line of
 1823 Madison avenue to the center line of Fortieth street; thence north
 1824 along the center line of Fortieth street to the east and west center
 1825 line of section twenty (20), township seventy-nine (79) north,
 1826 range twenty-four (24) west; thence west along such center line to
 1827 the west line of lot eight (8) in Joe McCabe Plat No. 1, the point of
 1828 beginning.

1829 *h.* Subdistrict eight (8) shall constitute that portion of Polk
 1830 county which includes that part of the city of Des Moines described
 1831 as follows:

1832 Beginning at the intersection of the western 1960 corporate limits
 1833 of the city of Des Moines and the east and west center line of sec-
 1834 tion thirty-six (36), township seventy-nine (79) north, range
 1835 twenty-five (25) west; thence east along the east and west center
 1836 lines of sections thirty-six (36) and thirty-one (31), township
 1837 seventy-nine (79) north, range twenty-five (25) west, to the north
 1838 and south center line of section thirty-one (31); thence south along
 1839 such north and south center line to the center line of University
 1840 avenue; thence east along the center line of University avenue to
 1841 the center line of Forty-first street; thence north along the center
 1842 line of Forty-first street to the center line of Forest avenue; thence
 1843 east along the center line of Forest avenue to the center line of
 1844 Twenty-eighth street; thence south along the center line of Twenty-
 1845 eighth street to the center line of Grand avenue; thence west along
 1846 the center line of Grand avenue to the projected east line of Green-
 1847 wood park; thence south along the projected east line and the east
 1848 line of Greenwood park and the east line of Ashworth park to the
 1849 northeast corner of lot thirty-four (34), Linden heights; thence
 1850 west along the north line of such lot thirty-four (34) to the east
 1851 line of Ashworth park; thence south along the east line of Ashworth
 1852 park to the center line of the right-of-way of the Chicago, Milwaukee
 1853 and St. Paul railroad; thence southeasterly along the center line of
 1854 such right-of-way to the center line of Forty-second street; thence
 1855 south along the center line and the projected center line of Forty-
 1856 second street to the center line of the Raccoon river; thence westerly
 1857 along the center line of the Raccoon river to the western 1960 cor-
 1858 porate limits of the city of Des Moines; thence northerly along the
 1859 western corporate limits to the east and west center line of section
 1860 thirty-six (36), township seventy-nine (79) north, range twenty-
 1861 five (25) west, to the point of beginning.

1862 *i.* Subdistrict nine (9) shall constitute that portion of Polk coun-
 1863 ty which includes that part of the city of Des Moines described as
 1864 follows:

1865 Beginning at the intersection of Sixth avenue and the Des Moines
 1866 river; thence southeasterly along the center line of the Des Moines
 1867 river to the projected center line of East Washington avenue;
 1868 thence east along the projected center line and the center line
 1869 of East Washington avenue to the center line of East Four-
 1870 teenth street; thence southerly along the center line of East Four-
 1871 teenth street to the center line of the Rock Island railroad right-of-
 1872 way; thence west along the center line of the Rock Island railroad
 1873 right-of-way to the center line of East Ninth street; thence north
 1874 on the center line of East Ninth street to the center line of Des
 1875 Moines street; thence westerly on the center line and the projected
 1876 center line of Des Moines street to the center line of the Des Moines
 1877 river; thence north along the center line of the Des Moines river to
 1878 the projected center line of Center street; thence west along the
 1879 projected center line and the center line of Center street to the
 1880 center line of Thirteenth street; thence south along the center line
 1881 of Thirteenth street and the north and south alley between lots
 1882 four (4) and five (5) of Holland's subdivision to the center line of
 1883 Pleasant street; thence southeasterly along a diagonal line to the

1884 center of the intersection of Callanan drive and Twelfth street;
 1885 thence south on the center line and projected center line of Twelfth
 1886 street to the center of the Raccoon river; thence northwesterly along
 1887 the center of the Raccoon river to the center line of Eighteenth
 1888 street; thence northerly along the center line of Eighteenth street to
 1889 the center line of Grand avenue; thence east along the center line of
 1890 Grand avenue to the center line of Seventeenth street; thence north
 1891 along the center line of Seventeenth street to the center line of
 1892 Center street; thence west along the center line of Center street to
 1893 the north and south center line of section five (5), township seventy-
 1894 eight (78) north, range twenty-four (24) west; thence north along
 1895 such center line and the center line of Twenty-first street to the
 1896 center line of University avenue; thence east along the center line
 1897 of University avenue to the center line of Thirteenth street; thence
 1898 north along the center line of Thirteenth street to the center line
 1899 of Clark street; thence east along the center line of Clark street to
 1900 the center line of Sixth avenue; thence north along the center line
 1901 of Sixth avenue to the center of the Des Moines river, the point of
 1902 beginning.

1903 j. Subdistrict ten (10) shall constitute that portion of Polk county
 1904 which includes that part of the city of Des Moines described as
 1905 follows:

1906 Beginning at the intersection of Scott avenue and the eastern
 1907 1960 corporate limits of the city of Des Moines; thence southerly
 1908 and thence westerly along the 1960 corporate limits to the intersec-
 1909 tion of the eastern 1960 corporate limits of that portion of the city
 1910 of Des Moines lying in Bloomfield township and the projected center
 1911 line of Porter avenue; thence west along the projected center
 1912 line and the center line of Porter avenue to the center line of South-
 1913 west Ninth street; thence north along the center line of Southwest
 1914 Ninth street to the center line of Elder avenue (or Elder lane);
 1915 thence west along the center line of Elder avenue (or Elder lane)
 1916 to the center line of Southwest Twelfth street; thence north along
 1917 the center line of Southwest Twelfth street to the center line of
 1918 Watrous avenue; thence east along the center line of Watrous ave-
 1919 nue to the center line of Southeast Fifth street; thence north along
 1920 the center line of Southeast Fifth street to the center line of
 1921 Pleasant View drive; thence west along the center line and the
 1922 projected center line of Pleasant View drive to the center line of
 1923 Fleur drive; thence north along the center line of Fleur drive to the
 1924 center of section eight (8), township seventy-eight (78) north,
 1925 range twenty-four (24) west; thence east along the east and west
 1926 center line of section eight (8) to the center of the Raccoon river;
 1927 thence southeasterly along the center of the Raccoon river to the
 1928 projected center line of Twelfth street; thence north along the pro-
 1929 jected center line and the center line of Twelfth street to the center
 1930 line of Callanan drive; thence northwesterly on a diagonal to the
 1931 center line of the north and south alley between lots four (4) and
 1932 five (5) of Holland's subdivision; thence north along the center line
 1933 of such alley and the center line of Thirteenth street to the center
 1934 line of Center street; thence east along the center line and the pro-
 1935 jected center line of Center street to the center line of the Des

1936 Moines river; thence south along the center line of the Des Moines
 1937 river to the projected center line of Des Moines street; thence east-
 1938 erly along the projected center line and the center line of Des
 1939 Moines street to the center line of East Ninth street; thence south
 1940 along the center line of East Ninth street to the center line of the
 1941 Rock Island railroad right-of-way; thence east along the center line
 1942 of the Rock Island railroad right-of-way to the center line of East
 1943 Fourteenth street; thence northerly along the center line of East
 1944 Fourteenth street to the center line of East Grand avenue; thence
 1945 east along the center line of East Grand avenue to the center line
 1946 of East Eighteenth street; thence south along the center line of East
 1947 Eighteenth street to the center line of the Rock Island railroad right-
 1948 of-way; thence easterly along the center line of the Rock Island
 1949 railroad right-of-way to the center line of East Thirtieth street;
 1950 thence south along the center line of East Thirtieth street to the
 1951 center line of Scott street; thence east along the center line of Scott
 1952 street to the eastern 1960 corporate limits of the city of Des Moines,
 1953 the point of beginning.

1954 *k.* Subdistrict eleven (11) shall constitute that portion of Polk
 1955 county which includes that part of the city of Des Moines described
 1956 as follows:

1957 Beginning at the intersection of Twenty-eighth street and Uni-
 1958 versity avenue; thence east along the center line of University ave-
 1959 nue to the center line of Twenty-first street; thence south along the
 1960 center line of Twenty-first street and the north and south center
 1961 line of section five (5), township seventy-eight (78) north, range
 1962 twenty-four (24) west, to the center line of Center street; thence
 1963 east along the center line of Center street to the center line of
 1964 Seventeenth street; thence south along the center line of Seven-
 1965 teenth street to the center line of Grand avenue; thence west along
 1966 the center line of Grand avenue to the center line of Eighteenth
 1967 street; thence southerly along the center line of Eighteenth street
 1968 to the center of the Raccoon river; thence southerly along the center
 1969 of the Raccoon river to the east and west center line of section eight
 1970 (8), township seventy-eight (78) north, range twenty-four (24)
 1971 west; thence west along such east and west center line to the cen-
 1972 ter line of Fleur drive; thence south along the center line of Fleur
 1973 drive to the projected center line of Pleasant View drive; thence
 1974 east along the projected center line and center line of Pleasant View
 1975 drive to the center line of Southeast Fifth street; thence south along
 1976 the center line of Southeast Fifth street to the center line of Wat-
 1977 rous avenue; thence west along the center line of Watrous avenue
 1978 to the center line of Southwest Twelfth street; thence south along
 1979 the center line of Southwest Twelfth street to the center line of
 1980 Elder avenue (or Elder lane); thence east along the center line of
 1981 Elder avenue to the center line of Southwest Ninth street; thence
 1982 south along the center line of Southwest Ninth street to the center
 1983 line of McKinley avenue; thence west along the center line of Mc-
 1984 Kinley avenue to the center line of Fleur drive; thence south along
 1985 the center line of Fleur drive to the center line of Army Post road;
 1986 thence east along the center line of Army Post road to the center
 1987 line of Southwest Ninth street; thence south along the center line

1988 of Southwest Ninth street to the southern 1960 corporate limits of
 1989 the city of Des Moines; thence westerly and thence northerly along
 1990 the 1960 corporate limits to the center of the Raccoon river; thence
 1991 easterly along the center of the Raccoon river to the projected cen-
 1992 ter line of Forty-second street; thence north along the projected
 1993 center line and the center line of Forty-second street to the center
 1994 line of the Chicago, Milwaukee and St. Paul railroad right-of-way;
 1995 thence northwesterly along such right-of-way to the east line of
 1996 Ashworth park; thence north along the east line of Ashworth park
 1997 to the north line of lot thirty-four (34), Linden heights; thence
 1998 east along the north line of such lot thirty-four (34) to the north-
 1999 east corner thereof; thence north along the east line of Ashworth
 2000 park and the east line and the projected east line of Greenwood
 2001 park to the center line of Grand avenue; thence east along the cen-
 2002 ter line of Grand avenue to the center line of Twenty-eighth street;
 2003 thence north along the center line of Twenty-eighth street to the
 2004 center line of University avenue, the point of beginning.

2005 36. All other counties shall comprise one (1) representative dis-
 2006 trict each and each shall elect one (1) representative.

2007 All representatives shall at the time of their election be residents
 2008 of the representative district or representative subdistrict from
 2009 which elected.

2010 In the year 1970, each representative shall be nominated and
 2011 elected from districts as shall be determined by the sixty-third
 2012 (63rd) general assembly.

1 SEC. 5. If any part of any county or district is omitted from a
 2 senatorial subdistrict or representative subdistrict created within a
 3 county or district by this Act, the supreme court of the state of Iowa
 4 shall assign the omitted area of the county or district to a contigu-
 5 ous senatorial or representative subdistrict, whichever is applicable,
 6 in such manner as the supreme court shall determine to guarantee
 7 the electorate within the omitted area fair and equal representa-
 8 tion.

Approved July 24, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 106

PUBLIC RECORDS

S. F. 537

AN ACT to protect the right of citizens to examine public records and make copies thereof.

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

1 SECTION 1. Wherever used in this Act, "public records" includes
 2 all records and documents of or belonging to this state or any county,
 3 city, town, township, school corporation, political subdivision, or tax-
 4 supported district in this state, or any branch, department, board,
 5 bureau, commission, council, or committee of any of the foregoing.

1 SEC. 2. Every citizen of Iowa shall have the right to examine all
2 public records and to copy such records, and the news media may
3 publish such records, unless some other provision of the Code ex-
4 pressly limits such right or requires such records to be kept secret or
5 confidential. The right to copy records shall include the right to make
6 photographs or photographic copies while the records are in the pos-
7 session of the lawful custodian of the records. All rights under this
8 section are in addition to the right to obtain certified copies of records
9 under section six hundred twenty-two point forty-six (622.46) of the
10 Code.

1 SEC. 3. Such examination and copying shall be done under the
2 supervision of the lawful custodian of the records or his authorized
3 deputy. The lawful custodian may adopt and enforce reasonable
4 rules and regulations regarding such work and the protection of the
5 records against damage or disorganization. The lawful custodian
6 shall provide a suitable place for such work, but if it is impracticable
7 to do such work in the office of the lawful custodian, the person de-
8 siring to examine or copy shall pay any necessary expenses of pro-
9 viding a place for such work. All expenses of such work shall be paid
10 by the person desiring to examine or copy. The lawful custodian may
11 charge a reasonable fee for the services of the lawful custodian or his
12 authorized deputy in supervising the records during such work.

1 SEC. 4. The rights of citizens under this Act may be exercised at
2 any time during the customary office hours of the lawful custodian of
3 the records. However, if the lawful custodian does not have custom-
4 ary office hours of at least thirty (30) hours per week, such right
5 may be exercised at any time from nine (9) o'clock a.m. to noon and
6 from one (1) o'clock p.m. to four (4) o'clock p.m. Monday through
7 Friday, excluding legal holidays, unless the citizen exercising such
8 right and the lawful custodian agree on a different time.

1 SEC. 5. The provisions of this Act and all rights of citizens under
2 this Act may be enforced by mandamus or injunction, whether or not
3 any other remedy is also available.

1 SEC. 6. It shall be unlawful for any person to deny or refuse any
2 citizen of Iowa any right under this Act, or to cause any such right to
3 be denied or refused. Any person knowingly violating or attempting
4 to violate any provision of this Act shall be guilty of a misdemeanor
5 and upon conviction shall be punished by a fine of not more than one
6 hundred (100) dollars.

1 SEC. 7. The following public records shall be kept confidential,
2 unless otherwise ordered by a court, by the lawful custodian of the
3 records, or by another person duly authorized to release information:

4 1. Personal information in records regarding a student, prospec-
5 tive student, or former student of the school corporation or educa-
6 tional institution maintaining such records.

7 2. Hospital records and medical records of the condition, diagnosis,
8 care, or treatment of a patient or former patient, including out-
9 patient.

10 3. Trade secrets which are recognized and protected as such by
11 law.

12 4. Records which represent and constitute the work product of an
13 attorney, which are related to litigation or claim made by or against
14 a public body.

15 5. Peace officers investigative reports, except where disclosure is
16 authorized elsewhere in this Code.

17 6. Reports to governmental agencies which, if released, would give
18 advantage to competitors and serve no public purpose.

19 7. Appraisals or appraisal information concerning the purchase of
20 real or personal property for public purposes, prior to public an-
21 nouncement of a project.

22 8. Iowa development commission information on an industrial
23 prospect with which the commission is currently negotiating.

24 9. Criminal identification files of law enforcement agencies. How-
25 ever, records of current and prior arrests shall be public records.

26 10. Personal information in confidential personnel records of the
27 military department of the state.

28 11. Personal information in confidential personnel records of pub-
29 lic bodies including but not limited to cities, towns, boards of super-
30 visors and school districts.

1 SEC. 8. In accordance with the rules of civil procedure the dis-
2 trict court may grant an injunction restraining the examination (in-
3 cluding copying) of a specific public record, if the petition supported
4 by affidavit shows and if the court finds that such examination would
5 clearly not be in the public interest and would substantially and ir-
6 reparably injure any person or persons. The district court shall take
7 into account the policy of this Act that free and open examination of
8 public records is generally in the public interest, even though such
9 examination may cause inconvenience or embarrassment to public
10 officials or others. Such injunction shall be subject to the rules of
11 civil procedure except that the court in its discretion may waive
12 bond. Reasonable delay by any person in permitting the examination
13 of a record in order to seek an injunction under this section is not a
14 violation of this Act, if such person believes in good faith that he is
15 entitled to an injunction restraining the examination of such record.

1 SEC. 9. Section ninety-one point thirteen (91.13), Code 1966, is
2 hereby repealed.

1 SEC. 10. Section four hundred twenty-two point sixty-five
2 (422.65), Code 1966, is amended by adding the following new sen-
3 tence at the end of subsection one (1):

4 "This subsection shall prevail over the provisions of any general
5 law of this state relating to public records."

1 SEC. 11. If it is determined that any provision of this Act would
2 cause the denial of funds, services or essential information from the
3 United States government which would otherwise definitely be avail-
4 able to an agency of this state, such provision shall be suspended as
5 to such agency, but only to the extent necessary to prevent denial of
6 such funds, services, or essential information.

1 SEC. 12. 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 Algona Upper Des Moines, a newspaper published at Algona,
 4 Iowa, and in the Independence Conservative, a newspaper published
 5 at Independence, Iowa.

Approved July 28, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 537, was published in The Algona Upper Des Moines, Algona, Iowa, August 3, 1967, and in the Independence Conservative, Independence, Iowa, August 8, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 107

IOWA PUBLIC OFFICIALS ACT

S. F. 476

AN ACT relating to conflicts of interest of employees, officials and members of the general assembly of the state of Iowa.

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

1 SECTION 1. This Act shall be known as the "Iowa Public Officials
 2 Act".

1 SEC. 2. When used in this Act, unless the context otherwise re-
 2 quires:

3 1. "Compensation" means any money, thing of value, or financial
 4 benefit conferred in return for services rendered or to be rendered.

5 2. "Legislative employee" means any full time officer or employee
 6 of the general assembly but shall not include members of the general
 7 assembly.

8 3. "Member of the general assembly" means any individual duly
 9 elected to the senate or the house of representatives of the state of
 10 Iowa.

11 4. "Regulatory agency" means department of agriculture, indus-
 12 trial commissioner, bureau of labor, employment security commission,
 13 department of banking, insurance department, department of health,
 14 department of public safety, department of public instruction, board
 15 of regents, board of control, board of social welfare, state tax commis-
 16 sion, department of mines and minerals, commerce commission, liquor
 17 control commission, board of pharmacy examiners, state conservation
 18 commission, aeronautics commission, state highway commission, civil
 19 rights commission, soil conservation committee, public defense, and
 20 natural resources council.

21 5. "Employee" means any full time, salaried employee of the state
 22 of Iowa and does not include part time employees or independent con-
 23 tractors. Employee shall include but not be limited to all clerical
 24 personnel.

25 6. "Official" means any officer of the state of Iowa receiving a sal-
 26 ary or per diem whether elected or appointed or whether serving full

27 time or part time. Official shall include but not be limited to all super-
28 visory personnel and members of state agencies and shall not include
29 members of the general assembly or legislative employees.

30 7. "State agency" means any state department or division, board,
31 commission, or bureau of the state including regulatory agencies.

32 Whenever the terms "legislative employee", "member of the general
33 assembly", "employee", or "official" are used in this Act, the term shall
34 be interpreted to include any firm or association of which any of the
35 above is a member or partner and any corporation of which any of the
36 above holds ten (10) percent or more of the stock either directly or
37 indirectly. The use of the above terms shall also include wives and
38 unemancipated minor children.

1 SEC. 3. No official, employee, member of the general assembly, or
2 legislative employee shall sell any goods having a value in excess of
3 five hundred (500) dollars to any state agency unless pursuant to an
4 award or contract let after public notice and competitive bidding. This
5 section shall not apply to the publication of resolutions, advertise-
6 ments, or other legal propositions or notices in newspapers designated
7 pursuant to law for such purpose and for which the rates are fixed
8 pursuant to law.

1 SEC. 4. No official or employee of any regulatory agency shall sell,
2 either directly or indirectly, any goods or services to individuals,
3 associations, or corporations subject to the regulatory authority of the
4 agency of which he is an official or employee.

1 SEC. 5. No official, employee, member of the general assembly, or
2 legislative employee shall, directly or indirectly, solicit, accept, or re-
3 ceive any gift having a value of twenty-five (25) dollars or more
4 whether in the form of money, service, loan, travel, entertainment,
5 hospitality, thing, or promise, or in any other form. No person shall,
6 directly or indirectly, offer or make any such gift to any official, em-
7 ployee, member of the general assembly, or legislative employee which
8 has a value in excess of twenty-five (25) dollars. Nothing herein shall
9 preclude campaign contributions or gifts which are unrelated to legis-
10 lative activities or to state employment.

1 SEC. 6. No official, employee, or legislative employee shall receive,
2 directly or indirectly, or enter into any agreement, express or implied,
3 for any compensation, in whatever form, for the appearance or ren-
4 dition of services by himself or another against the interest of the
5 state in relation to any case, proceeding, application, or other matter
6 before any state agency, any court of the state of Iowa, any federal
7 court, or any federal bureau, agency, commission or department.

1 SEC. 7. No person who has served as an official or employee of a
2 state agency shall within a period of two (2) years after the ter-
3 mination of such service or employment appear before such state
4 agency or receive compensation for any services rendered on behalf
5 of any person, firm, corporation, or association in relation to any case,
6 proceeding, or application with respect to which such person was
7 directly concerned and in which he personally participated during
8 the period of his service or employment.

9 No person who has served as the head of or on a commission or
10 board of a regulatory agency or as a deputy thereof, shall within a
11 period of two (2) years after the termination of such service receive
12 compensation for any services rendered on behalf of any person,
13 firm, corporation, or association in any case, proceedings, or appli-
14 cation before the department with which he so served wherein his
15 compensation is to be dependent or contingent upon any action by
16 such agency with respect to any license, contract, certificate, ruling,
17 decision, opinion, rate schedule, franchise, or other benefit, or in
18 promoting or opposing, directly or indirectly, the passage of bills or
19 resolutions before either house of the general assembly.

1 SEC. 8. In addition to any penalty contained in any other provi-
2 sion of law, any person who knowingly and intentionally violates the
3 provisions of section three (3) through six (6) and section eight (8)
4 of this Act shall be guilty of a misdemeanor and may be suspended
5 from his position.

1 SEC. 9. Actions to enforce the provisions of this Act may be com-
2 menced by any legal resident of the state of Iowa who is twenty-one
3 (21) years of age or more at the time of commencing the action or by
4 the attorney general.

1 SEC. 10. Section seven hundred forty-one point one (741.1), Code
2 1966, is hereby amended by inserting in line fourteen (14) after the
3 word "gratuity." the following:

4 "The provisions of this section shall not be construed to apply to
5 officials or employees of the state of Iowa nor to legislators or legis-
6 lative employees."

1 SEC. 11. Sections seven hundred forty-one point six (741.6)
2 through seven hundred forty-one point ten (741.10), Code 1966, are
3 hereby repealed.

1 SEC. 12. There shall be an ethics committee in the senate and an
2 ethics committee in the house, each to consist of seven members;
3 three members to be appointed by the majority leader in each house,
4 two members by the minority leader in each house and two indi-
5 viduals who shall not be employees of the general assembly by the
6 chief justice of the Iowa supreme court.

7 Each committee shall elect a chairman and shall have the following
8 powers, duties and functions:

9 1. Prepare a code of ethics within thirty days after the commence-
10 ment of the session.

11 2. Prepare rules relating to lobbyists and lobbying activities in the
12 general assembly.

13 3. Issue advisory opinions interpreting constitutional and statu-
14 tory provisions relating to legislators and lobbyists as well as inter-
15 preting the code of ethics and rules issued pursuant to this section.
16 Opinions shall be issued when approved by a majority of the seven
17 members and may be issued upon the request of a member of the
18 general assembly or upon the committee's initiation.

19 4. Investigate complaints and charges against members of its
20 house and if warranted, report the results of such investigation to
21 its house with recommendations for further action.

22 5. Recommend legislation relating to legislative ethics and lobby-
23 ing activities.

24 The code of ethics and rules relating to lobbyists and lobbying ac-
25 tivities shall not become effective until approved by the members of
26 the house to which the proposed code and rules apply. The code or
27 rules may be amended either upon the recommendation of the ethics
28 committee or by members of the general assembly.

29 Violation of the code of ethics may result in the suspension of a
30 member from the general assembly and the forfeiture of his salary
31 if directed by a two-thirds ($\frac{2}{3}$) vote of the house to which the mem-
32 ber belongs. Such suspension or forfeiture of salary shall be for such
33 duration as specified in the directing resolution provided however
34 that it cannot extend beyond the date of adjournment of the session.
35 Violation of the rules relating to lobbyists and lobbying activities
36 may result in the suspension of any lobbyist if directed by a two-
37 thirds ($\frac{2}{3}$) vote of the house wherein the violation occurred.

Approved July 27, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

CHAPTER 108

VIET NAM VETERANS' PREFERENCE

S. F. 9

AN ACT relating to Viet Nam veterans' preference.

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

1 SECTION 1. Section seventy point one (70.1), Code 1966, is
2 amended by inserting in line eleven (11) after the word "inclusive,"
3 the words "and the Viet Nam Conflict beginning August 5, 1964 and
4 ending on the date the armed forces of the United States are directed
5 by formal order of the government of the United States to cease hos-
6 tilities, both dates inclusive,".

Approved February 8, 1967.

CHAPTER 109

HIGHWAY PATROL

H. F. 785

AN ACT relating to the number of members of the Iowa highway safety patrol.

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

- 1 SECTION 1. Section eighty point four (80.4), Code 1966, is hereby
 2 amended by inserting in line seven (7) after the word "men" the
 3 following:
 4 "for the fiscal year beginning July 1, 1967, and four hundred ten
 5 (410) men for the fiscal year beginning July 1, 1968, and all subse-
 6 quent years".

Approved July 20, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 110

PUBLIC SAFETY TRAINING SCHOOLS

S. F. 711

AN ACT relating to training schools for members of the department of public safety.

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

- 1 SECTION 1. Section eighty point thirteen (80.13), Code 1966, is
 2 hereby amended by striking from lines six (6) and seven (7) the
 3 words ", for periods not to exceed one month in any calendar year".

Approved May 22, 1967.

CHAPTER 111

PUBLIC SAFETY DEPARTMENT APPLICANTS

S. F. 260

AN ACT relating to application requirements for members of the department of public safety.

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

- 1 SECTION 1. Section eighty point fifteen (80.15), Code 1966, is
 2 hereby amended by striking in lines seven (7) through nine (9), the
 3 words "must have resided in the state of Iowa for at least the period
 4 of two years, immediately prior to making application,".

Approved May 11, 1967.

CHAPTER 112

LAW-ENFORCEMENT OFFICERS TRAINING ACADEMY

H. F. 260

AN ACT to provide for the creation of a law-enforcement officers' training academy and a council to assist in formulating policies for the direction of the activities of the academy; and to make appropriations to the department of public defense* for the general operating costs in carrying out the purposes of this Act.

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

1 SECTION 1. This Act shall be known as the "Iowa law-enforcement
2 academy and council act".

1 SEC. 2. It is the intent of the legislature in creating the academy
2 and the council to maximize training opportunities for law-enforce-
3 ment officers, to coordinate training and to set standards for the law-
4 enforcement service, all of which are imperative to upgrading law
5 enforcement to professional status.

1 SEC. 3. When used in this Act:

2 1. "Academy" means the Iowa law-enforcement academy division of
3 the department of public safety.

4 2. "Council" means the Iowa law-enforcement academy council.

5 3. "Law-enforcement officer" means a conservation officer, a mem-
6 ber of a police force or other agency or department of the state, county,
7 city or town regularly employed as such and who is responsible for the
8 prevention and detection of crime and the enforcement of the criminal
9 laws of this state.

1 SEC. 4. There is hereby created the Iowa law-enforcement academy
2 as a central police training facility, in order to serve the best interests
3 of the state in carrying out the intent and purpose of this Act. The
4 academy shall be situated at Camp Dodge and the council shall enter
5 into an agreement with the adjutant general which agreement shall
6 provide for the use of certain of the facilities at Camp Dodge, for the
7 remodeling and conversion of existing structures to classrooms and
8 dormitory space, and for the use of land for the site of an administra-
9 tion building. The agreement shall be on such terms and conditions
10 as are necessary to carry out the purpose of this Act.

1 SEC. 5. The administration of the Iowa law-enforcement academy
2 and council act shall be vested in the commissioner of public safety. A
3 director of the academy and such staff as may be necessary for it to
4 function shall be employed pursuant to the Iowa merit system.

1 SEC. 6. There is hereby created the Iowa law-enforcement academy
2 council which shall consist of the following members:

3 1. The attorney general, or his designated representative.

4 2. One member appointed from the senate by the lieutenant gov-
5 ernor for a term of four (4) years, commencing upon the effective
6 date of this Act. In the event that the member appointed by the lieuten-
7 ant governor is unable to complete his term, a vacancy shall exist
8 which shall be filled for the unexpired term in the same manner as the
9 original appointment.

*According to enrolled Act.

10 3. One member appointed from the house by the speaker of the
11 house for a term of two (2) years, commencing upon the effective date
12 of this Act. Thereafter, all succeeding appointments by the speaker of
13 the house shall be for a term of four (4) years. In the event that the
14 member appointed by the speaker of the house is unable to complete
15 his term, a vacancy shall exist which shall be filled for the unexpired
16 term in the same manner as the original appointment.

17 4. Four members, knowledgeable and experienced in the field of law
18 enforcement, appointed by the governor. The governor shall appoint
19 two members for a term of two (2) years and two members for a
20 term of four (4) years, commencing upon the effective date of this
21 Act. Thereafter, all succeeding appointments by the governor shall
22 be for a term of four (4) years. In the event that the member ap-
23 pointed by the governor is unable to complete his term, a vacancy shall
24 exist which shall be filled for the unexpired term in the same manner
25 as the original appointment.

1 SEC. 7. The council shall elect from its membership a chairman
2 and a vice-chairman each of whom shall serve for a term of one (1)
3 year and who may be reelected. Membership on the council shall not
4 constitute holding a public office and members of the council shall not
5 be required to take and file oaths of office before serving on the council.
6 No member of the council shall be disqualified from holding any public
7 office or employment by reason of his appointment or membership on
8 the council, nor shall any member forfeit any such office or employ-
9 ment by reason of his appointment to the council, notwithstanding the
10 provisions of any general, special or local law, ordinance or city
11 charter.

1 SEC. 8. The members of the council shall serve without compensa-
2 tion but shall be entitled to travel and actual expenses involved in at-
3 tending meetings and in the performance of their duties.

1 SEC. 9. The council shall meet at least four (4) times each year
2 and shall hold special meetings when called by the chairman or, in
3 the absence of the chairman, by the vice-chairman, or by the chairman
4 upon written request of six (6) members of the council. The council
5 shall establish procedures and requirements with respect to quorum,
6 place, and conduct of meetings.

1 SEC. 10. The council shall make an annual report to the governor,
2 the attorney general, and the commissioner of public safety which
3 shall include pertinent data regarding the standards established and
4 the degree of participation of agencies in the training program.

1 SEC. 11. The director of the academy, subject to the approval of
2 the council, shall promulgate rules and regulations in accordance with
3 the provisions of this Act and chapter seventeen A (17A) of the Code,
4 giving due consideration to varying factors and special requirements
5 of law-enforcement agencies relative to the following:

6 1. Minimum entrance requirements, minimum qualifications for in-
7 structors, course of study, attendance requirements, and equipment
8 and facilities required at approved police training schools.

9 2. Minimum basic training requirements law-enforcement officers
10 employed after July 1, 1968, must complete in order to remain eligible
11 for continued employment and the time within which such basic train-
12 ing must be completed.

13 3. Categories or classifications of advanced in-service training pro-
14 gram and minimum courses of study and attendance requirements for
15 such categories or classifications.

16 4. Minimum standards of physical, educational, mental and moral
17 fitness which shall govern the recruitment, selection and appointment
18 of police officers.

19 5. Exemptions from particular provisions of this Act in case of any
20 state, county, city or town, if, in the opinion of the council, the stand-
21 ards of police training established and maintained by such govern-
22 mental agency are as high or higher than those established pursuant
23 to this Act; or revocation in whole or in part of such exemption, if in
24 its opinion the standards of police training established and maintained
25 by such governmental agency are lower than those established pur-
26 suant to this Act.

1 SEC. 12. The director with the approval of the council may enter
2 into agreements with other public and private agencies, colleges and
3 universities to carry out the intent of this Act.

1 SEC. 13. The council may:

2 1. Designate members to visit and inspect any police training school,
3 or examine the curriculum or training procedures, for which applica-
4 tion for approval has been made.

5 2. Issue certificates to police training schools qualifying under the
6 regulations of the council.

7 3. Authorize the issuance of certificates of graduation or diplomas
8 by approved police training schools to police officers who have satis-
9 factorily completed minimum courses of study.

10 4. Make recommendations to the governor, the attorney general,
11 the commissioner of public safety and the legislature on matters per-
12 taining to qualification and training of law-enforcement officers and
13 other matters considered necessary to improve law-enforcement serv-
14 ices.

15 5. Cooperate with federal, state and local enforcement agencies in
16 establishing and conducting local or area schools, or regional training
17 centers for instruction and training of law-enforcement officers.

18 6. Direct research in the field of law enforcement and accept grants
19 for such purposes.

20 7. Accept applications for attendance of the academy from persons
21 other than those required to attend.

1 SEC. 14. There is hereby appropriated to the department of public
2 safety from the general fund of the state for each year of the biennium
3 beginning July 1, 1967 and ending June 30, 1969, the sum of one hun-
4 dred fifty-eight thousand (158,000) dollars, or so much thereof as may
5 be necessary, for general operating costs to carry out the purposes of
6 this Act. There is hereby further appropriated to the department of
7 public safety from the general fund of the state the sum of one hun-
8 dred fifty thousand (150,000) dollars for capital expenditures for the
9 construction of an administration building and remodeling of existing

10 structures at Camp Dodge to carry out the purposes of this Act. Any
 11 unencumbered balance of the funds appropriated by this Act remain-
 12 ing as of January 31, 1969 shall revert to the general fund of the state
 13 as of that date.

Approved July 24, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 113

STRIP MINE REHABILITATION DEMONSTRATION

H. F. 281

AN ACT to authorize at least one (1) and not more than three (3) projects for the demonstration of methods of rehabilitating land affected by surface mining, and to make an appropriation therefor.

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

1 SECTION 1. The department of mines and minerals shall during
 2 the biennium beginning July 1, 1967 and ending June 30, 1969 conduct
 3 or arrange for at least one (1) and not more than three (3) projects
 4 to demonstrate methods of rehabilitating surface mined land in the
 5 state. The department may arrange by contract, cost-sharing agree-
 6 ment, or otherwise for any or all of the projects to be conducted by
 7 any public or private agency or organization and may accept federal,
 8 public, and private funds, or funds from other sources, on terms not
 9 in conflict with any of the provisions of this Act to supplement funds
 10 appropriated for the demonstration projects. Any state department
 11 or agency shall upon request of the department of mines and minerals
 12 provide technical assistance in conducting any or all of the demonstra-
 13 tion projects, and shall be reimbursed by the department of mines and
 14 minerals for the assistance provided. Information derived from the
 15 projects shall be compiled and disseminated by the state mining board.

1 SEC. 2. In conducting or arranging for the demonstration project
 2 or projects required by this Act, the department shall observe the fol-
 3 lowing order of priorities:

4 1. First priority shall be given to a project to demonstrate methods
 5 of reducing or eliminating the surface acidity of abandoned or de-
 6 pleted strip coal mine sites where the surfaces are presently toxic to
 7 vegetation.

8 2. Second priority shall be given to a project to demonstrate meth-
 9 ods of restoring abandoned or depleted surface mine sites for use for
 10 agricultural purposes.

11 3. Third priority shall be given to a project to demonstrate methods
 12 of restoring abandoned or depleted surface mine sites for recreational
 13 use by the public, including use by persons participating in recrea-
 14 tional activities requiring specialized facilities.

1 SEC. 3. The demonstration project or projects shall be conducted
 2 only on land not now employable for any useful purpose due to effects
 3 of surface mining operations which ceased prior to July 1, 1967 and

4 which are not likely to be resumed in the future. The site or sites of
5 the project or projects shall be selected by the state mining board
6 which may acquire the site or sites by purchase or unconditional gift.
7 The board may at its discretion arrange for any demonstration project
8 authorized by this Act to be conducted on land not acquired by the
9 board, provided:

10 1. The owner of the land agrees to pay a percentage of the cost of
11 the project, the percentage to be determined by the board.

12 2. Agreement is reached that interested persons shall be permitted
13 reasonable opportunity to enter upon the land for the purpose of ob-
14 serving the demonstration project or its results during the time the
15 project is being conducted and for such number of years as the board
16 may determine after the project is completed.

1 SEC. 4. Unless the General Assembly directs otherwise, each tract
2 of land acquired by the state mining board under section three (3) of
3 this Act shall be disposed of by the board upon completion of the
4 demonstration project or after June 30, 1969, whichever is later, in
5 the following manner:

6 1. The location, size, and condition of the tract of land shall be
7 reported to the governor who may direct the board to transfer title
8 to the land to any other state agency.

9 2. If the governor does not direct that the land be transferred to
10 another state agency, the board may sell the land to any political sub-
11 division at a price not less than the actual cost of acquisition and of all
12 improvements effected in the course of the demonstration project.

13 3. If no political subdivision offers to purchase the land on the
14 terms prescribed in subsection two (2) of this section, the board shall
15 offer the land for sale to the highest bidder at a public sale.

16 The proceeds from sale of land by the board under this section shall
17 be placed in the general fund of the state of Iowa.

1 SEC. 5. There is hereby appropriated from the general fund of the
2 state of Iowa to the department of mines and minerals for the bien-
3 nium beginning July 1, 1967 and ending June 30, 1969 the sum of
4 thirty thousand (30,000) dollars or so much thereof as may be neces-
5 sary to be used for the purposes prescribed in this Act. Any unen-
6 cumbered balance of the appropriation remaining as of June 30, 1969
7 shall revert to the general fund of the state.

Approved May 11, 1967.

CHAPTER 114

REGULATION OF SURFACE MINING

S. F. 279

AN ACT to require licensing of mining operators, to regulate surface mining, and relating to rehabilitation of land affected by surface mining.

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

1 SECTION 1. It is hereby declared to be the policy of this state to
2 provide for the rehabilitation and conservation of land affected by
3 surface mining and thereby to preserve natural resources, protect and
4 perpetuate the taxable value of property, and protect and promote the
5 health, safety and general welfare of the people of this state.

1 SEC. 2. When used in this Act, unless the context otherwise re-
2 quires:

3 1. "Overburden" means all of the earth and other materials which
4 lie above natural deposits of coal, gypsum, clay, stone, sand, gravel or
5 other minerals, and includes all earth and other materials disturbed
6 from their natural state in the process of surface mining.

7 2. "Surface mining" means the mining of coal, gypsum, clay, stone,
8 sand, gravel or other ores or mineral solids for sale or for processing
9 or consumption in the regular operation of a business by removing the
10 overburden lying above natural deposits thereof and mining directly
11 from the natural deposits thereby exposed, or by mining directly from
12 deposits lying exposed in their natural state. Removal of overburden
13 and mining of limited amounts of any ores or mineral solids shall not
14 be considered surface mining when done only for the purpose and to
15 the extent necessary to determine the location, quantity, or quality of
16 any natural deposit, so long as no ores or mineral solids removed dur-
17 ing exploratory excavation or mining are sold, processed for sale, or
18 consumed in the regular operation of a business.

19 3. "Operator" means any person, firm, partnership, or corporation
20 engaged in and controlling a surface mining operation but shall not
21 include a political subdivision of the state of Iowa.

22 4. "Active site" means a site where surface mining is being con-
23 ducted.

24 5. "Inactive site" means a site where surface mining is not being
25 conducted but where overburden has been disturbed in the past for
26 the purpose of conducting surface mining and an operator anticipates
27 conducting further surface mining operations in the future.

28 6. "Pit" means a tract of land from which overburden has been or
29 is being removed for the purpose of surface mining.

30 7. "Affected land" means the area of land from which overburden
31 has been removed or upon which overburden has been deposited or
32 both.

33 8. "Spoil bank" means overburden removed from its natural posi-
34 tion and deposited elsewhere in the process of surface mining.

35 9. "Ridge" means a lengthened elevation of overburden removed
36 from its natural position and deposited elsewhere in the process of
37 surface mining.

38 10. "Peak" means a projecting point of overburden removed from
39 its natural position and deposited elsewhere in the process of surface
40 mining.

41 11. "Irregular spoil bank" means a spoil bank characterized by
42 ridges, peaks, or both, rather than by a continuous slope, when viewed
43 horizontally.

44 12. "Department" means the department of mines and minerals.

45 13. "Board" means the state mining board.

46 14. "Advisory board" means the "land rehabilitation advisory
47 board" in the department of mines and minerals.

48 15. "Inspector" means the state mine inspector and any other em-
49 ployee of the department of mines and minerals responsible for ad-
50 ministration or enforcement of this Act.

1 SEC. 3. There is hereby established within the department of
2 mines and minerals a land rehabilitation advisory board which shall
3 consist of eight (8) members appointed by the governor, as follows:

4 1. The state forester or a member educated and experienced in the
5 field of forestry.

6 2. The state geologist or a member educated and experienced in the
7 field of geology.

8 3. One (1) member educated and experienced in the field of agron-
9 omy.

10 4. One (1) member representing the state conservation commis-
11 sion.

12 5. One (1) member representing the Iowa natural resources coun-
13 cil.

14 6. One (1) member representing the state soil conservation com-
15 mittee.

16 7. Two (2) members representing Iowa surface mining operators.
17 The state association or groups representing each of the industries
18 engaged in surface mining in Iowa, or their managing boards, may
19 jointly submit to the governor in each year when an industry repre-
20 sentative is to be appointed a list of two (2) or more persons qualified
21 for the appointment. If a list is submitted, the governor shall appoint
22 to the advisory board at least one (1) of the persons named on the list.

23 Members of the advisory board may at any time request representa-
24 tives of any federal, state, local, or private agency or group to serve
25 in a consulting capacity with the advisory board.

1 SEC. 4. Members of the advisory board shall serve for terms of
2 three (3) years but the terms of the eight (8) initial appointees shall
3 be as follows:

4 1. Two (2) members shall serve from the date of appointment until
5 June 30, 1968.

6 2. Three (3) members shall serve from the date of appointment
7 until June 30, 1969.

8 3. Three (3) members shall serve from the date of appointment
9 until June 30, 1970.

10 Vacancies on the advisory board shall be filled for the unexpired
11 term of the vacancy in the same manner as the original appointment.
12 Members of the advisory board shall serve without compensation but
13 shall be allowed actual and necessary expenses while engaged in offi-

14 cial duties upon certification of the chairman of the advisory board to
15 the state mining board.

1 SEC. 5. Prior to August 1 of each year, the advisory board shall
2 meet and organize and shall elect a chairman and such other officers
3 as advisory board members shall deem necessary. The chairman shall
4 be responsible for calling meetings of the advisory board. Advisory
5 board meetings shall be held at least quarterly and at such other times
6 as the chairman of the advisory board or the chairman of the state
7 mining board deems necessary or upon the request of four (4) or
8 more advisory board members.

1 SEC. 6. The advisory board shall:

2 1. Advise the state mining board on any matter relating to admin-
3 istration and enforcement of this Act.

4 2. Advise the state mining board with respect to surface mined land
5 rehabilitation demonstration projects.

6 3. Advise the state mining board on the gathering, preparation, and
7 dissemination of information on methods of rehabilitating land which
8 has been surface mined and on any state, federal, or other financial
9 assistance which may be available to assist in paying the cost of re-
10 habilitation of the land.

11 4. Present to the Sixty-third (63rd) General Assembly not later
12 than January 1, 1969 a summary of information on:

13 a. The number of acres of land affected by surface mining in Iowa
14 prior to January 1, 1968 and the number of acres of land so affected
15 where surface mining operations had ceased prior to January 1, 1968
16 and are not likely to be resumed in the future.

17 b. The extent to which acceptable rehabilitation measures have been
18 carried out on land in Iowa affected by surface mining operations
19 which ceased prior to January 1, 1968 and are not likely to be resumed
20 in the future, and the possibility, practicability, and probable cost of
21 rehabilitating the balance of Iowa land so affected.

22 c. Recommendations for any legislation believed necessary to en-
23 courage or assist the rehabilitation of Iowa land affected by surface
24 mining operations which ceased prior to January 1, 1968 and are not
25 likely to be resumed in the future.

26 5. Prepare and present to the General Assembly, not later than
27 January 1, 1973, a report on the extent of successful revegetation of
28 land in Iowa rehabilitated pursuant to this Act and recommendations
29 for any legislation believed necessary to encourage and assist re-
30 vegetation of surface mined land.

1 SEC. 7. No person, firm, partnership, or corporation shall engage
2 in surface mining as defined by this Act or operation of an under-
3 ground mine or mines, as defined by section eighty-two point twenty-
4 seven (82.27) of the Code without first obtaining a license from the
5 department. Licenses shall be issued upon application submitted on a
6 form provided by the department and shall be accompanied by a fee
7 of fifty (50) dollars. Each applicant shall be required to furnish on
8 the form information necessary to identify the applicant. Licenses
9 shall expire one (1) year from date of issuance and shall be renewed
10 by the department upon application submitted within thirty (30) days

11 prior to the expiration date and accompanied by a fee of ten (10)
12 dollars.

1 SEC. 8. The department may, with approval of the board, com-
2 mence proceedings to suspend, revoke, or refuse to renew a license of
3 any licensee for repeated or willful violation of any of the provisions
4 of this Act or of chapters eighty-two (82) or eighty-three (83) of the
5 Code. The department shall by certified mail or personal service serve
6 on the licensee notice in writing of the charges and grounds upon
7 which the license is to be suspended, revoked, or will not be renewed.
8 The notice shall include the time and the place at which a hearing shall
9 be held before the board to determine whether to suspend, revoke, or
10 refuse to renew the license. The hearing shall be not less than fifteen
11 (15) nor more than thirty (30) days after the mailing or service of
12 the notice.

1 SEC. 9. Any licensee whose license the department proposes to
2 suspend, revoke, or refuse to renew shall have the right to counsel and
3 may produce witnesses and present statements, documents, and other
4 information in his behalf at the hearing. If after full investigation
5 and hearing the licensee is found to have willfully or repeatedly vio-
6 lated any of the provisions of this Act or of chapters eighty-two (82)
7 or eighty-three (83) of the Code, the board may affirm or modify the
8 proposed suspension, revocation, or refusal to renew the license.
9 When the board finds that a license should be suspended or revoked or
10 should not be renewed, the department shall so notify the licensee in
11 writing by certified mail or by personal service.

1 SEC. 10. Suspension or revocation of a license shall become effec-
2 tive thirty (30) days after the mailing or service of notice to the
3 licensee. When the department proposes to deny an application for
4 renewal of a license and administrative proceedings relevant to the
5 renewal application are pending or in progress on the date the license
6 is to expire, the license shall remain in force until the proceedings
7 have been completed if the licensee has paid the renewal fee. If the
8 board finds the license should not be renewed, the renewal fee shall
9 be refunded and the license shall expire on the expiration date or
10 thirty (30) days after mailing or service of notice to the licensee,
11 whichever is later.

1 SEC. 11. A licensee may, within the thirty (30) day period follow-
2 ing notice that his license has been suspended, revoked, or will not be
3 renewed, file a notice of appeal in the district court. An appeal under
4 this section shall operate to stay the suspension or revocation of a
5 license or the expiration of an unexpired license pending final deci-
6 sion of the appeal. A copy of the notice of appeal shall also be served
7 upon the department, which shall within thirty (30) days after re-
8 ceipt of the notice certify and file with the court a copy of the record
9 and decision including the transcript of the hearings on which the
10 revocation, suspension, or refusal to renew the license was based.

1 SEC. 12. The trial before the court shall be an equity action and
2 legal evidence pertaining to the issue of whether the license shall be
3 suspended, revoked, or renewed may be submitted including new or

4 additional evidence not submitted to the department. The court shall
5 have the power to affirm, modify, or reverse the decision of the depart-
6 ment. The clerk of court upon entry of judgment of suspension, revo-
7 cation, or refusal to renew the license shall immediately forward to
8 the department a certified copy thereof.

1 SEC. 13. Within fifteen (15) days after beginning removal of
2 overburden at any site not previously registered, an operator engaging
3 in surface mining in this state shall register the site with the depart-
4 ment. Application for registration shall be made upon a form pro-
5 vided by the department. The application shall include a description
6 of the tract or tracts of land where the site is located and the esti-
7 mated number of acres at the site to be affected by surface mining.
8 The description shall include the section, township, range, and county
9 in which the land is located and shall otherwise describe the land with
10 sufficient certainty to determine the location and to distinguish the
11 land to be registered from other lands. The application shall include
12 a statement explaining the source of the applicant's legal right to
13 conduct surface mining on the land.

1 SEC. 14. Each application for registration shall be accompanied
2 by a bond or security as required under sections twenty-three (23) or
3 twenty-four (24) of this Act and a registration fee which shall be
4 established by the department in an amount equal to but not greater
5 than the cost of administering the registration provisions of this Act,
6 as estimated by the department. After ascertaining that the applicant
7 is licensed under section seven (7) of this Act and is not in violation
8 of this Act with respect to any site previously registered with the
9 department, the department shall register the site and shall issue the
10 applicant written authorization to conduct surface mining on the site.

1 SEC. 15. An operator may at any time apply for amendment or
2 cancellation of registration of any site. The application for amend-
3 ment or cancellation of registration shall be submitted by the operator
4 on a form provided by the department and shall identify as required
5 under section thirteen (13) of this Act the tract or tracts of land to
6 be added to or removed from registration. If the application is for
7 an increase in the area of a registered site, the application shall be
8 processed in the same manner as an application for original registra-
9 tion. If the application is to cancel registration of any or all of the
10 unmined part of a site, the department shall after ascertaining that
11 no overburden has been disturbed or deposited on the land order re-
12 lease of the bond or the security posted on the land being removed
13 from registration and cancel or amend the operator's written authori-
14 zation to conduct surface mining on the site. Fees for amendment or
15 cancellation of registration shall be determined as provided in section
16 fourteen (14) of this Act. No land where overburden has been dis-
17 turbed or deposited shall be removed from registration or released
18 from bond or security under this section.

1 SEC. 16. If control of an active site or the right to conduct any
2 future mining at an inactive site is acquired by an operator other than
3 the operator holding authorization to conduct surface mining on the
4 site, the new operator shall within fifteen (15) days apply for regis-

5 tration of the site in the new operator's name. The application shall
6 be made and processed as provided under sections thirteen (13) and
7 fourteen (14) of this Act. The former operator's bond or security
8 shall not be released until the new operator's bond or security has
9 been accepted by the department.

1 **SEC. 17.** Every operator authorized under this Act to engage in
2 surface mining on a site where mining operations disturb overburden
3 containing acid-forming materials shall, when feasible, avoid placing
4 on the surfaces of spoil banks any materials likely to form acid in
5 amounts which will prevent or impede establishment of desirable
6 vegetation on the spoil banks. After completion of mining operations
7 the operator shall within the time specified in section nineteen (19)
8 of this Act:

9 1. Grade irregular spoil banks to reduce peaks and ridges to a roll-
10 ing topography suitable for establishment of desirable vegetation by
11 striking off ridges and peaks to a width of at least twenty-four (24)
12 feet at the top.

13 2. Grade spoil banks other than irregular spoil banks to slopes hav-
14 ing a maximum of one (1) foot of vertical rise for each three (3) feet
15 of horizontal distance except that where the original topography of
16 the affected land was steeper than one (1) foot of vertical rise for
17 each three (3) feet of horizontal distance, the spoil bank shall be
18 graded to blend with the surrounding terrain.

19 3. Construct an earth dam in the final cut at any site where a lake
20 or pond may be formed if necessary to properly control drainage from
21 the site and if formation of a lake will not interfere with underground
22 or other mining operations or damage adjoining property.

23 4. Cover, with at least two (2) feet of earth or spoil material,
24 acid-forming materials present in a mineral seam exposed by mining
25 operations if the exposed acid-forming materials are not covered by
26 impounded water.

27 A bond or security posted under this Act to assure rehabilitation
28 of land affected by surface mining shall not be released until all re-
29 habilitation work required by this section has been performed to the
30 department's satisfaction, except when a replacement bond or secu-
31 rity is posted by a new operator under section sixteen (16) of this
32 Act.

1 **SEC. 18.** Every operator shall file with the department a periodic
2 report for each site under registration indicating whether the site is
3 presently active or inactive. Each report shall make reference to the
4 most recent registration of the site and shall show:

5 1. The location and extent of all land on the site affected by surface
6 mining during the period covered by the report.

7 2. The extent to which removal of mineral products from all or any
8 part of the affected land has been completed.

9 A report as prescribed by this section shall be filed not later than
10 twelve (12) months after original registration of the site and prior
11 to the expiration of each subsequent twelve (12) month period there-
12 after. A report shall also be filed within thirty (30) days after com-
13 pletion of all surface mining operations at the site regardless of the
14 date of the last preceding report. Forms on which periodic reports

15 required by this section shall be filed shall be provided by the depart-
16 ment.

1 SEC. 19. An operator of a surface mine shall rehabilitate land
2 affected by surface mining within twenty-four (24) months after the
3 filing of a report required under section eighteen (18) of this Act
4 indicating the mining of any part of a site has been completed. Each
5 operator, upon completion of any rehabilitation work required by
6 section seventeen (17) of this Act, shall apply to the department in
7 writing for approval of the work. The department shall within a
8 reasonable time determined by departmental rule inspect the com-
9 pleted rehabilitation work. Upon determination by the department
10 that the operator has satisfactorily completed all required rehabili-
11 tation work on the land included in the application, the department
12 shall release the bond or security on the rehabilitated land, shall re-
13 move the land from registration, and shall terminate or amend as
14 necessary the operator's authorization to conduct surface mining on
15 the site.

1 SEC. 20. The time for completion of rehabilitation work may be
2 extended upon presentation by the operator of evidence satisfactory
3 to the department that rehabilitation of affected land cannot be com-
4 pleted within the time specified by section nineteen (19) of this Act
5 without unreasonably impeding removal of mineral products from
6 other parts of an active site or future removal of mineral products
7 from an inactive site.

1 SEC. 21. Any political subdivision of the state of Iowa which
2 engages or intends to engage in surface mining shall meet all require-
3 ments of sections thirteen (13) through twenty (20) of this Act
4 except the subdivision shall not be required to post bond or security
5 on registered land. When a political subdivision engaging in surface
6 mining violates any provision of this Act or any rule or regulation
7 adopted by the department pursuant to this Act, the department shall
8 notify the chief administrative officer or governing body of the sub-
9 division. If after a reasonable time determined by the department,
10 the subdivision has not commenced corrective measures approved by
11 the department, the violation shall be referred to the board. The chief
12 administrative officer or governing body of the subdivision shall be
13 notified in writing of the referral.

1 SEC. 22. Upon receipt of the referral, the board shall schedule a
2 hearing on the violation by the political subdivision within thirty (30)
3 days after the date of receipt. The board shall upon written request
4 from the chief administrative officer or governing board afford repre-
5 sentatives of the subdivision the right to appear before the board at
6 the hearing. Representatives of the subdivision shall have the right
7 to counsel, and may produce witnesses and present statements, docu-
8 ments, and other information with respect to the alleged violation for
9 consideration of the board at the hearing. If the board determines the
10 subdivision is in violation of any of the provisions of this Act or of
11 any rule or regulation adopted by the department pursuant to this
12 Act, the board shall request the attorney general to institute proceed-
13 ings to enjoin the subdivision from conducting further surface min-

14 ing operations until the subdivision has completed corrective measures
15 to the satisfaction of the department.

1 SEC. 23. Each bond filed with the department by an operator pur-
2 suant to this Act shall be in a form prescribed by the department,
3 payable to the state of Iowa, and conditioned upon faithful perform-
4 ance by the operator of all requirements of this Act and all rules and
5 regulations adopted by the department pursuant to this Act. The bond
6 shall be signed by the operator as principal and by a corporate surety
7 licensed to do business in Iowa as surety. In lieu of a bond, the oper-
8 ator may deposit cash or government securities with the department
9 on the same conditions as prescribed by this section for filing of bonds.
10 The amount of the bond or other security required to be filed with each
11 application for registration of a surface mining site, or to increase the
12 area of a site previously registered, shall be equal to the estimated
13 cost of rehabilitating the site as required under section seventeen (17)
14 of this Act. The estimated cost of rehabilitation of each individual
15 site shall be determined by the department on the basis of relevant
16 factors including but not limited to topography of the site, mining
17 methods being employed, depth and composition of overburden, and
18 depth of the mineral deposit being mined. The department may re-
19 quire an applicant for registration or amendment of registration of
20 a site to furnish information necessary to estimate the cost of reha-
21 bilitating the site. The penalty of the bond or the amount of cash or
22 securities on deposit may be increased or reduced from time to time
23 in accordance with section fifteen (15) of this Act.

1 SEC. 24. Any operator who registers with the department two (2)
2 or more surface mining sites may elect, at the time the second or any
3 subsequent site is registered, to post a single bond in lieu of separate
4 bonds on each site. Any single bond so posted shall be in an amount
5 equal to the estimated cost of rehabilitating all sites the operator has
6 registered, determined as provided in section twenty-three (23) of
7 this Act. The penalty of a single bond on two (2) or more surface
8 mining sites may be increased or decreased from time to time in ac-
9 cordance with sections fourteen (14), fifteen (15), and nineteen (19)
10 of this Act. When an operator elects to post a single bond in lieu of
11 separate bonds previously posted on individual sites, the separate
12 bonds shall not be released until the new bond has been accepted by
13 the department.

1 SEC. 25. No bond filed with the department by an operator pur-
2 suant to this Act may be cancelled by the surety without at least
3 ninety (90) days notice to the department. If the license to do busi-
4 ness in Iowa of any surety of a bond filed with the department is sus-
5 pended or revoked, the operator, within thirty (30) days after receiv-
6 ing notice thereof from the department, shall substitute for the surety
7 a corporate surety licensed to do business in Iowa. Upon failure of
8 the operator to make substitution of surety as herein provided, the
9 department shall have the right to suspend the operator's authoriza-
10 tion to conduct surface mining on the site covered by the bond until
11 substitution has been made. The commissioner of insurance shall
12 notify the department whenever the license of any surety to do busi-
13 ness in Iowa is suspended or revoked.

1 SEC. 26. An inspector may enter at all times upon any lands on
2 which any operator is authorized to conduct surface mining for the
3 purpose of determining whether the operator is or has been complying
4 with the provisions of this Act. The department shall give written
5 notice to any operator who violates any of the provisions of this Act
6 or any rules and regulations adopted by the department pursuant to
7 this Act. If corrective measures approved by the department are not
8 commenced within ninety (90) days, the violation shall be referred to
9 the board. The operator shall be notified in writing of the referral.

1 SEC. 27. Upon receipt of the referral, the board shall schedule a
2 hearing on the violation by the operator within thirty (30) days after
3 the date of receipt. The board shall upon written request afford the
4 operator the right to appear before the board at the hearing. The
5 operator shall have the right to counsel, and may produce witnesses
6 and present statements, documents, and other information with re-
7 spect to the alleged violation. If the board determines that the oper-
8 ator is in violation of this Act or of any rule or regulation adopted by
9 the department pursuant to this Act, the board shall request the at-
10 torney general to institute bond forfeiture proceedings.

1 SEC. 28. The attorney general, upon request of the board, shall
2 institute proceedings for forfeiture of the bond posted by an operator
3 to guarantee rehabilitation of a site where the operator is in violation
4 of any of the provisions of this Act or any rule or regulation adopted
5 by the department pursuant to this Act. Forfeiture of the operator's
6 bond shall fully satisfy all obligations of the operator to rehabilitate
7 affected land covered by the bond. The department shall have the
8 power to rehabilitate as required by section seventeen (17) of this
9 Act any surface mined land with respect to which a bond has been
10 forfeited, using the proceeds of the forfeiture to pay for the necessary
11 rehabilitation work.

1 SEC. 29. Any operator who fails to make timely application for
2 registration of each site where surface mining is being conducted is
3 guilty of a misdemeanor and on conviction shall be punished by a fine
4 of not less than fifty (50) dollars nor more than five hundred (500)
5 dollars or by imprisonment not to exceed thirty (30) days, or both
6 such fine and imprisonment. Each day surface mining activities are
7 conducted at a site for which no application for registration has been
8 made as required under section thirteen (13) of this Act shall con-
9 stitute a separate violation.

1 SEC. 30. Section eighty-two point one (82.1), Code 1966, is hereby
2 amended by adding the following subsections:

3 1. "To adopt rules and regulations in conformity with the mining
4 laws of the state."

5 2. "To conduct or arrange for, by contract or otherwise, demonstra-
6 tion projects relating to rehabilitation of land affected by surface
7 mining prior to January 1, 1968, to the extent state, federal, or other
8 funds are available for the purpose."

9 3. "To gather, prepare, and make available to owners of land which
10 has been surface mined and to other interested persons information
11 on methods of rehabilitating the land and on any state, federal, or

12 other financial assistance which may be available to assist in paying
13 the cost of rehabilitation of the land."

1 SEC. 31. Section eighty-two point seven (82.7), Code 1966, is
2 hereby amended by adding thereto the following:

3 "The governor may, upon the recommendation of the state mining
4 board and the land rehabilitation advisory board, appoint to the staff
5 of the department one (1) or more persons with professional compe-
6 tence in the area of surface mined land rehabilitation who shall serve
7 at the pleasure of the governor."

1 SEC. 32. Section eighty-two point twenty-seven (82.27), Code
2 1966, is hereby amended by striking all of such section after the word
3 "chapter" in line five (5) and inserting in lieu thereof the words
4 "means any underground mine opened for the purpose of removing
5 any ores or mineral solids for commercial purposes."

1 SEC. 33. Sections seven (7) and thirteen (13) of this Act shall
2 take effect January 1, 1968. Operators shall be allowed sixty (60)
3 days to complete registration of all active and inactive sites in exist-
4 ence on January 1, 1968.

Approved April 13, 1967.

CHAPTER 115

WORKMEN'S COMPENSATION

S. F. 508

AN ACT to amend section eighty-five point sixty-one (85.61), Code 1966, relating to workmen's compensation so as to include executive corporate officers within the definition of "workman" or "employee".

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

1 SECTION 1. Section eighty-five point sixty-one (85.61), subsection
2 two (2), Code 1966, is hereby amended by inserting after line four (4)
3 thereof the following: "every executive officer elected or appointed
4 and empowered under and in accordance with the charter and bylaws
5 of a corporation, including a person holding an official position, or
6 standing in a representative capacity of the employer, and including
7 officials elected or appointed by the state, counties, school districts,
8 county boards of education, municipal corporations, or cities under any
9 form of government, and including members of the Iowa highway
10 safety patrol and conservation officers".

1 SEC. 2. Section eighty-five point sixty-one (85.61), Code 1966, is
2 hereby further amended by striking all of subparagraph *c* of subsec-
3 tion three (3) thereof.

Approved June 8, 1967.

CHAPTER 116
CHILDREN OF MIGRATORY WORKERS

H. F. 178

AN ACT relating to migratory agricultural laborers.

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

1 SECTION 1. Chapter ninety-two (92), Code 1966, is amended by
2 adding the following thereto:
3 "No parent or other person having the custody of a child shall per-
4 mit, and no employer shall knowingly permit, a child under the age of
5 ten (10) years to be engaged, with or without compensation, as a
6 migratory agricultural laborer. No parent or other person having the
7 custody of a child shall permit, and no employer shall knowingly per-
8 mit, a child under the age of fourteen (14) years to be engaged as a
9 migratory agricultural laborer on any day prior to or during the reg-
10 ular school hours of any private or public school which teaches general
11 education subjects and which is available to such child. As used in
12 this section, the term 'migratory agricultural laborer' shall include any
13 person who customarily and repeatedly travels from state to state for
14 the purpose of obtaining seasonal employment in agriculture."

Approved June 30, 1967.

CHAPTER 117
LIBRARY SERVICES FOR BLIND PERSONS

H. F. 138

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 ninety-three point five (93.5), Code 1966, is
2 hereby amended by inserting after the word "blind" in line two (2)
3 thereof the following: "may provide library services to blind and
4 physically handicapped persons and".

1 SEC. 2. Section ninety-three point seven (93.7), Code 1966, is
2 hereby amended by inserting after the word "blind" in line six (6)
3 thereof the following: "and to provide library services to the blind
4 and physically handicapped".

1 SEC. 3. This Act being deemed of immediate importance, shall
2 take effect and be in force from and after its publication in *The Albia*
3 *Union-Republican*, a newspaper published in Albia, Iowa, and in *The*
4 *Telegraph-Herald*, a newspaper published in Dubuque, Iowa.

Approved April 5, 1967.

I hereby certify that the foregoing Act, House File 138, was published in *The Albia Union-Republican*, Albia, Iowa, April 13, 1967, and in *The Telegraph-Herald*, Dubuque, Iowa, April 12, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 118

RIGHTS OF BLIND PERSONS

S. F. 608

AN ACT relating to the blind, the partially blind and the physically disabled.

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

1 SECTION 1. It is the policy of this state to encourage and enable
2 the blind, the partially blind and the physically disabled to participate
3 fully in the social and economic life of the state and to engage in
4 remunerative employment.

1 SEC. 2. The blind, the partially blind and the physically disabled
2 shall be employed in the state service, the service of the political sub-
3 divisions of the state, the public schools, and all other employment
4 supported in whole or in part by public funds, on the same terms and
5 conditions as the able-bodied, unless it is shown that the particular
6 disability prevents the performance of the work required.

1 SEC. 3. The blind, the partially blind and the physically disabled
2 have the same right as the able-bodied to the full and free use of the
3 streets, highways, sidewalks, walkways, public buildings, public ele-
4 vators, public facilities and other public places.

1 SEC. 4. The blind, the partially blind and the physically disabled
2 are entitled to full and equal accommodations, facilities, and privileges
3 of all common carriers, airplanes, motor vehicles, railroad trains,
4 motor buses, street cars, boats, other public conveyances or modes of
5 transportation, hotels, lodging places, eating places, places of public
6 accommodation, amusement, or resort, and other places to which the
7 general public is invited, subject only to the conditions and limitations
8 established by law and applicable alike to all persons.

1 SEC. 5. Every blind or partially blind person shall have the right
2 to be accompanied by a guide dog, under control and especially trained
3 for the purpose, in any of the places listed in sections three (3) and
4 four (4) without being required to make any additional payment for
5 the guide dog. He shall be liable for any damage done to the premises
6 or facilities by such dog.

1 SEC. 6. A blind or partially blind pedestrian not carrying a cane
2 or using a guide dog in any place shall have all of the rights and
3 privileges conferred by law upon other persons, and the failure of a
4 blind or partially blind pedestrian to carry a cane or to use a guide
5 dog in any place shall not be held to constitute or be evidence of con-
6 tributory negligence.

1 SEC. 7. Any person, firm, or corporation, or the agent of any per-
2 son, firm, or corporation, who denies or interferes with the rights of
3 any person under this Act shall be guilty of a misdemeanor and upon
4 conviction shall be punished by a fine of not more than two hundred
5 (200) dollars.

1 SEC. 8. The governor shall annually take suitable public notice of
2 October 15 as white cane safety day. He shall issue a proclamation

3 commenting upon the significance of the white cane; calling upon the
 4 citizens to observe the provisions of this Act and sections three hun-
 5 dred twenty-one point three hundred thirty-two (321.332) and three
 6 hundred twenty-one point three hundred thirty-three (321.333) of the
 7 Code and to take precautions necessary for the safety of the disabled;
 8 reminding the citizens of the policies herein declared and urging the
 9 citizens to cooperate in giving effect to them; and emphasizing the
 10 need of the citizens to be aware of the presence of disabled persons in
 11 the community and to offer assistance to disabled persons upon appro-
 12 priate occasions.

1 SEC. 9. Sections three hundred fifty-one point thirty (351.30)
 2 through three hundred fifty-one point thirty-two (351.32), inclusive,
 3 Code 1966, are hereby repealed.

Approved May 22, 1967.

CHAPTER 119

OASI BENEFITS

H. F. 244

AN ACT relating to benefits to be given to retired persons under the Iowa Old-Age and Survivors' Insurance System who have reached the age of seventy-two years.

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

1 SECTION 1. Section ninety-seven point fifty-one (97.51), Code
 2 1966, is hereby amended by adding at the end of subsection six (6)
 3 after the word "months" the words ", except that after a retired
 4 member reaches the age of seventy-two (72) years, the member, his
 5 wife and dependents shall be entitled to the benefits of this chapter
 6 regardless of the amount earned".

Approved June 8, 1967.

CHAPTER 120

I.P.E.R.S. INVESTMENTS

S. F. 650

AN ACT relating to investments of the Iowa public employees retirement fund.

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

1 SECTION 1. Section ninety-seven B point seven (97B.7), subsec-
 2 tion two (2), paragraph b, Code 1966, is hereby amended as follows:
 3 1. By striking line eleven (11) and inserting in lieu thereof the
 4 following:
 5 "thorized for life insurance companies in this state including com-
 6 mon stocks issued or guaranteed by a corporation created or existing

7 under the laws of the United States or any state, district, or territory
8 thereof subject to the following restrictions:

9 “(1) That for a period of five (5) fiscal years for which the neces-
10 sary statistical data are available next preceding the date of invest-
11 ment, the corporation had an average annual net income plus fixed
12 charges, or in the case of consolidated earnings statements of parent
13 and subsidiary corporations such corporations had an average annual
14 net income plus fixed charges and the preferred dividend requirement,
15 if any, of the subsidiaries, at least equal to one and one-half ($1\frac{1}{2}$)
16 times the sum of the corporation’s average annual dividend require-
17 ment for preferred stock and the average annual fixed charges for the
18 same period; provided, during neither of the last two (2) years of such
19 period shall the sum of the corporation’s annual net income and annual
20 fixed charges have been less than one and one-half ($1\frac{1}{2}$) times the
21 sum of the corporation’s dividend requirements for preferred stock
22 and fixed charges for the same period. Fixed charges mean interest
23 on funded or unfunded debt, contingent interest charges, amortization
24 of debt discount, and expenses and rentals for leased property.

25 “(2) That the corporation has no arrears of dividends on preferred
26 stock.

27 “(3) That the common stock is registered on a national securities
28 exchange as provided in the ‘Securities Exchange Act of 1934,’ 48
29 Stat. 881, 15 U.S.C. 77b, as amended through December 31, 1966, but
30 such registration shall not be required of the common stock of a bank
31 which is a member of the federal deposit insurance corporation and
32 has capital funds, represented by capital, surplus, and undivided
33 profits, of at least twenty (20) million dollars, the common stock of a
34 life insurance company which has capital funds, represented by capi-
35 tal, special surplus funds, and unassigned surplus, of at least fifty
36 (50) million dollars, or the common stock of a fire or casualty insur-
37 ance company, or a combination thereof, which has capital funds
38 represented by capital, net surplus, and voluntary reserves, of at least
39 fifty (50) million dollars.

40 “(4) That the corporation, having no preferred stock outstanding,
41 had earnings for the five (5) fiscal years next preceding the date of
42 investment of at least twice the interest on all mortgages, bonds, de-
43 bentures, and funded debts, if any, after deduction of the proper
44 charges for replacements, depreciation, and obsolescence.

45 “(5) That the corporation paid a cash dividend on issued common
46 stock in each year of the ten (10) year period next preceding the date
47 of investment and the aggregate net earnings available for dividends
48 on the common stock of such corporation for the whole of such period
49 were at least equal to the amount of dividends paid.

50 “(6) That in applying the earnings test under this division to any
51 issuing, assuming, or guaranteeing corporation, where such corpora-
52 tion acquired all or any substantial part of the property held by the
53 corporation within a five (5) year period immediately preceding the
54 date of investment by consolidation, merger, or by the purchase of all
55 or a substantial portion of the property of any other corporation or
56 corporations, or acquired the assets of any unincorporated business
57 enterprise by purchase or otherwise, net income, fixed charges, and
58 preferred dividends of the several predecessor or constituent corpora-

59 tions or enterprises shall be consolidated and adjusted so as to ascer-
60 tain whether or not compliance has been made with the applicable
61 requirements of this section.

62 “(7) The total cost price of common stocks held by the retirement
63 fund shall not exceed ten (10) percent of the total value of the retire-
64 ment fund. The cost price of stock investments in any one corporation
65 shall not exceed five (5) percent of the maximum amount which may
66 be invested in stocks. Not more than five (5) percent of the issued
67 stock of any one (1)* corporation may be owned by the fund. For
68 purposes of this Act value consists of cash, the par value or unpaid
69 balance of all unmatured or unpaid investments requiring the pay-
70 ment of a fixed amount at payment date, and the cost price of all other
71 investments. The total cost of common stocks purchased during any
72 year shall not exceed twenty-five (25) percent of all moneys collected
73 under chapter ninety-seven B (97B) of the Code together with invest-
74 ment income received by the system during that year”.

75 2. By inserting in line eighteen (18) after the word “required.” the
76 following sentence:

77 “Expenses incurred in the sale and purchase of securities belonging
78 to the retirement fund shall be charged to the retirement fund and
79 there is hereby appropriated from such fund an amount as may be so
80 required and investment management expenses shall be charged to the
81 investment income of the retirement fund and such expense shall
82 otherwise be budgeted and appropriated in the same manner as admin-
83 istrative expenses for the rest of the system.”

Approved July 27, 1967.

This Act was passed by the G. A. before July 1, 1967.

*According to enrolled Act.

CHAPTER 121

I.P.E.R.S.

S. F. 677

AN ACT relating to the Iowa public employees' retirement system and providing an appropriation therefor.

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

1 SECTION 1. Section ninety-seven B point nine (97B.9), Code 1966,
2 is hereby amended as follows:

3 1. By striking from line one (1) the word “Taxes” and inserting in
4 lieu thereof the word “Contributions”.

5 2. By striking from line ten (10) the word “taxes” and inserting in
6 lieu thereof the word “contributions”.

7 3. By striking from line two (2) of subsection one (1) the word
8 “taxes” and inserting in lieu thereof the word “contributions”.

9 4. By striking from line eight (8) of subsection one (1) the word
10 “taxes” and inserting in lieu thereof the word “contributions”.

11 5. By striking from line one (1) of subsection two (2) the words
12 "tax or".

13 6. By striking from line five (5) of subsection two (2) the word
14 "tax" and inserting in lieu thereof the word "contributions".

1 SEC. 2. Section ninety-seven B point ten (97B.10), Code 1966, is
2 hereby amended as follows:

3 1. By striking from line two (2) the word "taxes" and inserting in
4 lieu thereof the word "contributions".

5 2. By striking lines fourteen (14) through seventeen (17) and in-
6 serting in lieu thereof the words "and not thereafter."

1 SEC. 3. Section ninety-seven B point eleven (97B.11), Code 1966,
2 is hereby repealed and the following enacted in lieu thereof:

3 "Each employer shall deduct from the wages of each member of the
4 system a contribution in the amount of three and one-half (3½) per-
5 cent of the covered wages paid by the employer until the first of the
6 month after the member's seventieth (70) birthday or his termination
7 or retirement from employment, whichever is earlier. The contribu-
8 tions of the member shall be matched by the employer."

1 SEC. 4. Section ninety-seven B point twelve (97B.12), Code 1966,
2 is hereby amended as follows:

3 1. By inserting in line five (5) after the word "employee" the words
4 "for each year".

5 2. By striking from line twelve (12) the words "tax imposed" and
6 inserting in lieu thereof the words "contribution required".

1 SEC. 5. Section ninety-seven B point thirteen (97B.13), Code 1966,
2 is hereby amended by striking from lines two (2) and three (3) the
3 words "tax imposed" and inserting in lieu thereof the words "contri-
4 bution required".

1 SEC. 6. Section ninety-seven B point fourteen (97B.14), Code
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "Contributions deducted from the wages of the member and the
4 employer's contribution shall be forwarded to the commission for re-
5 cording and deposited with the treasurer of the state to the credit of
6 the Iowa public employees' retirement fund. Contributions shall be
7 remitted monthly, if total contributions by both employee and em-
8 ployer amount to one hundred (100) dollars or more each month, and
9 shall be otherwise paid in such manner, at such times and under such
10 conditions, either by copies of payrolls or other methods necessary or
11 helpful in securing proper identification of the member, as may be
12 prescribed by the commission."

1 SEC. 7. Section ninety-seven B point seventeen (97B.17), Code
2 1966, is hereby amended by striking lines three (3) through eight (8)
3 and inserting in lieu thereof the following:

4 "the amount of wages of each member, the contribution of each
5 member with interest, and interest dividends credited thereon, and
6 such records shall be the basis for".

1 SEC. 8. Section ninety-seven B point eighteen (97B.18), Code
2 1966, is hereby amended as follows:

- 3 1. By striking from lines three (3) and four (4) the words "cov-
4 ered individual" and inserting in lieu thereof the word "member".
5 2. By striking from line five (5) the word "credits" and inserting
6 in lieu thereof the words "contributions and benefit credits accrued".
7 3. By inserting in line six (6) after the word "year" the words
8 "and may furnish an estimate of such credits as of the projected nor-
9 mal retirement date of the member under section ninety-seven B point
10 forty-five (97B.45) of the Code".

1 SEC. 9. Section ninety-seven B point forty-one (97B.41), Code
2 1966, is hereby amended as follows:

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

5 "a. 'Wages' means all remuneration for employment, including the
6 cash value of remuneration paid in any medium other than cash, but
7 not including the cash value of remuneration paid in any medium
8 other than cash necessitated by the convenience of the employer, such
9 amount as agreed upon by the employer and employee and reported to
10 the commission by the employer shall be conclusive of the value of
11 remuneration in a medium other than cash; except that remuneration
12 which does not equal or exceed the sum of three hundred (300) dol-
13 lars in any calendar quarter shall be excluded, provided, however, that
14 the membership of such employee shall not be considered terminated
15 as long as the employer-employee relationship exists.

16 "b. 'Covered wages' means wages of a member during the periods
17 of membership service as follows:

18 "(1) For the period from July 4, 1953, through December 31, 1953,
19 and each calendar year from January 1, 1954, through December 31,
20 1963, wages not in excess of four thousand (4,000) dollars.

21 "(2) For each calendar year from January 1, 1964, through Decem-
22 ber 31, 1967, wages not in excess of four thousand eight hundred
23 (4,800) dollars.

24 "(3) For each calendar year from January 1, 1968, and thereafter,
25 wages not in excess of seven thousand (7,000) dollars.

26 "(4) Effective July 1, 1967, covered wages shall not include wages
27 to a member after the first of the month coinciding with or next fol-
28 lowing his seventieth (70) birthday, or after the effective date of his
29 retirement unless he is reemployed, as provided under section ninety-
30 seven B point forty-eight (97B.48), subsection three (3) of the Code."

31 2. By striking from line one (1) of subsection two (2) the words
32 "The term 'employment'," and inserting in lieu thereof the word
33 "'Employment'".

34 3. By striking all of subsection three (3) of such section and insert-
35 ing in lieu thereof the following:

36 "a. 'Employer' means the state of Iowa, the counties, municipal-
37 ities, and public school districts therein and all of the political sub-
38 divisions thereof and all of their departments and instrumentalities,
39 all hereinafter called political subdivisions, as of July 4, 1953.

40 "b. 'Employee' means any individual who is in employment defined
41 in this chapter, except:

42 "(1) Members of the general assembly, elective officials in positions
43 for which the compensation is on a fee basis, elective officials of school
44 districts, elective officials of townships, and elective officials of other

45 political subdivisions who are in part-time positions, graduate medical
46 students while serving as interns or resident doctors in training at
47 any hospital, or county medical examiners and deputy county medical
48 examiners under chapter three hundred thirty-nine (339) of the Code.

49 “(2) Temporary employees of the general assembly of Iowa unless
50 such employees shall make an application to the commission to be
51 covered under the provisions of this chapter.”

52 4. By striking subsection seven (7) of such section and inserting in
53 lieu thereof the following:

54 “‘Contributions’ means the payments to the fund required herein,
55 by the employer and by the members, to provide the benefits of the
56 system.”

57 5. By striking subsection eight (8) of such section and inserting in
58 lieu thereof the following:

59 “‘Member’ means an employee or a former employee required to
60 become a member of the system by sections ninety-seven B point forty-
61 two (97B.42) and ninety-seven B point forty-three (97B.43) of the
62 Code.”

63 6. By striking subsection thirteen (13) of such section and insert-
64 ing in lieu thereof the following:

65 “‘Accumulated contributions’ means the total obtained as of any
66 date, by accumulating each individual contribution by the member at
67 two (2) percent interest plus interest dividends for all completed cal-
68 endar years, compounded annually, from the end of the calendar year
69 in which such contribution was made to the first day of the month of
70 such date.”

71 7. By striking subsections eighteen (18), twenty (20), and twenty-
72 one (21) of such section.

73 8. By adding thereto the following subsection:

74 “‘Membership service’ means service rendered by a member after
75 July 4, 1953, and prior to the first of the month coinciding with or
76 next following his seventieth (70) birthday. Years of membership
77 service shall be counted to the complete quarter calendar year.”

1 SEC. 10. Section ninety-seven B point forty-two (97B.42), Code
2 1966, is hereby amended as follows:

3 1. By striking lines seven (7) through twelve (12) and inserting in
4 lieu thereof the words “individuals who”.

5 2. By striking lines twenty-nine (29) through thirty-five (35) and
6 inserting in lieu thereof the words “ance of employment.”

7 3. By adding the following new paragraphs:

8 “Nothing in this chapter shall be deemed to exclude from coverage,
9 under the provisions of this chapter, any public employee who was not
10 on or as of July 4, 1953, a member of another retirement system sup-
11 ported by public funds. All such employees and their employers shall
12 be required to make contributions as specified as to other public em-
13 ployees and employers. Nothing in this chapter shall be deemed to
14 prohibit the re-establishment of a retirement system supported by
15 public funds which had been in operation prior to July 4, 1953, and
16 was subsequently liquidated.

17 “Persons who are members of any other retirement system in the
18 state which is maintained in whole or in part by public contributions
19 other than persons who are covered under the provisions of chapter

20 ninety-seven (97), Code 1950, as amended by the Fifty-fourth General
21 Assembly on the date of the repeal of said chapter, under the provision
22 of sections ninety-seven point fifty (97.50) through ninety-seven point
23 fifty-three (97.53) shall not become members.

24 "Nothing herein contained shall be construed to permit any person
25 in public employment to be an active member of the Iowa public em-
26 ployees' retirement system and of any other retirement system in the
27 state which is supported in whole or in part by public contributions or
28 payments except as heretofore provided."

1 SEC. 11. Section ninety-seven B point forty-five (97B.45), Code
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "A member's normal retirement date shall be the first of the month
4 coinciding with or next following his sixty-fifth (65) birthday. A
5 member may retire after his normal retirement date by submitting a
6 written notice to the commission setting forth the date the retirement
7 is to become effective, provided that such date shall be after his last
8 day of service and no more than thirty (30) days prior to the filing of
9 such notice. A member shall retire after his seventieth (70) birthday
10 except as otherwise provided in section ninety-seven B point forty-six
11 (97B.46) of the Code."

1 SEC. 12. Section ninety-seven B point forty-six (97B.46), Code
2 1966, is hereby amended as follows:

3 1. By inserting in line six (6) after the word "approve" the words
4 " , provided, however, that credit for such service shall cease when con-
5 tributions cease as provided in section three (3) of this Act".

6 2. By striking from lines eleven (11) and twelve (12) the words
7 "the age of seventy-two years" and inserting in lieu thereof the words
8 "his seventy-second (72) birthday".

9 3. By striking from lines twelve (12) and thirteen (13) the words
10 "retirement benefits under this chapter." and inserting in lieu thereof
11 the words "a retirement allowance under subsections two (2) and
12 three (3) of section fifteen (15) of this Act, on the first day of the
13 month within which the notice is filed."

1 SEC. 13. Section ninety-seven B point forty-seven (97B.47), Code
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "A member's early retirement date shall be the first of any month
4 coinciding with or following his fifty-fifth (55) birthday and prior to
5 his normal retirement date, provided such date shall be after the last
6 day of service. A member may retire on his early retirement date by
7 submitting written notice to the commission setting forth the early
8 retirement date which shall be no more than thirty (30) days prior to
9 the filing of such notice."

1 SEC. 14. Section ninety-seven B point forty-eight (97B.48), Code
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "1. Retirement allowances shall be paid monthly, except that an
4 allowance of less than one hundred twenty (120) dollars a year shall
5 be paid as a lump sum in an actuarial equivalent amount. Receipt of
6 the lump sum payment by a member shall terminate any and all en-
7 titlement for the period of service covered of the said member under
8 this chapter.

9 "2. The first monthly payment of a normal or early retirement
10 allowance shall be paid as of the effective date of retirement or as of
11 the first day of the month within which the notice is filed for those
12 members over age seventy-two (72). The payments shall be continued
13 thereafter for the lifetime of the retired member except as provided
14 in subsection three (3) of this section.

15 "3. If, at any time a retired member be in regular full-time employ-
16 ment after his retirement under this chapter, his retirement allow-
17 ance payments shall be suspended for as long as he remains in em-
18 ployment. However, after a member's normal retirement date, such
19 reemployment shall not be regarded as full-time employment until he
20 receives remuneration in excess of one thousand eight hundred
21 (1,800) dollars for any calendar year. After an active member's
22 seventy-second (72) birthday, he shall be entitled to receive a retire-
23 ment allowance determined under subsections two (2) and three (3)
24 of section fifteen (15) of this Act regardless of the amount of re-
25 muneration received. Upon any retirement after reemployment, a
26 reemployed member whose payments have been suspended shall be
27 entitled to have his retirement allowance redetermined under sections
28 ninety-seven B point forty-six (97B.46), ninety-seven B point forty-
29 nine (97B.49) or ninety-seven B point fifty (97B.50) of the Code,
30 whichever is applicable, based upon his and his employer's additional
31 contributions and his membership service during his period of re-
32 employment and upon his later retirement date."

1 SEC. 15. Section ninety-seven B point forty-nine (97B.49), Code
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "Each member shall, upon retirement on or after his normal retire-
4 ment date, be entitled to receive a monthly retirement allowance deter-
5 mined under subsections one (1), two (2), and three (3) of this sec-
6 tion. Any retirement allowance which is in addition to the amount
7 being paid to retired members on July 1, 1967, shall become effective
8 with payments as of July 1, 1967. For members retiring on and after
9 July 1, 1967, the retirement allowance as determined herein shall com-
10 mence on the effective date of retirement.

11 "1. For each active and retired member retiring from employment
12 with five (5) or more complete years of service a formula benefit shall
13 be determined. The amount of the monthly formula benefit shall be
14 equal to one-twelfth ($\frac{1}{12}$) of one and one-fourth ($1\frac{1}{4}$) percent per
15 year of membership service multiplied by his average annual covered
16 wages; but in no case shall the amount of monthly formula benefit
17 accrued for membership service prior to July 1, 1967, be less than the
18 monthly annuity at the normal retirement date determined by apply-
19 ing the sum of the member's accumulated contributions, his employ-
20 er's matching accumulated contributions on or before June 30, 1967,
21 and any retirement dividends standing to his credit on or before
22 December 31, 1966, to the annuity tables in use by the commission
23 with due regard to the benefits payable from such accumulated con-
24 tributions under sections ninety-seven B point fifty-two (97B.52) and
25 ninety-seven B point fifty-three (97B.53) of the Code.

26 "2. For each active member retiring with less than five (5) com-
27 plete years of service and who therefore cannot have his benefit deter-
28 mined under the formula benefit of subsection one (1) of this section

29 and for each vested member a monthly annuity for membership serv-
 30 ice shall be determined by applying the member's accumulated contri-
 31 butions and his employer's matching accumulated contributions as of
 32 his effective retirement date and any retirement dividends standing
 33 to his credit on or before December 31, 1966, to the annuity tables in
 34 use by the commission according to his age determined as follows:

35 "a. If his normal retirement date coincides with or follows July 1,
 36 1967, his age on his normal retirement date.

37 "b. If his normal retirement date precedes July 1, 1967, and his
 38 effective date of retirement coincides with or follows July 1, 1967,
 39 his age on July 1, 1967.

40 "3. For each member who has qualified for prior service credit in
 41 accordance with the first paragraph of section ninety-seven B point
 42 forty-three (97B.43) of the Code, there shall be determined a benefit
 43 of eight-tenths ($\frac{8}{10}$) of one (1) percent per year of prior service
 44 credit multiplied by the monthly rate of the member's total remuneration
 45 not in excess of three thousand (3,000) dollars annually during
 46 the twelve (12) consecutive months of his prior service for which such
 47 total remuneration was the highest. An additional two-tenths ($\frac{2}{10}$)
 48 of one (1) percent of such remuneration not in excess of three thou-
 49 sand (3,000) dollars annually shall be payable for prior service during
 50 each year in which the accrued liability for benefit payments created
 51 by the abolished system is funded by appropriation from the general
 52 fund of the state of Iowa as provided under section ninety-seven B
 53 point fifty-six (97B.56) of the Code."

1 SEC. 16. Section ninety-seven B point fifty (97B.50), Code 1966,
 2 is hereby repealed and the following enacted in lieu thereof:

3 "A member shall upon retirement on his early retirement date be
 4 entitled to receive a monthly retirement allowance determined in the
 5 same manner as provided for normal retirement in subsection one (1)
 6 of section fifteen (15) of this Act reduced by five-tenths ($\frac{5}{10}$) of one
 7 (1) percent per month for each month that the early retirement date
 8 precedes the normal retirement date."

1 SEC. 17. Section ninety-seven B point fifty-one (97B.51), Code
 2 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) of subsection five
 4 (5) of such section the words "an increased" and inserting in lieu
 5 thereof the words "a decreased".

6 2. By inserting in line five (5) of subsection five (5) of such section
 7 after the word "member" the words "and employer".

1 SEC. 18. Section ninety-seven B point fifty-two (97B.52), subsec-
 2 tion two (2), Code 1966, is hereby amended by striking from line five
 3 (5) the words "and employer".

1 SEC. 19. Section ninety-seven B point fifty-three (97B.53), Code
 2 1966, is hereby amended as follows:

3 1. By striking all of subsection three (3) after the word "divi-
 4 dends" in line four (4) of said subsection and inserting in lieu thereof
 5 a period (.).

6 2. By striking lines seventeen (17) through twenty-two (22) of

7 subsection six (6) of such section and inserting in lieu thereof the
8 word "termination."

9 3. By striking lines thirty-four (34) through thirty-eight (38) of
10 subsection six (6) of such section and inserting in lieu thereof the
11 figures "1, 1964."

1 SEC. 20. Section ninety-seven B point fifty-four (97B.54), Code
2 1966, is hereby amended as follows:

3 1. By striking from line seven (7) the words "credited under this
4 chapter" and inserting in lieu thereof the words "under sections
5 ninety-seven B point forty-three (97B.43) and ninety-seven B point
6 fifty-six (97B.56) of the Code".

7 2. By striking all of such section after the word "made." in line
8 twenty-four (24).

1 SEC. 21. Section ninety-seven B point fifty-six (97B.56), Code
2 1966, is hereby amended by adding thereto the following paragraph:

3 "Commencing July 1, 1967, and each year thereafter, the contribu-
4 tions required to fund the actuarial liabilities from the abolished sys-
5 tem shall be determined in accordance with section ninety-seven B
6 point fifty-four (97B.54) of the Code. There is hereby appropriated
7 from the general fund of the state of Iowa the amount of contribution
8 required under said section but not to exceed one million (1,000,000)
9 dollars per biennium. The amount of such contribution shall be de-
10 posited in the retirement fund in two (2) annual installments not later
11 than June 30 of each fiscal year."

1 SEC. 22. Section ninety-seven B point fifty-seven (97B.57), Code
2 1966, is hereby amended by striking from line three (3) the word
3 "state" and inserting in lieu thereof the words "retirement fund".

1 SEC. 23. Section ninety-seven B point sixty-one (97B.61), Code
2 1966, is hereby amended as follows:

3 1. By inserting in line two (2) after the word "annual" the word
4 "actuarial".

5 2. By adding thereto the following new paragraph:

6 "After accepting the actuarial methods and assumptions of the valu-
7 ation, the commission shall certify to the governor the contribution
8 rate determined thereby as the rate necessary and sufficient on a
9 matching basis for members and employers to fully fund the benefits
10 and retirement allowances being credited for membership service and
11 to make the accrued liability contributions in level installments re-
12 quired for prior service under section ninety-seven B point fifty-four
13 (97B.54) of the Code."

1 SEC. 24. Section ninety-seven B point sixty-three (97B.63), Code
2 1966, is hereby repealed.

1 SEC. 25. Section ninety-seven B point sixty-five (97B.65), Code
2 1966, is hereby amended by adding thereto the following:

3 "Any increase enacted in benefits or retirement allowance under
4 this chapter shall be accompanied by a change in the matching em-
5 ployer contribution rate necessary to support such increase, all deter-
6 mined in accordance with sound actuarial principles and methods."

1 SEC. 26. Section ninety-seven B point seventy (97B.70), Code
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "Interest at two (2) percent per annum and interest dividends de-
4 clared by the commission shall be credited to the member's contribu-
5 tions and the employer's matching contributions to become part of the
6 accumulated contributions thereby.

7 "1. The average rate of interest earned shall be determined upon
8 the following basis:

9 "a. Investment income shall include interest and cash dividends on
10 stock.

11 "b. Investment income shall be accounted for on an accrual basis.

12 "c. Capital gains and losses, realized or unrealized, shall not be in-
13 cluded in investment income.

14 "d. Mean assets shall include fixed income investments valued at
15 cost or on an amortized basis, and common stocks at market values.

16 "e. The average rate of earned interest shall be the quotient of the
17 investment income and the mean assets of the retirement fund.

18 "2. The interest dividend shall be determined within sixty (60)
19 days after the end of each calendar year as follows:

20 "The dividend rate for a calendar year shall be the excess of the
21 average rate of interest earned for the year over the statutory two
22 (2) percent rate plus zero point two five (0.25) percent. The average
23 rate of interest earned and the interest dividend rate in percent shall
24 be calculated to the nearest one hundredth (.01); i.e., to two (2)
25 decimal places.

26 "3. Interest and interest dividends shall be credited to the contri-
27 butions of active members and inactive vested members until the first
28 of the month coinciding with or next following the member's retire-
29 ment date."

1 SEC. 27. Section ninety-seven B point seventy-one (97B.71), Code
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "A claim may be filed by an employee for repayment of contribu-
4 tions withheld in excess of the amount of covered wages in any one
5 (1) year, by one (1) or more employers. The commission shall, if a
6 claim is allowed to the employee, also mail a refund check for the con-
7 tributions paid by the employer for the employee on which the em-
8 ployee is allowed a refund. The commission shall have the power and
9 authority to require the filing of a proper application by the employee
10 before the claim shall be allowed. Any claim for such refund shall be
11 made within three (3) years of the date of payment and not there-
12 after."

1 SEC. 28. Section ninety-seven B point sixty-nine (97B.69), subsec-
2 tion two (2), Code 1966, is hereby amended by inserting in line five
3 (5) a period after the word "system" and striking the remainder of
4 said subsection.

, Approved July 24, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 122

DISCRIMINATION IN HOUSING

S. F. 496

AN ACT relating to discrimination in housing.

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

1 SECTION 1. Section one hundred five A point two (105A.2), sub-
 2 section ten (10), Code 1966, is hereby amended by striking all of such
 3 section after the "period" in line nineteen (19).

1 SEC. 2. Chapter one hundred five A (105A), Code 1966, is hereby
 2 amended by adding thereto the following new sections:

3 1. "It shall be an unfair or discriminatory practice for any owner,
 4 or person acting for an owner, of rights to housing or real property,
 5 with or without compensation, including but not limited to persons
 6 licensed as real estate brokers or salesmen, attorneys, auctioneers,
 7 agents or representatives by power of attorney or appointment, or
 8 any person acting under court order, deed of trust, or will:

9 "1. To refuse to sell, rent, lease, assign, or sublease any real prop-
 10 erty or housing accommodation or part, portion or interest therein,
 11 to any person because of the race, color, creed, religion, or national
 12 origin of such person.

13 "2. To discriminate against any person because of his race, color,
 14 creed, religion or national origin, in the terms, conditions or privi-
 15 leges of the sale, rental, lease assignment or sublease of any real
 16 property or housing accommodation or any part, portion or interest
 17 therein.

18 "3. To directly or indirectly advertise, or in any other manner
 19 indicate or publicize that the purchase, rental, lease, assignment, or
 20 sublease of any real property or housing accommodation or any part,
 21 portion or interest therein, by persons of any particular race, color,
 22 creed, religion, or national origin is unwelcome, objectionable, not
 23 acceptable or not solicited."

24 2. "The provision of subsection one (1) of this section shall not
 25 apply to:

26 "1. Any bona fide religious institution with respect to any qualifi-
 27 cations it may impose based on religion, when such qualifications are
 28 related to a bona fide religious purpose.

29 "2. The rental or leasing of a housing accommodation in a building
 30 which contains housing accommodations for not more than two (2)
 31 families living independently of each other, if the owner or members
 32 of his family reside in one (1) of such housing accommodations.

33 "3. The rental or leasing of less than six (6) rooms within a single
 34 housing accommodation by the occupant or owner of such housing
 35 accommodation, if he or members of his family reside therein."

1 SEC. 3. Chapter* one hundred five A point nine (105A.9), sub-
 2 section one (1), Code 1966, is hereby amended by inserting at the end
 3 thereof the following:

4 "In all cases under this section involving a complaint of an unfair
 5 or discriminatory practice under section two (2) of this Act, the writ-

*According to enrolled Act.

6 ten complaint must be accompanied by a bond in the penal sum of five
 7 hundred (500) dollars for the use of the person, partnership, associ-
 8 ation or corporation against whom a complaint is made, with sureties
 9 to be approved by the commission, conditioned that the person filing
 10 the complaint will pay damages which the person complained of may
 11 sustain by reason of the wrongful complaint.

12 "In an action on such bond herein the plaintiff may recover, if he
 13 shows that there was no reasonable cause to believe the ground upon
 14 which the complaint was made, the actual damages sustained and
 15 reasonable attorney fees to be fixed by the court."

Approved April 27, 1967.

CHAPTER 123

EMERGENCY VESSELS

H. F. 675

AN ACT relating to the operation of watercraft for emergency purposes and in emergency situations.

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

1 SECTION 1. Section one hundred six point two (106.2), Code 1966,
 2 is hereby amended by adding the following new subsection:

3 " 'Authorized emergency vessel' means any vessel which is desig-
 4 nated or authorized by the state conservation commission for use in
 5 law enforcement, search and rescue, and disaster work."

1 SEC. 2. Section one hundred six point twelve (106.12), Code 1966,
 2 is hereby amended by adding the following new subsections:

3 1. "No person shall operate on the waters of this state under the
 4 jurisdiction of the conservation commission any vessel displaying or
 5 reflecting a blue light or flashing blue light unless such vessel is an
 6 authorized emergency vessel."

7 2. "No person shall operate a vessel and enter into areas in which
 8 search and rescue operations are being conducted unless authorized by
 9 the officer in charge of the search and rescue operation. Any person
 10 authorized in an area of operation shall operate his vessel at a no wake
 11 speed and shall keep clear of all other vessels engaged in the search
 12 and rescue operation."

1 SEC. 3. Chapter one hundred six (106), Code 1966, is hereby
 2 amended by adding the following new section:

3 "Upon approach of an authorized emergency vessel displaying a
 4 blue light or flashing blue light, the operator of every other vessel
 5 shall stop and yield the right of way until the authorized vessel has
 6 passed. The provisions of this section shall not relieve the operator of
 7 an authorized emergency vessel from the duty to operate his vessel
 8 with due regard for the safety of all persons using the waters of this
 9 state, nor shall the provisions relieve the operator of any such vessel
 10 from liability from his negligence."

Approved June 20, 1967.

CHAPTER 124

REGISTRATION OF MOTORBOATS

S. F. 179

AN ACT relating to the registration of motorboats.

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

1 SECTION 1. Section one hundred six point two (106.2), Code
2 1966, is hereby amended by adding thereto the following new subsections:
3

4 1. "Nonresident" means every person who is not a resident of this
5 state."

6 2. "Dealer" means every person engaged in the business of buy-
7 ing, selling, or exchanging boats of a type required to be registered
8 hereunder and who has an established place of business for such
9 purpose in this state."

10 3. "Manufacturer" means every person engaged in the business
11 of constructing or assembling boats of a type required to be regis-
12 tered hereunder and who has an established place of business for
13 such purpose in this state."

14 4. "Established place of business" means the place actually oc-
15 cupied either continuously or at regular periods by a dealer or manu-
16 facturer where his books and records are kept and a large share of
17 his business is transacted."

18 5. "Writing fee" means the amount paid by the boat owner to the
19 county recorder for handling the transaction."

1 SEC. 2. Section one hundred six point five (106.5), Code 1966, is
2 hereby amended as follows:

3 1. By striking lines one (1) through thirteen (13) of subsection
4 one (1) of such section and inserting in lieu thereof the following:

5 "The owner of each motorboat required to be numbered by this
6 state shall register it every two (2) years with the county recorder
7 of the county in which the owner resides, or, if the owner is a non-
8 resident, he shall register it in the county in which such motorboat
9 is principally used. The commission shall have supervisory respon-
10 sibility over the registration of all motorboats and shall provide each
11 county recorder with registration forms and certificates and shall
12 allocate identification numbers to each county.

13 "The owner of such motorboat shall file an application for regis-
14 tration with the appropriate county recorder on forms provided by
15 the commission. The application shall be completed and signed by
16 the owner of the motorboat and shall be accompanied by a fee of four
17 (4) dollars and a writing fee of fifty (50) cents. Upon receipt of the
18 application in approved form accompanied by the required fees, the
19 county recorder shall enter the same upon the records of his office
20 and shall issue to the applicant a pocket-size registration certificate.
21 The certificate shall be executed in triplicate, one (1) copy to be
22 delivered to the owner, one (1) copy to the commission, and one (1)
23 copy to be retained on file by the county recorder. The registration
24 certificate shall".

25 2. By striking subsections two (2), four (4), and five (5) of such
26 section.

27 3. By striking from lines two (2) and three (3) of subsection
28 seven (7) of such section the words "expire at midnight July 3,
29 1963" and inserting in lieu thereof the words "become delinquent at
30 midnight April 30, 1969,".

31 4. By striking from lines five (5) and six (6) of subsection seven
32 (7) of such section the words "On or after the first day of March"
33 and inserting in lieu thereof the words "After the first day of Jan-
34 uary".

35 5. By striking from lines nine (9) and ten (10) of subsection
36 seven (7) of such section the words "July 4. On or after the first
37 day of March" and inserting in lieu thereof the words "May 1. After
38 the first day of January".

39 6. By striking from lines fourteen (14) and fifteen (15) of sub-
40 section seven (7) of such section the words "dollars. All registra-
41 tions shall expire" and inserting in lieu thereof the following words
42 "(2) dollars and a writing fee of fifty (50) cents. All registrations
43 shall become delinquent".

44 7. By adding to subsection seven (7) of such section the follow-
45 ing:

46 "If a timely application for renewal is made, the applicant shall
47 receive the same registration number allocated to him for the pre-
48 vious registration period. If the application for registration for the
49 biennium is not made before May 1 of each odd-numbered year, the
50 applicant shall be charged a penalty of one (1) dollar for each six
51 (6) months, or any portion thereof, he is delinquent. Provided, how-
52 ever, that if the registration is not renewed for two (2) consecutive
53 registration periods, the number of said delinquent registration may
54 be assigned to another applicant, and upon application for registra-
55 tion by said delinquent registrant, he shall be assigned a new regis-
56 tration number and shall not be charged any penalties."

57 8. By striking from line four (4) of subsection eight (8) of such
58 section the word "commission" and inserting in lieu thereof the
59 words "county recorder".

60 9. By striking from line nine (9) of subsection eight (8) of such
61 section the word "commission" and inserting in lieu thereof the
62 words "county recorder".

63 10. By inserting after line ten (10) of subsection eight (8) of such
64 section the following:

65 "No fee shall be paid to the county recorder for making the afore-
66 mentioned changes, unless the owner requests a new registration cer-
67 tificate showing the change, in which case a fee of one (1) dollar plus
68 a twenty-five (25) cent writing fee shall be paid to the recorder."

69 11. By striking from line fifteen (15) of subsection eight (8) of
70 such section the word "commission" and inserting in lieu thereof the
71 words "county recorder".

72 12. By striking from line sixteen (16) of subsection eight (8) of
73 such section the words "one dollar" and inserting in lieu thereof the
74 words "one (1) dollar plus a twenty-five (25) cent writing fee".

75 13. By striking from lines sixteen (16) and seventeen (17) of sub-
76 section eight (8) of such section the word "commission" and insert-
77 ing in lieu thereof the words "county recorder".

78 14. By striking from line twenty-one (21) of subsection eight (8)

79 of such section the word "commission" and inserting in lieu thereof
80 the words "county recorder".

81 15. By striking from line twenty-three (23) of subsection eight
82 (8) of such section the word "commission" and inserting in lieu
83 thereof the words "county recorder".

84 16. By striking subsection nine (9) of such section and inserting
85 in lieu thereof the following:

86 "All records of the commission and the county recorder, other than
87 those declared by law to be confidential for the use of the commission
88 and the county recorder, shall be open to public inspection during
89 office hours."

1 SEC. 3. Section one hundred six point seven (106.7), Code 1966,
2 is hereby amended as follows:

3 1. By striking from lines seven (7) and eight (8) of subsection
4 two (2) of such section the words "in writing, and containing" and
5 inserting in lieu thereof the words "which report shall contain".

6 2. By adding thereto the following new subsections:

7 1. "Every law enforcement officer who, in the regular course of
8 duty, investigates an occurrence which is required to be reported by
9 this section, shall, after completing such investigation, forward a
10 report of such occurrence to the commission."

11 2. "All reports shall be in writing, and the written report shall be
12 without prejudice to the individual so reporting and shall be for the
13 confidential use of the commission. Provided however, upon the re-
14 quest of any person involved in an occurrence covered under the
15 provisions of this section, or the attorney for such person, the com-
16 mission shall disclose the identity of the person involved in the occur-
17 rence and his address. A written report filed with the commission
18 shall not be admissible in or used in evidence in any civil action aris-
19 ing out of the facts on which the report is based."

1 SEC. 4. Section one hundred six point fourteen (106.14), Code
2 1966, is hereby amended as follows:

3 1. By striking all of lines twenty-two (22) through twenty-eight
4 (28) of such section after the word "any" in line twenty-two (22)
5 and inserting in lieu thereof a period (.).

6 2. By striking lines forty (40) through forty-five (45) of such
7 section.

1 SEC. 5. Section one hundred six point twenty-three (106.23),
2 Code 1966, is hereby amended by adding thereto the following new
3 subsections:

4 1. "The commission is hereby authorized to suspend or revoke the
5 certificate of registration of a motorboat registered under the pro-
6 visions of this chapter when:

7 "a. It is satisfied that such registration certificate was fraudulently
8 or erroneously obtained.

9 "b. It determines that a registered motorboat is unsafe to be oper-
10 ated on waters of the state under the jurisdiction of the commission.

11 "c. A registered motorboat has been abandoned or wrecked.

12 "d. Identification numbers are knowingly displayed on a motorboat
13 other than the one (1)* to which assigned."

*According to enrolled Act.

14 2. "Upon revocation of any registration certificate, the commission
15 shall notify the county recorder who issued the same, who shall im-
16 mediately enter the revocation upon his records."

17 3. "The commission is hereby authorized to suspend or revoke the
18 special certificate of any manufacturer or dealer when it is satisfied
19 that:

20 "a. Such special certificate was fraudulently or erroneously ob-
21 tained.

22 "b. Such special certificate is being used in violation of the pro-
23 visions of this chapter or the rules and regulations of the commis-
24 sion.

25 "c. Such manufacturer or dealer is violating any of the provisions
26 of this chapter or the rules and regulations of the commission."

1 SEC. 6. Chapter one hundred six (106), Code 1966, is hereby
2 amended by adding thereto the following new sections:

3 1. "A manufacturer or dealer owning any motorboat required to be
4 registered under the provisions of this Act may operate the same for
5 purposes of transporting, testing, demonstrating, or selling the same
6 without registering each such motorboat, provided that any such
7 motorboat displays thereon a special certificate issued to such owner
8 as provided in this chapter. This special certificate may not be used
9 for any motorboat offered for hire or for any work or service motor-
10 boats owned by a manufacturer or dealer."

11 2. "Any manufacturer or dealer may, upon payment of a fee of
12 fifteen (15) dollars, make application to the commission, upon such
13 forms as the commission prescribes, for a special certificate contain-
14 ing a general distinguishing number and for one (1) or more dupli-
15 cate special certificates. The applicant shall submit such reasonable
16 proof of his status as a bona fide manufacturer or dealer as the com-
17 mission may require."

18 3. "The commission, upon granting any such application, shall
19 issue to the applicant a special certificate containing the applicant's
20 name and address, the general distinguishing number assigned to the
21 applicant, the word 'manufacturer' or 'dealer', and such other infor-
22 mation as the commission may prescribe. The manufacturer or dealer
23 shall have the number so awarded printed upon or attached to a
24 removable sign or signs to be temporarily but firmly mounted upon
25 or attached to the vessel being used, and the display must meet the
26 requirements of this chapter and the rules and regulations of the
27 commission."

28 4. "The commission shall also issue duplicate special certificates as
29 applied for which shall have displayed thereon the general distin-
30 guishing number assigned to the applicant. Each duplicate special
31 certificate so issued shall contain a number or symbol identifying the
32 same from every other duplicate special certificate bearing the same
33 general distinguishing number. The fee for each additional duplicate
34 special certificate shall be two (2) dollars."

35 5. "Each special certificate issued hereunder shall expire at mid-
36 night on April 30 of each odd-numbered year, and a new special cer-
37 tificate for the ensuing biennium may be obtained upon application
38 to the commission and payment of the fee provided by law."

39 6. "Every manufacturer or dealer shall keep a written record of

40 the motorboats upon which such special certificates are used, which
41 record shall be open to inspection by any law enforcement officer or
42 any officer or employee of the commission."

43 7. "If a manufacturer or dealer has an established place of busi-
44 ness in more than one (1) city or town, he shall secure a separate and
45 distinct special certificate and general distinguishing number for
46 each such place of business."

47 8. "Dealers using special certificates under the provisions of this
48 chapter shall, before May 5 of each year, furnish the commission
49 with a list of all used motorboats held by them for sale or trade, and
50 upon which the registration fee for the current year has not been
51 paid, giving the previous registration number, name of previous
52 owner at the time such motorboat was transferred to the dealer, and
53 such other information as the commission may require."

54 9. "Upon the transfer of ownership of any motorboat, the owner,
55 except as otherwise provided by this chapter, shall complete the form
56 on the back of the registration certificate and shall deliver it to the
57 purchaser or transferee at the time of delivering the motorboat."

58 10. "The purchaser or transferee shall, except as otherwise pro-
59 vided by this chapter, within five (5) days file a new application
60 form with the county recorder with a fee of one (1) dollar and the
61 appropriate writing fee, and a transfer of number shall be awarded
62 in the same manner as provided for in an original registration."

63 11. "When the purchaser or transferee of a motorboat is a dealer
64 who holds the same for resale and operates the motorboat only for
65 purposes incident to a resale and displays thereon his special dealers
66 certificate, or does not operate such motorboat or permit it to be
67 operated, such transferee shall not be required to obtain a new regis-
68 tration certificate but upon transferring his title or interest to an-
69 other person he shall sign the reverse side of the registration cer-
70 tificate of such motorboat indicating the name and address of the new
71 purchaser."

72 12. "Whenever a dealer purchases or otherwise acquires a motor-
73 boat registered in this state, he shall issue a signed receipt to the
74 previous owner, indicating the date of purchase or acquisition, the
75 name and address of such previous owner, and the registration num-
76 ber of the motorboat purchased or acquired. The original receipt
77 shall be delivered to the previous owner and one (1) copy shall be
78 mailed or delivered by the dealer to the county recorder of the county
79 in which the motorboat is registered, and one (1) copy shall be de-
80 livered to the commission within forty-eight (48) hours."

81 13. "Nothing in this section shall prohibit a dealer from obtaining
82 a new registration and transfer of registration in the same manner
83 as other purchasers."

84 14. "Upon the sale of a motorboat by a manufacturer or dealer,
85 the purchaser shall within five (5) days make application for regis-
86 tration and he may operate the motorboat without its individual
87 identification number thereon for a period of not more than ten (10)
88 days after the purchase date, provided that during such period the
89 motorboat shall have attached thereto, in accordance with the pro-
90 visions of this chapter, a pasteboard card bearing the words 'regis-
91 tration applied for' and the special certificate number of the dealer
92 from whom the motorboat was purchased together with the date of

93 purchase plainly stamped or stenciled thereon."

94 15. "No manufacturer or dealer shall permit the use of such card
95 unless an application for a registration certificate has been made."

96 16. "The commission shall, upon the application of any manufac-
97 turer or dealer, furnish 'registration applied for' cards free of charge.
98 No cards shall be used except those furnished by the commission."

99 17. "The county recorder shall be responsible for all fees and
100 penalties for the issuance of motorboat registrations. All unused
101 registration certificates shall be surrendered to the commission upon
102 demand."

103 18. "Within ten (10) days after the end of each month, each
104 county recorder shall remit to the commission all fees collected by him
105 during the previous month. Before May 10 in odd-numbered years,
106 each county recorder shall remit to the commission all unused license
107 blanks for the previous biennium. Before May 10 of each year, each
108 county recorder shall make a final accounting for all registration fees
109 and penalties received during the previous year. All fees collected
110 for the registration of vessels shall be forwarded by the commission
111 to the treasurer of the state, who shall place such money in a special
112 conservation fund. The money so collected is hereby appropriated to
113 the commission solely for the administration and enforcement of
114 navigation laws and water safety."

115 19. "In addition to the other fees provided by this chapter, the
116 county recorder shall collect from the boat owner, at the time of the
117 transaction, the following writing fees:

118 "1. For a new registration, fifty (50) cents.

119 "2. For renewal of a registration, fifty (50) cents.

120 "3. For a duplicate registration, twenty-five (25) cents.

121 "4. For a new registration upon a change of address or a change of
122 name, but only if the owner requests a new registration be issued to
123 him, twenty-five (25) cents."

124 20. "The writing fees collected by the county recorder shall be paid
125 to the county treasurer by the county recorder as other such fees are
126 paid to the county treasurer by him."

127 21. "No motorboat shall be registered by the county recorder until
128 there has been presented to the recorder receipts, bills of sale, or
129 other satisfactory evidence that the sales or use tax has been paid
130 for the purchase of said boat, provided however, that no evidence
131 need be presented as to any motorboat licensed with the commission
132 prior to January 1, 1968. If the owner of the motorboat is unable to
133 present satisfactory evidence that the sales or use tax has been paid,
134 the county recorder shall collect said tax. On or before the tenth
135 (10th) day of each month, the county recorder shall remit to the tax
136 commission the amount of the taxes so collected during the preceding
137 month, together with an itemized statement on forms furnished by
138 the tax commission showing the name of each taxpayer, the make and
139 purchase price of each motorboat and motor, the amount of tax paid,
140 and such other information as the tax commission shall require."

1 SEC. 7. This Act shall take effect and be in force on January 1,
2 1968.

Approved May 25, 1967.

CHAPTER 125

LITTERING PUBLIC WATERS

H. F. 673

AN ACT relating to littering of public waters.

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

- 1 SECTION 1. Section one hundred six point twelve (106.12), subsec-
 2 tion three (3), Code 1966, is hereby amended as follows:
 3 1. By inserting in line two (2) after the word "the" the word
 4 "public".
 5 2. By striking from lines three (3) and four (4) the words "under
 6 the jurisdiction of the state conservation commission" and inserting
 7 in lieu thereof the words "of this state".

Approved June 8, 1967.

CHAPTER 126

WATER NAVIGATION

H. F. 674

AN ACT relating to water navigation.

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

- 1 SECTION 1. Section one hundred six point twelve (106.12), Code
 2 1966, is hereby amended by adding thereto the following new subsec-
 3 tion:
 4 "No owner or operator of any vessel propelled by a motor of more
 5 than six (6) horsepower shall permit any person under twelve (12)
 6 years of age to operate such vessel except when accompanied by a
 7 responsible person of at least eighteen (18) years of age who is ex-
 8perienced in motorboat operation."

Approved June 9, 1967.

CHAPTER 127

REMOVAL OF VESSELS AND STRUCTURES FROM STATE PROPERTY

H. F. 647

AN ACT relating to the removal of nonpermanent vessels and structures by the state conservation commission.

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

- 1 SECTION 1. Section one hundred and six point twenty-seven
 2 (106.27), Code 1966, is hereby amended as follows:
 3 1. By inserting in line four (4) after the word "waters" the words
 4 " , ice, or land".

5 2. By adding thereto the following:

6 "Failure to comply with this section shall cause said vessel or struc-
7 ture to be declared a public nuisance and disposition shall be in
8 accordance with sections one hundred ten point eighteen (110.18)
9 through one hundred ten point twenty-one (110.21) of the Code.
10 Provided, however, that structures used for seasonal or year-round
11 habitation purposes shall not be removed."

Approved June 8, 1967.

CHAPTER 128

FISH AND GAME PROTECTION FUND

H. F. 711

AN ACT relating to the fish and game protection fund.

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

1 SECTION 1. Section one hundred seven point nineteen (107.19),
2 Code 1966, is hereby amended by inserting in line five (5) after the
3 word "game." the following:

4 "After June 30, 1967, expenditures incurred by the state conserva-
5 tion commission in carrying on such activities shall be only on author-
6 ization by the general assembly.

7 "The state conservation commission shall biennially on or before
8 September 1 of each even-numbered year submit to the comptroller
9 for transmission to the general assembly a detailed estimate of the
10 amount required by the commission during the succeeding biennium
11 for the carrying on of the activities embraced in the fish and game
12 division. Such estimate shall be in the same general form and detail
13 as may be required by law in estimates submitted by other state de-
14 partments.

15 "Any unexpended balance at the end of the biennium shall revert to
16 the fish and game protection fund."

1 SEC. 2. Section one hundred seven point twenty-four (107.24),
2 subsection one (1), Code 1966, is hereby amended by inserting in line
3 one (1) after the word "Expend" the words "as authorized by the
4 general assembly under section one hundred seven point nineteen
5 (107.19) of the Code,".

Approved June 30, 1967.

CHAPTER 129

DEER HUNTING LICENSES

H. F. 197

AN ACT relating to deer hunting licenses.

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

1 SECTION 1. Section one hundred nine point thirty-eight (109.38),
2 Code 1966, is hereby amended by striking subsection two (2) and in-
3 serting in lieu thereof the following:
4 "2. If following an investigation the commission finds that the num-
5 ber of hunters licensed to take deer should be limited or further regu-
6 lated, the commission may determine the number of hunters to be
7 licensed to take deer during the next open season. Such determination
8 shall be made at least ninety (90) days prior to the first day of such
9 season and before issuance of any licenses to take deer during the
10 season. Following such determination, the commission shall issue
11 licenses in the order in which applications therefor are received and
12 shall continue to issue licenses until the quota has been issued or until
13 a date thirty (30) days prior to the opening day of the season, which-
14 ever first occurs. If the quota of licenses has not been exhausted thirty
15 (30) days prior to the opening date, the commission shall issue licenses
16 up to a date fifteen (15) days prior to the opening day or until the
17 quota has been issued, whichever first occurs. Owners or tenants of
18 land shall be permitted to hunt deer on land owned or leased by them,
19 subject to all other laws or regulations."

Approved June 15, 1967.

CHAPTER 130

DEER HUNTING

H. F. 240

AN ACT relating to deer hunting.

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

1 SECTION 1. Section one hundred nine point thirty-nine (109.39),
2 Code 1966, is hereby amended by adding the following:
3 "If the commission finds that the biological balance of deer cannot
4 be maintained on land owned by the federal government because of
5 hunting prohibitions on weekdays, the commission may extend the
6 open season for deer hunting within such areas for one (1) or more
7 weekends beyond the regular season as established by the commission.
8 The total number of days of deer hunting permitted in areas owned
9 by the federal government shall not exceed the total number of days
10 authorized for deer hunting in the state, or that part of the state in
11 which the federal-owned land is located, as established by the commis-
12 sion."

Approved June 20, 1967.

CHAPTER 131

SKINS OF GAME ANIMALS

H. F. 309

AN ACT relating to the sale of skins of lawfully taken game animals.

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

- 1 SECTION 1. Section one hundred nine point fifty-five (109.55),
- 2 Code 1966, is hereby amended by striking from line six (6) the words
- 3 "or rabbits" and inserting in lieu thereof the words ", rabbits, and the
- 4 skins of legally taken deer. Such deer hides shall be plainly labeled
- 5 with the owner's name and address and license number prior to the
- 6 sale. This name and address and license number must remain attached
- 7 to the hide while such hide is within the boundaries of this state."

Approved June 15, 1967.

CHAPTER 132

STILL FISHING AND TROLLING

H. F. 99

AN ACT relating to still fishing and trolling.

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

- 1 SECTION 1. Section one hundred nine point seventy-two (109.72),
- 2 Code 1966, is amended by striking from lines five (5) and six (6) the
- 3 words "with one hook on each line" and inserting in lieu thereof the
- 4 words "nor more than two hooks on each line". In line seven (7)
- 5 strike the words "one fly" and insert thereof* the words "two flies".
- 6 In line nine (9) strike the words "one trolling spoon" and insert in
- 7 lieu thereof the words "two trolling spoons".

Approved April 17, 1967.

*According to enrolled Act.

CHAPTER 133

FISHING LINES

S. F. 245

AN ACT relating to trot and throw lines.

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

- 1 SECTION 1. Section one hundred nine point seventy-three (109.73),
 2 Code 1966, is hereby amended as follows:
 3 1. By striking from line four (4) the words "one trot or throw line"
 4 and inserting in lieu thereof the words "five (5) trot or throw lines".
 5 2. By striking from line five (5) the words "have fifteen or less
 6 hooks" and inserting in lieu thereof the words "not have in the aggre-
 7 gate more than fifteen (15) hooks".
 8 3. By striking from line six (6) the word "Such" and inserting in
 9 lieu thereof the words "Each separate".

Approved May 11, 1967.

CHAPTER 134

SPEAR OR ARROW FISHING

H. F. 662

AN ACT relating to species of fish which can be taken by spear or bow and arrow.

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

- 1 SECTION 1. Section one hundred nine point seventy-six (109.76),
 2 Code 1966, is hereby amended by inserting in line thirteen (13) after
 3 the word "gar" the word ", sheephead".

Approved June 9, 1967.

CHAPTER 135

FISH BAIT

H. F. 98

AN ACT relating to fish bait.

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

- 1 SECTION 1. Section one hundred nine point eighty (109.80), Code
 2 1966, is hereby amended by adding, beginning in line sixteen (16),
 3 the following new sentence:
 4 "Green sunfish and orange-spotted sunfish may also be taken as
 5 bait."

Approved April 24, 1967.

CHAPTER 136

MUSSEL TAKING

S. F. 517

AN ACT relating to the taking of mussels.

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

1 SECTION 1. Section one hundred nine point one hundred (109.100),
2 Code 1966, is hereby amended as follows:

3 1. By inserting in line nine (9) after the word "limitations" the
4 words "and method of taking".

5 2. By striking lines eleven (11), twelve (12), and thirteen (13) and
6 inserting in lieu thereof a period.

1 SEC. 2. Sections one hundred nine point one hundred two
2 (109.102), one hundred nine point one hundred three (109.103), and
3 one hundred nine point one hundred four (109.104), Code 1966, are
4 hereby repealed.

Approved June 15, 1967.

CHAPTER 137

BAIT DEALERS' LICENSES

S. F. 135

AN ACT relating to bait dealers' licenses.

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

1 SECTION 1. Section one hundred nine point one hundred twelve
2 (109.112), Code 1966, is hereby amended by striking the period (.) at
3 the end of the section and adding the following:

4 " , except nothing herein shall prevent the licensing of out of state
5 bait dealers who sell at wholesale to licensed dealers in Iowa for
6 resale."

Approved April 21, 1967.

CHAPTER 138

COMMERCIAL FISHING

H. F. 381

AN ACT relating to the size limit on certain fish taken with commercial fishing gear.

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

1 SECTION 1. Section one hundred nine point one hundred thirteen
2 (109.113), Code 1966, is hereby amended by striking all of such sec-
3 tion after the word "long" in line four (4) and inserting in lieu thereof
4 a period.

Approved June 8, 1967.

CHAPTER 139

SALE OF FISH

S. F. 136

AN ACT relating to the sale of fish.

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

1 SECTION 1. Section one hundred nine point one hundred fifteen
2 (109.115), Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the words "net or seine" and in-
4 serting in lieu thereof the word "commercial".

5 2. By striking from line seven (7) the words "from the nets or
6 seines".

1 SEC. 2. Section one hundred nine point one hundred sixteen
2 (109.116), Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the words "net or seine" and in-
4 serting in lieu thereof the word "commercial".

Approved May 11, 1967.

CHAPTER 140

COLORED APPAREL FOR DEER HUNTERS

S. F. 126

AN ACT requiring deer hunters to wear certain colored apparel.

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

1 SECTION 1. Chapter one hundred nine (109), Code 1966, is hereby
2 amended by adding the following new section:

3 "It shall be unlawful for any person to hunt deer with firearms
4 unless the person is at the time wearing one or more of the following
5 articles of visible apparel: vest, coat, jacket, hat, or cap, the color of
6 which shall be orange and shall provide an iridescent effect."

Approved May 18, 1967.

CHAPTER 141
CONSERVATION LICENSES

S. F. 727

AN ACT relating to the fees of licenses issued by the state conservation commission.

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

- 1 SECTION 1. Section one hundred ten point one (110.1), Code 1966,
2 is hereby amended as follows:
- 3 1. By striking lines thirty-one (31) through forty-four (44) and
4 inserting in lieu thereof the following:
- 5 "Hunting license for nonresident or alien 20.00".
6 2. By inserting after line forty-six (46) the following:
7 "Fishing license (resident and nonresident):
8 "One-day license for resident, nonresident, or alien 1.00".
9 3. By striking lines fifty-one (51) through sixty-three (63) and in-
10 sserting in lieu thereof the following:
11 "Fishing license for nonresident or alien 5.00".
12 4. By striking from line sixty-four (64) the figure "2.00" and in-
13 sserting in lieu thereof the figure "10.00".
14 5. By striking lines sixty-nine (69) through eighty-two (82) and
15 inserting in lieu thereof the following:
16 "Trapping license for nonresident or alien 100.00".
17 6. By striking from line eighty-three (83) the figure "10.00" and
18 inserting in lieu thereof the figure "25.00".
19 7. By striking lines eighty-four (84) through ninety-eight (98) and
20 inserting in lieu thereof the following:
21 "Nonresident fur dealer's license 150.00".
22 8. By striking lines one hundred fourteen (114) through one hun-
23 dred thirty (130) and inserting in lieu thereof the following:
24 "All nets not otherwise provided for, each net 3.00".
25 9. By striking lines one hundred thirty-two (132) and one hundred
26 thirty-three (133) and inserting in lieu thereof the following:
27 "For each trap 1.00".
28 10. By striking lines one hundred thirty-five (135) and one hundred
29 thirty-six (136) and inserting in lieu thereof the following:
30 "For each trotline 1.00".
31 11. By striking lines one hundred fifty-nine (159) through one hun-
32 dred seventy (170) and inserting in lieu thereof the following:
33 "All nets not otherwise provided for, each net 3.00".
34 12. By striking lines one hundred seventy-two (172) through one
35 hundred seventy-three (173) and inserting in lieu thereof the follow-
36 ing:
37 "For each trap 3.00".
38 13. By striking lines one hundred seventy-four (174) through one
39 hundred seventy-six (176).
40 14. By striking lines one hundred seventy-eight (178) and one hun-
41 dred seventy-nine (179) and inserting in lieu thereof the following:
42 "For each trotline 4.00".
43 15. By striking from line one hundred eighty-one (181) the figure
44 "2.00" and inserting in lieu thereof the figure "10.00".

- 45 16. By striking lines one hundred eighty-two (182) through one
 46 hundred ninety-five (195) and inserting in lieu thereof the following:
 47 "Nonresidents or aliens 25.00".
 48 17. By striking line one hundred ninety-seven (197) and inserting
 49 in lieu thereof the following:
 50 "licenses:
 51 "Legal residents 10.00
 52 "Wholesale fish-market license:
 53 "Nonresident or alien 25.00
 54 "Wholesale fish-peddlers license:
 55 "Nonresident or alien 10.00".
 56 18. By striking from line two hundred one (201) the figure "2.00"
 57 and inserting in lieu thereof the figure "10.00".
 58 19. By striking line two hundred two (202) and inserting in lieu
 59 thereof the following:
 60 "Bait dealer's licenses:
 61 "Legal residents 25.00
 62 "Nonresidents or aliens 50.00".
 63 20. By striking therefrom lines two hundred three (203) and two
 64 hundred four (204).

Approved June 30, 1967.

CHAPTER 142

HUNTING, FISHING AND TRAPPING LICENSES

S. F. 575

AN ACT changing the hunting, fishing, and trapping license year from April 1 to the calendar year.

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

- 1 SECTION 1. Section one hundred ten point ten (110.10), Code 1966,
 2 is hereby amended as follows:
 3 1. By striking from line two (2) the word and figure "April 1" and
 4 inserting in lieu thereof the word and figure* "December 31".
 5 2. By adding thereto the following:
 6 "All licenses issued prior to January 1, 1968 shall remain valid and
 7 be fully honored until the expiration date shown on the face of such
 8 license."

Approved June 15, 1967.

*According to enrolled Act.

CHAPTER 143

LANDLORDS AND TENANTS DEER HUNTING LICENSES

S. F. 139

AN ACT regulating issuance of special deer hunting licenses to landlords and tenants.

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 1966, is hereby amended by striking the period after the word
3 "do" in line six (6) and adding the following: "; except, special
4 licenses to hunt deer shall be required by owners and tenants.

5 "Upon written application to the conservation commission filed by
6 an owner or tenant, the commission shall issue to landowners and
7 bona fide tenants special licenses to hunt deer on land actually owned
8 by a landowner or actually tenanted by a bona fide tenant. Each land-
9 owner and bona fide tenant shall be entitled to two (2) deer licenses;
10 one (1) license to be issued in the name of the landowner or tenant,
11 and one (1) license issued in the name of the wife or child of such
12 owner or tenant.

13 "The application required herein shall be on forms furnished by the
14 conservation commission and shall be without fee.

15 "Deer hunting licenses issued under this Act shall be subject to all
16 other provisions of the laws and regulations pertaining to the taking
17 of deer."

Approved May 19, 1967.

CHAPTER 144

FISHING LICENSES FOR HANDICAPPED PERSONS

S. F. 124

AN ACT relating to the issuance of special fishing licenses to certain severely handi-
capped persons.

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 1966, is hereby amended by adding the following:

3 "The commission shall issue without charge a special fishing license
4 to residents of Iowa sixteen (16) years or more of age who the com-
5 mission finds are mentally or physically severely handicapped. Such
6 special license shall be valid only when the holder is fishing under
7 supervision. The commission is hereby authorized to prepare an ap-
8 plication to be used by the person requesting handicapped status,
9 which would require that his attending physician sign the form de-
10 claring the person handicapped and eligible for exempt status."

Approved April 24, 1967.

CHAPTER 145

MARKING WATERFOWL

S. F. 132

AN ACT to change the method of marking waterfowl.

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

- 1 SECTION 1. Section one hundred ten A point five (110A.5), Code
 2 1966, is hereby amended by striking all of lines twenty-one (21)
 3 through twenty-five (25), inclusive, and inserting in lieu thereof the
 4 following:
 5 "All waterfowl released for shooting purposes shall be marked in
 6 a manner prescribed by the state conservation commission so as to
 7 provide for permanent identification."

Approved March 30, 1967.

CHAPTER 146

COUNTY MUSEUMS

S. F. 250

AN ACT to authorize county conservation boards to establish and maintain public museums.

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

- 1 SECTION 1. Section one hundred eleven A point one (111A.1),
 2 Code 1966, is hereby amended by inserting in line five (5) after the
 3 word "public" the word "museums,".
- 1 SEC. 2. Section one hundred eleven A point four (111A.4), Code
 2 1966, is hereby amended as follows:
 3 1. By inserting in line five (5) after the word "public" the word
 4 "museums,".
 5 2. By inserting in line one (1) of subsection one (1) of such section
 6 after the word "county's" the word "museum,".
 7 3. By inserting in line five (5) of subsection two (2) of such section
 8 after the word "public" the word "museums,".
 9 4. By inserting in line seventeen (17) of subsection two (2) of such
 10 section after the word "as" the word "museums,".
- 1 SEC. 3. Section one hundred eleven A point five (111A.5), Code
 2 1966, is hereby amended by inserting in line four (4) after the word
 3 "all" the word "museums,".
- 1 SEC. 4. Section one hundred eleven A point six (111A.6), Code
 2 1966, is hereby amended as follows:
 3 1. By inserting in line fifty-six (56) after the word "public" the
 4 word "museum,".
 5 2. By inserting in line one hundred thirty-nine (139) after the word
 6 "public" the word "museum,".

1 SEC. 5. Section one hundred eleven A point seven (111A.7), Code
 2 1966, is hereby amended by inserting in line sixteen (16) after the
 3 word "any" the word "museums,".

Approved June 26, 1967.

CHAPTER 147

COUNTY CONSERVATION

S. F. 366

AN ACT relating to county boards of conservation.

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

1 SECTION 1. Section one hundred eleven A point four (111A.4),
 2 Code 1966, is hereby amended by adding to subsection three (3) the
 3 following:
 4 "Approval of the state conservation commission shall not be neces-
 5 sary unless the cost of the proposed acquisition or development pro-
 6 gram exceeds twenty-five hundred (2500) dollars".

Approved June 8, 1967.

CHAPTER 148

COUNTY CONSERVATION BOARDS

H. F. 411

AN ACT relating to the enforcement of the rules and regulations of county conservation boards.

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

1 SECTION 1. Section one hundred eleven A point five (111A.5),
 2 Code 1966, is amended by inserting the following after the period in
 3 line sixteen (16):
 4 "After such publication and posting, any person violating any pro-
 5 vision of such rules and regulations which are then in effect shall, upon
 6 conviction, be fined not more than one hundred (100) dollars or be
 7 imprisoned in the county jail not more than thirty (30) days."

1 SEC. 2. Chapter one hundred eleven A (111A), Code 1966, is
 2 amended by adding the following new section:

3 "The provisions of sections one hundred eleven point thirty-five
 4 (111.35) through one hundred eleven point fifty-seven (111.57), inclu-
 5 sive, of the Code shall apply to all lands and waters under the control
 6 of any county conservation board, in the same manner as if such lands
 7 and waters were state parks, lands, or waters. Wherever used in said
 8 sections, the words 'state conservation commission', 'conservation com-
 9 mission', and 'commission' shall include a county conservation board,

10 and the words 'state conservation director' shall include a county con-
 11 servation board or its executive officer, with respect to any lands or
 12 waters under the control of a county conservation board. However,
 13 the provisions of said sections may be modified or superseded by rules
 14 and regulations adopted as provided in section one hundred eleven A
 15 point five (111A.5) of the Code."

Approved June 27, 1967.

CHAPTER 149

PUBLIC RECREATION ON PRIVATE LANDS AND WATERS

H. F. 151

AN ACT to encourage landowners to make land and water available to the public by limiting liability in connection therewith.

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

1 SECTION 1. The purpose of this Act is to encourage private owners
 2 of land to make land and water areas available to the public for recre-
 3 ational purposes by limiting their liability toward persons entering
 4 thereon for such purposes.

1 SEC. 2. As used in this Act, unless the context otherwise requires:
 2 1. "Land" means land used for agricultural purposes, including
 3 marshlands, timber, grasslands and the privately owned roads, water,
 4 water courses, private ways and buildings, structures and machinery
 5 or equipment appurtenant thereto.

6 2. "Holder" means the possessor of a fee interest, a tenant, lessee,
 7 occupant or person in control of the premises; provided, however,
 8 holder shall not mean the state of Iowa, its political subdivisions, or
 9 any public body or any agencies, departments, boards or commissions
 10 thereof.

11 3. "Recreational purpose" means the following or any combination
 12 thereof: hunting, fishing, swimming, boating, camping, picnicking,
 13 hiking, pleasure driving, nature study, water skiing, winter sports,
 14 and viewing or enjoying historical, archeological, scenic, or scientific
 15 sites while going to and from or actually engaged therein.

16 4. "Charge" means any consideration, the admission price or fee
 17 asked in return for invitation or permission to enter or go upon the
 18 land.

1 SEC. 3. Except as specifically recognized by or provided in section
 2 six (6) of this Act, an owner of land owes no duty of care to keep the
 3 premises safe for entry or use by others for recreational purposes, or
 4 to give any warning of a dangerous condition, use, structure, or activ-
 5 ity on such premises to persons entering for such purposes.

1 SEC. 4. Except as specifically recognized by or provided in section
 2 six (6) of this Act, a holder of land who either directly or indirectly
 3 invites or permits without charge any person to use such property for
 4 recreational purposes does not thereby:

- 5 1. Extend any assurance that the premises are safe for any purpose.
6 2. Confer upon such person the legal status of an invitee or licensee
7 to whom the duty of care is owed.
8 3. Assume responsibility for or incur liability for any injury to per-
9 son or property caused by an act or omission of such persons.

1 SEC. 5. Unless otherwise agreed in writing, the provisions of sec-
2 tions three (3) and four (4) of this Act shall be deemed applicable to
3 the duties and liability of an owner of land leased, or any interest or
4 right therein transferred* to, or the subject of any agreement with, the
5 United States or any agency thereof, or the state or any agency or
6 subdivision thereof, for recreational purposes.

1 SEC. 6. Nothing in this Act limits in any way any liability which
2 otherwise exists:

- 3 1. For willful or malicious failure to guard or warn against a dan-
4 gerous condition, use, structure, or activity.
5 2. For injury suffered in any case where the owner of land charges
6 the person or persons who enter or go on the land for the recreational
7 use thereof, except that in the case of land or any interest or right
8 therein, leased or transferred* to, or the subject of any agreement with,
9 the United States or any agency thereof or the state or any agency
10 thereof or subdivision thereof, any consideration received by the
11 holder for such lease, interest, right or agreement, shall not be deemed
12 a charge within the meaning of this section.

1 SEC. 7. Nothing in this Act shall be construed to:

- 2 1. Create a duty of care or ground of liability for injury to persons
3 or property.
4 2. Relieve any person using the land of another for recreational
5 purposes from any obligation which he may have in the absence of this
6 Act to exercise care in the use of such land and in his activities there-
7 on, or from the legal consequences of failure to employ such care.
8 3. Amend, repeal or modify the common law doctrine of attractive
9 nuisance.

Approved June 26, 1967.

*According to enrolled Act.

CHAPTER 150

ENGINEERS AND LAND SURVEYORS

H. F. 199

AN ACT to raise the compensation of the members of the board of engineering examiners and the renewal fee of registered engineers and land surveyors.

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

1 SECTION 1. Section one hundred fourteen point eight (114.8),
2 Code 1966, is hereby amended by striking from line three (3) the
3 word "ten" and inserting in lieu thereof the word "thirty (30)".

1 SEC. 2. Section one hundred fourteen point eighteen (114.18),
2 Code 1966, is hereby amended by striking from line fifteen (15) the
3 word "five" and inserting in lieu thereof the word "ten (10)".

Approved July 24, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 151

REGISTERED ENGINEERS AND LAND SURVEYORS

S. F. 233

AN ACT to amend various sections of the Code relating to registered engineers and land surveyors.

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

1 SECTION 1. Section one hundred fourteen point twenty (114.20),
2 Code 1966, is hereby amended by adding the following new paragraph
3 after the period (.) in line ten (10):

4 "A temporary permit to practice engineering or land surveying may
5 be granted to a person registered in another state, as prescribed by the
6 rules of the board, provided that before practicing within this state he
7 shall have applied for registration and shall have paid the fee pre-
8 scribed by this section."

1 SEC. 2. Section one hundred fourteen point twenty-six (114.26),
2 Code 1966, is hereby amended as follows:

3 1. Strike the words "and building" in lines seven (7) and eight (8)
4 and insert in lieu thereof the words "buildings or".

5 2. Strike the words "building said work" in line fifteen (15) and
6 insert in lieu thereof the words "constructing buildings and works".

7 3. Indent the word "This" in line sixteen (16) in order to begin a
8 new paragraph.

9 4. Strike all of such section after the word "systems" in line twenty-
10 six (26) and insert in lieu thereof a period (.)

Approved June 29, 1967.

CHAPTER 152

REALTORS' LICENSES

S. F. 305

AN ACT relating to real estate licenses.

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

- 1 SECTION 1. Section one hundred seventeen point one (117.1), Code
 2 1966, is hereby amended as follows:
 3 1. By inserting in line six (6) before the word "partnership" the
 4 words "an individual,".

Approved May 18, 1967.

CHAPTER 153

INFLATED REAL ESTATE CONTRACTS

H. F. 146

AN ACT relating to real property and contracts relating thereto.

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

- 1 SECTION 1. Chapter one hundred seventeen (117), Code 1966, is
 2 hereby amended by adding thereto the following new section:
 3 "It shall be unlawful for any person to knowingly make, issue, de-
 4 liver, or receive dual contracts for the purpose of sale of real property.
 5 Dual contracts, either written or oral, shall mean two (2) contracts
 6 concerning the same parcel of real property, one (1) of which states
 7 the true and actual purchase price and one (1) of which states a pur-
 8 chase price in excess of the true and actual purchase price and is used
 9 as an inducement for mortgage investors to make a loan commitment
 10 on such real property in reliance upon the stated inflated value.
 11 "Any person who shall violate the provisions of this section shall be
 12 imprisoned in the penitentiary not exceeding two years, or may be
 13 fined in the discretion of the court, not exceeding five thousand dollars,
 14 or imprisoned in the county jail not more than one year."

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 154

REAL ESTATE BROKERS TRUST ACCOUNTS

S. F. 261

AN ACT relating to trust accounts to be maintained by real estate brokers.

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

1 SECTION 1. Chapter one hundred seventeen (117), Code 1966, is
2 hereby amended by adding the following section:

3 "Trust Accounts.

4 (1) Each broker shall maintain a common trust account in a bank
5 for the deposit of all down payments, earnest money deposits, or other
6 trust funds received by the broker or his salesmen on behalf of his
7 principal.

8 (2) Each broker shall notify the commission of the name of the
9 bank or banks in which said trust account is maintained and also the
10 name of the account on forms provided therefor.

11 (3) Each broker shall authorize the commission to examine said
12 trust account and shall obtain the certification of the bank attesting to
13 said trust account and consenting to the examination and audit of said
14 account by a duly authorized representative of the commission. Said
15 certification and consent shall be furnished on forms prescribed by the
16 commission.

17 (4) Each broker shall only deposit trust funds received on real
18 estate or business opportunity transactions as defined in Section one
19 hundred seventeen point six (117.6), Code 1966, in said common trust
20 account and shall not commingle his personal funds or other funds in
21 said trust account with the exception that a broker may deposit and
22 keep a sum not to exceed one hundred (100) dollars in said account
23 from his personal funds, which sum shall be specifically identified and
24 deposited to cover bank service charges relating to said trust account.

25 (5) A broker may maintain more than one trust account provided
26 the commission is advised of said account as specified in Sections two
27 (2) and three (3) above."

1 SEC. 2. This Act, being deemed of immediate importance, shall
2 take effect after its passage, approval and publication in The Grundy
3 Register, a newspaper published at Grundy Center, Iowa, and in the
4 Storm Lake Pilot-Tribune, a newspaper published at Storm Lake,
5 Iowa.

Approved July 24, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 261, was published in The Grundy Register, Grundy Center, Iowa, August 3, 1967, and in the Storm Lake Pilot-Tribune, Storm Lake, Iowa, August 3, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 155

BEER REGULATION BY LIQUOR COMMISSION

H. F. 672

AN ACT relating to the powers and duties of the liquor control commission over beer.

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

1 SECTION 1. Section one hundred twenty-three point sixteen
2 (123.16), Code 1966, is hereby amended as follows:

3 1. By inserting in line one (1) of subsection seven (7) after the
4 word "permits," the words "including beer permits as authorized in
5 chapter one hundred twenty-four (124) of the Code."

6 2. By inserting in line four (4) of subsection seven (7) after the
7 word "chapter" the words "and chapter one hundred twenty-four
8 (124) of the Code".

9 3. By striking all of subsection nine (9) after the word "division"
10 in line thirteen (13) and inserting in lieu thereof the words "shall
11 enforce the provisions of title VI of the Code."

12 4. By adding thereto the following new subsection:

13 "To perform such duties and responsibilities as may be required
14 under chapter one hundred twenty-four (124) of the Code."

1 SEC. 2. Section one hundred twenty-three point seventeen
2 (123.17), Code 1966, is hereby amended as follows:

3 1. By inserting in subsection one (1), line two (2), after the word
4 "chapter" the words "and chapter one hundred twenty-four (124) of
5 the Code".

6 2. By inserting in subsection one (1), line five (5), after the word
7 "chapter" the words "and chapter one hundred twenty-four (124) of
8 the Code".

9 3. By inserting in subsection two (2), paragraph *d*, line two (2),
10 after the word "chapter" the words "and chapter one hundred twenty-
11 four (124) of the Code".

12 4. By inserting in subsection two (2), paragraph *i*, line one (1),
13 after the word "of" the word "commission".

14 5. By inserting in subsection two (2), paragraph *i*, line three (3),
15 after the word "chapter" the words "and chapter one hundred twenty-
16 four (124) of the Code".

17 6. By inserting in subsection two (2), paragraph *o*, line three (3),
18 after the word "chapter" the words "and chapter one hundred twenty-
19 four (124) of the Code".

20 7. By inserting in subsection three (3), line three (3), after the
21 word "chapter" the words "and all forms which the commission is
22 required to furnish under chapter one hundred twenty-four (124) of
23 the Code".

1 SEC. 3. Section one hundred twenty-three point fifty-three
2 (123.53), Code 1966, is hereby amended as follows:

3 1. By inserting in subsection nine (9), line three (3), after the
4 word "liquors" the words "and beer".

5 2. By inserting in subsection ten (10), line one (1), after the word
6 "licenses" the words "and beer permits".

- 7 3. By inserting in subsection eleven (11), line two (2), after the
8 word "licenses" the words "and beer permits".
9 4. By inserting in subsection eleven (11), line three (3), after the
10 word "amount" the words "of liquor control license fees".
11 5. By inserting in line fifty-one (51) after the word "liquors" the
12 words "or beer".

1 SEC. 4. Section one hundred twenty-four point two (124.2), Code
2 1966, is hereby amended as follows:

- 3 1. By striking subsection three (3) and inserting in lieu thereof the
4 following:
5 " 'Commission' means the Iowa liquor control commission."
6 2. By striking all of subsection seven (7) after the word "commis-
7 sion" in line two (2) of such subsection and inserting in lieu thereof
8 the following:
9 " , the liquor control commission, the city or town council of any city
10 or town, or the board of supervisors of any county."

1 SEC. 5. Section one hundred twenty-four point three (124.3), Code
2 1966, is hereby amended as follows:

- 3 1. By striking lines eighteen (18) through twenty-three (23) and
4 inserting in lieu thereof the words "The commission shall issue state
5 permits".
6 2. By striking all of such section after the word "provided." in line
7 twenty-eight (28).

1 SEC. 6. Section one hundred twenty-four point four (124.4), Code
2 1966, is hereby amended as follows:

- 3 1. By striking from lines one (1) and two (2) the words "state per-
4 mit board" and inserting in lieu thereof the word "commission".
5 2. By striking from lines ten (10) and eleven (11) the words "state
6 permit board" and inserting in lieu thereof the word "commission".
7 3. By striking from lines fourteen (14) and fifteen (15) the words
8 "permit board" and inserting in lieu thereof the word "commission".
9 4. By striking from line twenty-one (21) the words "state permit
10 board" and inserting in lieu thereof the word "commission".
11 5. By striking from lines twenty-five (25) and twenty-six (26) the
12 words "state permit board" and inserting in lieu thereof the word
13 "commission".
14 6. By striking from line thirty-seven (37) the word "board" and in-
15 serting in lieu thereof the word "commission".
16 7. By striking from line forty (40) the word "board" and inserting
17 in lieu thereof the word "commission".
18 8. By striking from line forty-eight (48) the word "board" and in-
19 serting in lieu thereof the word "commission".
20 9. By striking from line fifty-one (51) the word "board" and in-
21 serting in lieu thereof the word "commission".
22 10. By striking from line fifty-three (53) the word "board" and in-
23 serting in lieu thereof the word "commission".
24 11. By striking from line fifty-nine (59) the word "board" and in-
25 serting in lieu thereof the word "commission".
26 12. By striking from line seventy-one (71) the word "board" and
27 inserting in lieu thereof the word "commission".
28 13. By striking from lines eighty (80) and eighty-one (81) the

29 words "state permit board" and inserting in lieu thereof the word
30 "commission".

31 14. By striking from line eighty-six (86) the words "state permit
32 board" and inserting in lieu thereof the word "commission".

33 15. By striking from line eighty-nine (89) the words "state permit
34 board" and inserting in lieu thereof the word "commission".

35 16. By striking from line ninety-five (95) the word "board" and in-
36 serting in lieu thereof the word "commission".

1 SEC. 7. Section one hundred twenty-four point five (124.5), Code
2 1966, is hereby amended as follows:

3 1. By striking from line twenty-five (25) the words "state permit
4 board" and inserting in lieu thereof the word "commission".

5 2. By striking from line twenty-eight (28) the words "state permit
6 board" and inserting in lieu thereof the word "commission".

7 3. By striking from line twenty-nine (29) the words "state board"
8 and inserting in lieu thereof the word "commission".

9 4. By striking from line thirty-two (32) the words "state tax".

10 5. By striking from line thirty-three (33) the words "state permit
11 board" and inserting in lieu thereof the word "commission".

12 6. By striking from line thirty-eight (38) the words "state permit
13 board" and inserting in lieu thereof the word "commission".

14 7. By striking from line thirty-nine (39) the words "state permit
15 board" and inserting in lieu thereof the word "commission".

16 8. By striking from lines forty-nine (49) and fifty (50) the words
17 "state permit board" and inserting in lieu thereof the word "commis-
18 sion".

19 9. By striking from line fifty-one (51) the words "state permit
20 board" and inserting in lieu thereof the word "commission".

21 10. By striking from line fifty-three (53) the words "state permit
22 board" and inserting in lieu thereof the word "commission".

1 SEC. 8. Section one hundred twenty-four point six (124.6), Code
2 1966, is hereby amended by inserting in line forty-two (42) after the
3 word "the" the words "state tax commission, liquor control".

1 SEC. 9. Section one hundred twenty-four point nine (124.9), sub-
2 section three (3), Code 1966, is hereby amended by striking lines one
3 (1) and two (2) and inserting in lieu thereof the following:

4 "Furnishes a bond to the commission in the form prescribed and
5 furnished by the commis-".

1 SEC. 10. Section one hundred twenty-four point ten (124.10), sub-
2 section three (3), Code 1966, is hereby amended by striking lines one
3 (1), two (2), and three (3) and inserting in lieu thereof the follow-
4 ing:

5 "Furnishes a bond to the commission in the form prescribed and
6 furnished by the commission, with good and suffi-".

1 SEC. 11. Section one hundred twenty-four point fourteen (124.14),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line five (5) the words "state tax".

4 2. By striking from line six (6) the words "state tax".

5 3. By striking from line seventeen (17) the words "state tax".

6 4. By striking from line twenty-nine (29) the words "state tax".

- 7 5. By striking from line thirty-one (31) the words "state tax".
- 1 SEC. 12. Section one hundred twenty-four point twenty-four
2 (124.24), Code 1966, is hereby amended as follows:
3 1. By striking from line thirty-two (32) the words "into the state
4 tax" and inserting in lieu thereof the words "to the".
5 2. By striking from line thirty-three (33) the words "state tax".
- 1 SEC. 13. Section one hundred twenty-four point twenty-six
2 (124.26), Code 1966, is hereby amended by inserting in line twenty-
3 one (21) after the words "to the" the words "state tax".
- 1 SEC. 14. Section one hundred twenty-four point twenty-seven
2 (124.27), Code 1966, is hereby amended by striking from line fifteen
3 (15) the words "or its authorized representative" and inserting in lieu
4 thereof the words "and the liquor control commission or their author-
5 ized representatives".
- 1 SEC. 15. Section one hundred twenty-four point thirty-three
2 (124.33), subsection two (2), Code 1966, is hereby amended by insert-
3 ing in line two (2) after the word "commission" the words "and the
4 liquor control commission".
- 1 SEC. 16. Chapter one hundred twenty-four (124), Code 1966, is
2 hereby amended by adding thereto the following new section:
3 "As a condition for the issuance or retention of a beer permit, the
4 permittee shall give consent for members of the fire, police, and health
5 departments and the building inspector of cities and towns, the com-
6 mission and its agents, the county sheriff, deputy sheriff and state
7 agents, and county health officer to enter upon premises without a
8 warrant to inspect for violations of the provisions of title six (VI) of
9 the Code, or the provisions of ordinances and regulations that cities
10 and towns and boards of supervisors may adopt."

Approved June 29, 1967.

CHAPTER 156

LIQUOR LICENSE FEES

H. F. 100

AN ACT relating to liquor license fees.

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

- 1 SECTION 1. Section one hundred twenty-three point twenty-eight
2 (123.28), Code 1966, is hereby amended by striking from paragraph *d*
3 of subsection three (3) all of line three (3) and inserting in lieu there-
4 of the following:
5 "a sum equal to that charged in the incorporated city or town lo-
6 cated nearest the premises to be licensed, and in case there is no
7 doubt as to which of two or more differing corporate limits are the
8 nearest, the license fee which is the larger shall prevail."

Approved June 29, 1967.

CHAPTER 157

CITIZENS' COMMITTEE ON ALCOHOLISM

S. F. 352

AN ACT to enable cities and towns to finance local citizens' committees on alcoholism payable from the amount of the liquor control fund distributed to cities and towns.

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

1 SECTION 1. Section one hundred twenty-three point fifty (123.50),
 2 subsection three (3), Code 1966, is amended by adding the following:
 3 "It is hereby deemed a lawful municipal purpose for cities and
 4 towns to allocate a portion of the above funds for the purpose of
 5 financing the activities of a city or town commission or committee on
 6 alcoholism, such commission or committee to be appointed by the
 7 mayor and/or by the council. The commission or committee may use
 8 any funds so allocated for the treatment, rehabilitation and education
 9 of alcoholics in Iowa."

Approved June 16, 1967.

CHAPTER 158

LIQUOR TAXES

S. F. 50

AN ACT to repeal the ten (10) percent occupational tax on gross receipts of liquor licensees on sales of alcoholic beverages and replace the lost revenues by adding a mark-up on liquor sold to licensees at time of purchase in conjunction with placing per drink sales under the retail sales tax and establishing identification means and procedures therefor and to increase the share received by cities and towns of proceeds from the sale of liquor.

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

1 SECTION 1. Sections one hundred twenty-three point ninety-seven
 2 (123.97), one hundred twenty-three point ninety-eight (123.98), one
 3 hundred twenty-three point ninety-nine (123.99), one hundred twenty-
 4 three point one hundred (123.100), Code 1966, are hereby repealed
 5 and the following enacted in lieu thereof:
 6 1. "There is hereby imposed on every individual, partnership, cor-
 7 poration, association or club licensed to sell alcoholic beverages for
 8 consumption on the premises where sold, a special tax equivalent to
 9 fifteen (15) percent of the price established by the commission on all
 10 alcoholic beverages for general sale to the public. Such tax shall be
 11 paid by all licensees at the point of purchase from the state on all
 12 alcoholic beverages intended or used for resale for consumption on the
 13 premises of retail establishments. Such tax shall be in lieu of any
 14 other sales tax applied at the state store and shall be shown as a sepa-
 15 rate item on special sales slips provided by the commission for pur-
 16 chases by licensees.
 17 2. "Except as allowed under section one hundred twenty-three point
 18 ninety-six (123.96), Code 1966, no licensee shall knowingly keep on
 19 the licensed premises nor use for resale purposes any alcoholic liquor

20 on which the special tax has not been paid to the state. The conviction
 21 of a violation of this section shall cause the license held to automati-
 22 cally be revoked and the license shall immediately be surrendered by
 23 the holder, and the bond of the license holder shall be forfeited to the
 24 commission.

25 3. "Each bottle of alcoholic beverage purchased by a licensee shall
 26 bear an identification marker applied at the place of purchase."

1 SEC. 2. Section one hundred twenty-three point eighteen (123.18),
 2 Code 1966, is hereby amended by striking all after the period (.) in
 3 line twelve (12).

1 SEC. 3. Section one hundred twenty-three point fifty (123.50),
 2 Code 1966, is hereby amended by striking from line two (2) of subsec-
 3 tion three (3) the word "five" and by inserting in lieu thereof the
 4 word "ten (10)".

1 SEC. 4. Section four hundred twenty-two point forty-six (422.46),
 2 Code 1966, is hereby amended by adding after the word "beer" in line
 3 ten (10) the following: ", alcoholic beverages".

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 Carroll Daily Times Herald, a newspaper pub-
 4 lished at Carroll, Iowa, and in the Ames Daily Tribune, a newspaper
 5 published at Ames, Iowa.

Approved July 20, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 50, was published in the Carroll Daily Times Herald, Carroll, Iowa, July 31, 1967, and in the Ames Daily Tribune, Ames, Iowa, July 24, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 159

LIQUOR DISCLOSURE

S. F. 111

AN ACT relating to disclosure of payments by companies selling alcoholic liquor or beer to the Iowa liquor control commission and to aid in the prevention of illegal payments.

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

1 SECTION 1. Wherever used in this Act:

2 1. "Company" includes individual, partnership, corporation, associ-
 3 ation, and organization.

4 2. "Person" includes individual, partnership, corporation, associa-
 5 tion, organization, political party, and political committee.

6 3. "Payment" includes any direct or indirect transfer of money or
 7 property to or for the benefit of a person, or any credit to the account
 8 of a person. Without limiting the generality of the foregoing, "pay-

9 ment" includes any commission, fee, salary, bonus, gift, contribution,
10 or donation.

1 SEC. 2. Each company which sells any alcoholic liquor as defined
2 in section one hundred twenty-three point five (123.5) of the Code,
3 or any beer as defined in section one hundred twenty-four point two
4 (124.2) of the Code, to the Iowa liquor control commission during any
5 calendar year shall file with the Iowa liquor control commission, on or
6 before April 1 of the following year, a report setting forth the follow-
7 ing information with respect to such calendar year:

8 1. Each payment made directly or indirectly by the company, or by
9 any person on behalf of the company, or by any person controlling,
10 controlled by, or under common control with the company:

11 a. for representation or contacts with the Iowa liquor control com-
12 mission, or for any purpose related to the company's sales or attempted
13 sales to the Iowa liquor control commission; or

14 b. for any services rendered wholly or partly in Iowa; or

15 c. to or for the benefit of any individual resident of Iowa or any
16 person having his or its principal office or principal place of business
17 in Iowa.

18 2. The name and address of each person to whom each such pay-
19 ment was made.

20 3. Whether the payment was made by check, in currency, or in some
21 other manner.

22 4. The purpose of each such payment.

23 5. The consideration, if any, received by the company for each such
24 payment.

25 6. All such payments made to the same person shall be combined and
26 the total amount shall be reported. However, if such payments to the
27 same person are made for two or more purposes, the total amount of
28 the payments for each purpose shall also be reported. If any part of
29 the total amount was paid in currency or in any manner other than
30 by check, that part and the method of payment shall be specified.

31 7. Such additional information as the Iowa liquor control commis-
32 sion, the attorney general, or the state tax commission may deem
33 necessary or appropriate for the proper administration and enforce-
34 ment of this Act.

35 8. Whether or not the reporting company retains an attorney or a
36 firm of attorneys that any elected or appointed public official is pres-
37 ently associated or had been associated, in the practice of law.

38 9. The attorney or firm of attorneys retained by such company or
39 which such company paid any legal fees to and the amount thereof for
40 the past reporting period.

41 10. The names of all elected or appointed state officials employed by
42 a bank, or upon whose board of directors such official serves or in
43 which such official, his spouse, or immediate family, jointly or sever-
44 ally, own stock equal to one (1) per cent of the outstanding stock of
45 such bank in which such company has deposited money during the
46 reporting period. The reporting company shall also state the name of
47 the bank and its average monthly deposit for the reporting period.

1 SEC. 3. Each report shall be made on forms prescribed by the Iowa
2 liquor control commission with the approval of the attorney general.

3 Such forms shall be furnished by the Iowa liquor control commission
4 upon request. Each report shall be executed by the company by its
5 president, vice-president, secretary, or treasurer, or by a general part-
6 ner or individual owner. Each report shall be verified by the indi-
7 vidual who signs the report.

1 SEC. 4. Each report shall be filed in triplicate with the Iowa liquor
2 control commission, which shall immediately deliver one copy to the
3 attorney general and one copy to the state tax commission. Each of
4 such three agencies shall carefully examine each report and shall take
5 all appropriate action to ensure compliance with the applicable laws
6 of this state. Such reports may be destroyed after a period of two (2)
7 years.

1 SEC. 5. The Iowa liquor control commission, attorney general, or
2 state tax commission may request any company to report any infor-
3 mation regarding a payment or suspected payment to which section
4 two (2) applies, unless the requested information is already fully dis-
5 closed in a report required by this Act. The company shall report all
6 requested information, executed and verified in accordance with sec-
7 tion three (3), to the agency requesting it within thirty (30) days
8 after receiving the request. The agency requesting the report shall
9 furnish a copy to each of the other agencies listed in this section. Each
10 of the three agencies shall take action as provided in section four (4).

1 SEC. 6. If any report required by this Act is not filed on or before
2 the required date, the Iowa liquor control commission shall not pur-
3 chase any alcoholic liquor or beer from the company failing to file the
4 report until the report is filed. If any report required by this Act is
5 filed but does not comply with this Act, the Iowa liquor control com-
6 mission shall notify the company of the defects in the report, and if a
7 report complying with this Act is not filed within thirty (30) days
8 after such notice is given, the Iowa liquor control commission shall not
9 purchase any alcoholic liquor or beer from such company until it files
10 a report complying with this Act. The attorney general shall deter-
11 mine any question as to whether a report complies with this Act.

1 SEC. 7. The Iowa liquor control commission, attorney general, and
2 state tax commission, and their authorized representatives, shall have
3 the right to examine all books and records of any company relating to
4 any payment or suspected payment to which section two (2) applies.
5 This section applies to books, records, and companies located within or
6 without the state of Iowa. If a company does not permit such exami-
7 nation upon written request, the Iowa liquor control commission shall
8 not purchase any alcoholic liquor or beer from such company until it
9 permits such examination.

1 SEC. 8. Whenever a report required by this Act shows total pay-
2 ments of one thousand dollars (\$1,000.00) or more in any calendar
3 year to any person, such person shall file a statement in triplicate with
4 the Iowa liquor control commission, setting forth the following infor-
5 mation:

6 1. The total amount of all payments during such calendar year to
7 or for the benefit of such person by the company, or by any officer,

8 employee, agent, or representative of the company, or by any person
9 controlling, controlled by, or under common control with the company.

10 2. The purpose of each such payment.

11 3. Whether the payment was made by check, in currency, or in some
12 other manner.

13 4. The consideration, if any, given by such person for each such
14 payment.

15 5. Whether such person paid or gave any part of any such payment
16 to any other person; and, if so, the amount and the name and address
17 of the recipient.

18 6. Whether each such payment or any part thereof was reported as
19 income on such person's state income tax return and federal income
20 tax return; if so, the taxable year for which such returns were filed
21 and the places where such returns were filed; and if any such payment
22 or any part thereof was not reported as income on such returns, the
23 reasons why it was not reported as income.

24 7. Such additional information as the Iowa liquor control commis-
25 sion, the attorney general, or the state tax commission may deem
26 necessary or appropriate for the proper administration and enforce-
27 ment of this Act.

28 Each such statement shall be made on forms prescribed by the Iowa
29 liquor control commission with the approval of the attorney general.
30 Such forms, together with instructions, shall be mailed by certified or
31 registered mail to each such person by the Iowa liquor control com-
32 mission on May 1 of each year with respect to payments reported for
33 the preceding calendar year. If the report disclosing the payments is
34 received by the Iowa liquor control commission after May 1, such
35 forms shall be mailed within ten (10) days after the report is re-
36 ceived.

37 Each such statement shall be executed by such person, and shall be
38 verified by the individual who signs the statement.

39 Each such person shall file the statement required by this section
40 with the Iowa liquor control commission within thirty (30) days after
41 he receives such forms. The statements shall be distributed and action
42 shall be taken as provided in section four (4) of this Act.

43 If any statement required by this Act is not filed on or before the
44 required date, the person failing to file the report shall not be per-
45 mitted to represent any company with the Iowa liquor control commis-
46 sion until the report is filed.

1 SEC. 9. All reports and statements required by this Act shall be
2 public records.

1 SEC. 10. Any person who wilfully fails or refuses to file any report
2 or statement within the time required by this Act, or who executes,
3 signs, or files any report or statement required by this Act which mis-
4 states or omits any information required by this Act and which is
5 within the possession of or could readily be obtained by such person,
6 shall be guilty of a misdemeanor, and upon conviction thereof shall be
7 fined not more than one thousand dollars (\$1,000.00).

8 Any person who executes, signs, or files any report or statement
9 required by this Act, knowing the same to be false in any respect, shall
10 be guilty of a misdemeanor, and upon conviction thereof shall be fined

11 not more than ten thousand dollars (\$10,000.00). Knowledge of any
 12 officer, director, or partner of a company shall be regarded as knowl-
 13 edge of the company.

Approved July 26, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

CHAPTER 160

BEER PERMIT FEE

H. F. 364

AN ACT relating to the fee for a class "C" beer permit.

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

1 SECTION 1. Section one hundred twenty-four point twenty-four
 2 (124.24), Code 1966, is amended by deleting in line twenty-eight (28)
 3 the words "twenty-five dollars." and inserting in lieu thereof the fol-
 4 lowing:
 5 "fixed by the authority empowered by this chapter to issue permits,
 6 at fifty (50), one hundred fifty (150) or three hundred (300) dollars.
 7 Such permit fee shall be graduated among the above amounts by such
 8 authority for individual permit holders, based on the relative volume
 9 of beer sales to the permit holder as shown by the records required to
 10 be kept by section one hundred twenty-four point twenty-seven
 11 (124.27), as against that of all other permit holders during the next
 12 full prior calendar year within that jurisdiction, but shall in no event
 13 be less than fifty (50) dollars. No class "C" permit fee shall exceed
 14 the fee as established by the issuing authority for class "B" permits."

Approved July 5, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 161

PUBLICLY OWNED MOBILE PARKS

S. F. 516

AN ACT relating to mobile home parks owned and operated by any agency or department of the state or county.

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

1 SECTION 1. Section one hundred thirty-five D point fourteen
 2 (135D.14), Code 1966, is hereby amended by striking all of such sec-
 3 tion after the word "chapter." in line four (4) and inserting in lieu
 4 thereof the following:
 5 "Any mobile home park owned or operated by any agency or depart-
 6 ment of the state, county, city, town, or any nonprofit corporation
 7 within which the length of stay is limited to not more than fourteen

8 (14) consecutive days shall not be affected by any provision of this
 9 chapter except that such parks shall be subject to routine inspection
 10 by the state health department or a designee thereof. Upon routine
 11 inspections by the state health department or its designee, the inspect-
 12 ing officer shall make a report of his findings and recommendations in
 13 writing and submit such report to the agency or department of the
 14 state responsible for operation of the park."

1 SEC. 2. Section one hundred eleven point forty-nine (111.49),
 2 Code 1966, is hereby amended by striking from line one (1) the word
 3 "person" and inserting in lieu thereof the words "camping unit".

Approved June 12, 1967.

CHAPTER 162

AIR POLLUTION CONTROL

H. F. 480

AN ACT providing for the preservation and improvement of the air quality of the state; creating and delegating authority for an air pollution control program and related activities to an air pollution control commission; authorizing political subdivisions to conduct certain air pollution control activities, and making an appropriation therefor.

WHEREAS, it is hereby declared to be the public policy of this state to achieve and maintain reasonable levels of air quality, and to prevent the discharge of air contaminants into the outside atmosphere which will cause air pollution and create a public nuisance; and

WHEREAS, it is the intent and purpose of this Act to maintain purity of the air resources of the state consistent with the protection of the normal health and physical property of the state, maximum employment, and the full industrial development of the state; and

WHEREAS, it also is the purpose of this Act to provide for a coordinated statewide program of air pollution prevention, abatement and control, for an appropriate distribution of responsibilities among the state and political subdivisions, for the procedures for cooperation across jurisdictional lines in dealing with problems of air pollution not confined within single jurisdictions, and for a framework within which all values may be balanced for the public interest; and,

WHEREAS, the commission hereby established shall seek the accomplishment of these objectives through the prevention, abatement, and control of air pollution by practicable and reasonable methods; NOW, THEREFORE,

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

1 SECTION 1. This Act shall be known as the "Iowa Air Pollution
 2 Control Act".

1 SEC. 2. When used in this Act, unless the context otherwise re-
 2 quires:

- 3 1. "Air contaminant" means dust, fume, mist, smoke, other par-
4 ticulate matter, gas, vapor (except water vapor), odorous substance,
5 or any combination thereof.
- 6 2. "Air contaminant source" means any and all sources of emission
7 of air contaminants whether privately or publicly owned or operated.
- 8 a. Air contaminant source includes, but is not limited to, all types
9 of businesses, commercial and industrial plants, works, shops, and
10 stores, heating and power plants and stations, buildings and other
11 structures of all types including single and multiple family resi-
12 dences, office buildings, hotels, restaurants, schools, hospitals,
13 churches and other institutional buildings, automobiles, trucks, trac-
14 tors, buses, aircraft, and other motor vehicles, garages, vending and
15 service locations and stations, railroad locomotives, ships, boats, and
16 other water-borne craft, portable fuel-burning equipment, indoor and
17 outdoor incinerators of all types, refuse dumps and piles, and all
18 stack and other chimney outlets from any of the foregoing.
- 19 3. "Air pollution" means presence in the outdoor atmosphere of
20 one (1) or more air contaminants in sufficient quantities and of such
21 characteristics and duration as is injurious to normal human, plant,
22 or animal life, or to property, or which unreasonably interferes with
23 the enjoyment of life and property.
- 24 4. "Atmosphere" means all space outside of buildings, stacks or
25 exterior ducts.
- 26 5. "Commissioner" means the commissioner of public health.
- 27 6. "Commission" means the air pollution control commission cre-
28 ated by this Act.
- 29 7. "Department" means the state department of health.
- 30 8. "Emission" means a release of one (1) or more air contami-
31 nants into outside atmosphere.
- 32 9. "Technical secretary" means the technical secretary of the com-
33 mission.
- 34 10. "Person" means an individual, partnership, copartnership, co-
35 operative, firm, company, public or private corporation, political sub-
36 division, agency of the state, trust, estate, joint stock company, or
37 any other legal entity, or their legal representative, agent or assigns.
- 38 11. "Political subdivision" means any municipality, township, or
39 county, or district, or authority, or any portion, or combination of
40 two (2) or more thereof.

1 SEC. 3. There is hereby created and established the Iowa air pol-
2 lution control commission. The commission is established within the
3 department of health to perform the functions specified for it in this
4 Act.

- 5 1. The commission shall consist of the commissioner of public
6 health and eight (8) additional members having competence appro-
7 priate to service in the field of air pollution, to be appointed by the
8 governor. One (1) member shall be a registered professional engi-
9 neer as defined in section one hundred fourteen point two (114.2) of
10 the Code. One (1) member shall be a physician licensed in compli-
11 ance with section one hundred forty-eight point three (148.3) of the
12 Code who shall be experienced in the field of industrial medicine.
13 One (1) member shall be actively engaged in the management of a
14 private manufacturing concern. One (1) member shall be selected

15 from individuals representative of a field directly related to the con-
16 servation of natural resources or agriculture. One (1) member shall
17 be representative of labor. One (1) member shall be engaged in or
18 be a representative of a political subdivision government or urban
19 or regional planning commission. Two (2) members shall be selected
20 at large.

21 2. Members appointed to the commission shall serve for terms of
22 four (4) years, except when appointed to fill an unexpired term, and
23 until appointment of their successors, except that the terms of those
24 first appointed shall be as designated by the governor at the time of
25 appointment as follows:

26 a. Four (4) members shall serve from the date of appointment
27 until June 30, 1969. Four (4) members shall serve from the date of
28 appointment until June 30, 1971.

29 b. If a vacancy occurs in the appointed membership, the governor
30 shall appoint a member for the remaining portion of the unexpired
31 term created by the vacancy. The governor may remove any ap-
32 pointed member for cause.

33 3. The members of the commission shall receive no compensation
34 for their services, but shall be reimbursed for travel and other ex-
35 penses necessarily incurred in the performance of their duties.

36 4. The commission shall hold at least four (4) regular meetings
37 each calendar year at a place and time to be fixed by the commission.
38 Special meetings may be called by the chairman or by four (4) mem-
39 bers of the commission upon delivery of written notice to the office
40 of each member of the commission. Any five members present at any
41 regular or special meeting shall constitute a quorum.

42 5. Except as otherwise specified in this Act, at least a quorum must
43 be present at any meeting to validate any action taken by the commis-
44 sion at such meeting, and a majority of members present shall deter-
45 mine issues; provided, however, that any rule or regulation or amend-
46 ment or repeal thereof shall not be deemed operative until it shall
47 have been approved in writing by at least five members of the com-
48 mission.

49 6. The commission shall select at its first meeting one (1) of its
50 members to serve as chairman, and another of its members to serve
51 as vice-chairman. At the first regular meeting in each calendar year
52 thereafter, a chairman and a vice-chairman for the ensuing year shall
53 be elected. The department shall furnish the services of a technical
54 secretary to the commission. The technical secretary shall be a tech-
55 nically qualified engineer and shall receive no additional compensa-
56 tion for such services.

1 SEC. 4. The commission is hereby given and charged with the
2 following powers and duties:

3 1. The commission, through the department, shall have general
4 supervision over administration and enforcement of all laws relating
5 to air pollution.

6 2. To develop and prepare a comprehensive plan or plans for the
7 abatement, control, and prevention of air pollution in this state, rec-
8 ognizing varying requirements for different areas in the state.

9 3. To adopt, amend and promulgate rules and regulations pertain-
10 ing to the evaluation, abatement, control, and prevention of air pol-

11 lution consistent with the intent and purpose of this Act after at least
12 sixty (60) days public notice and public hearings.

13 4. To establish, repeal, or modify air quality standards for the
14 atmosphere of this state as a whole or any part thereof on the basis
15 of providing air quality necessary to minimize air pollution consist-
16 ent with the purposes of this Act after at least sixty (60) days public
17 notice and public hearings.

18 5. To establish, repeal, or modify emission standards relating to
19 the maximum quantities of air contamination that may be emitted
20 from any air contaminant source; and requirements for open burn-
21 ing, including the prohibition thereof, for this state as a whole, after
22 at least sixty (60) days public notice and public hearings.

23 6. To consider complaints of conditions reported to, or considered
24 likely to, constitute air pollution; and instruct the department to con-
25 duct investigations of such complaints upon receipt of the written
26 petition of any state agency, the governing body of any political sub-
27 division, a local board of health, or twenty-five (25) affected residents
28 of the state.

29 7. To hold such public hearings except when the evidence to be
30 received is confidential pursuant to section eight (8) of this Act, in
31 addition to those otherwise required by this Act, as it may deem ad-
32 visable and necessary to accomplish the purposes of this Act, and in
33 connection therewith is authorized to issue subpoenas requiring the
34 attendance of witnesses and the production of evidence pertinent to
35 such hearings. All hearings shall be held before at least a quorum of
36 the commission.

37 a. If any person refuses to obey a subpoena issued under this Act,
38 the district court of the county where the proceeding is pending
39 shall have jurisdiction, upon application of the commission, or its
40 authorized representative, or the technical secretary, to issue to such
41 person an order requiring him to appear and testify or produce evi-
42 dence, and any failure to obey such order of the court may be pun-
43 ished by said court as a contempt thereof.

44 8. To issue or enter such order or determination as may be neces-
45 sary to effectuate this Act. If a condition of air pollution, as defined
46 herein, is found to exist, such order may require the taking of such
47 action as is indicated by the circumstances to cause the abatement or
48 control of such condition.

49 a. In making orders and determinations, the commission shall take
50 into consideration all the facts and circumstances bearing upon the
51 reasonableness of the emissions involved, including, but not limited
52 to: the character and degree of injury to, or interference with, the
53 protection of the health and the physical property of the public; the
54 practicability of reducing or limiting the emissions from such air
55 pollution source; and the suitability or unsuitability of the air pol-
56 lution sources to the area in which located.

57 b. Any such order or determination may include such advisory rec-
58 ommendation as is deemed appropriate for the control of emissions
59 from any air contaminant source and the reduction of the emission
60 of air contaminants.

61 9. Cause to be instituted, in the name of the state, in a court of
62 competent jurisdiction, legal proceedings to compel compliance with
63 any order or determination entered by the commission.

64 10. To classify air contaminant sources according to levels and
65 types of emissions, and other characteristics which relate to air pol-
66 lution, and may require, by rule and regulation, reporting for any
67 such class or classes of information including location, size, and
68 height of contaminant outlets, fuels used, the nature and the time
69 periods of emissions, and such other information as is relevant to air
70 pollution.

71 Classifications made pursuant to this paragraph may be for appli-
72 cation to the state as a whole, or to any designated area of the state,
73 and shall be made with special reference to effects on health, eco-
74 nomic, and social factors, and physical effects on property.

75 11. To require, by rules and regulations promulgated hereunder,
76 notice of the construction or the installation of any equipment which
77 may cause or contribute to air pollution as defined herein; and the
78 submission to the department of plans and specifications, or such
79 other information as is deemed necessary, for installation of equip-
80 ment from which air contaminants may be emitted to the atmosphere
81 and related control equipment.

82 Such standards, rules, or regulations shall not specify any par-
83 ticular method to be used to reduce undesirable levels of emissions,
84 nor type, design, or method of installation of any equipment to be
85 used to reduce said levels of emissions, nor the type, design, or
86 method of installation or type of construction of any manufacturing
87 processes or kinds of equipment, nor specify the kind or composition
88 of fuels permitted to be sold, stored, or used.

89 Nothing herein shall prevent the commission from giving technical
90 advice pertaining to the construction or installation of any equipment
91 or any other recommendation.

92 The order of determination of the commission may include such
93 advisory recommendation as the commission may deem appropriate
94 for the control of emissions from any air-contaminant source and the
95 reduction of the emission of air contaminants.

96 12. Review and evaluate local air pollution control programs con-
97 ducted by political subdivisions of the state with respect to whether
98 such programs are not inconsistent with the provisions and purposes
99 of this Act, and any rules and regulations promulgated thereunder.

100 13. Represent the state in any and all matters pertaining to plans,
101 procedures, negotiations, and agreements for interstate compacts re-
102 lating to the control of air pollution.

103 14. Advise, consult, and cooperate with other agencies of the state,
104 political subdivisions, industries, other states, interstate or interlocal
105 agencies, the federal government, and with affected groups in the
106 control of air contamination sources within the state.

107 15. Encourage voluntary cooperation by persons or other affected
108 groups in restoring and preserving a reasonable quality of air within
109 the state.

110 16. Encourage political subdivisions to handle air pollution prob-
111 lems within their respective jurisdictions to the greatest extent pos-
112 sible.

113 17. Provide technical assistance to political subdivisions request-
114 ing such aid for the furtherance of air pollution control.

115 18. Collect and disseminate information, and conduct educational

116 and training programs, relating to air pollution and its abatement
117 prevention, and control.

1 SEC. 5. The department shall:

2 1. Provide to the commission such facilities and services as may be
3 needed in conducting the activities specified herein.

4 2. Publish and administer the rules, regulations, and standards
5 promulgated hereunder. The department shall furnish a copy of such
6 rules, regulations, or standards adopted hereunder to any citizen
7 upon request.

8 3. Provide such technical, scientific, and other services as may be
9 required for the purpose of effectuating the provisions of this Act
10 from funds appropriated and available for the purposes of this Act.

11 4. Conduct such correspondence and related activities in the in-
12 terim between meetings of the commission, make or arrange for such
13 inspections and investigations, and assemble or prepare such data
14 and reports as the commission may request.

15 5. Conduct investigations of complaints received directly or re-
16 ferred by the commission, or such other investigations as are deemed
17 necessary to effectuate the provisions of this Act; and participate, on
18 behalf of the state, in hearings before the commission.

19 6. Enter at all reasonable times in and upon any private or public
20 property except private dwellings for the purpose of investigating an
21 actual or possible source of air pollution, or of ascertaining the state
22 of compliance with this Act or rules and regulations promulgated
23 hereunder.

24 a. No person shall refuse entry or access to any authorized repre-
25 sentative of the department who requests entry for the purpose of an
26 investigation, and who presents appropriate credentials; nor shall
27 any person obstruct, hamper, or interfere with any such investiga-
28 tion.

29 b. If requested, the owner or operator of the premises shall receive
30 a report setting forth levels of emissions and any other facts found
31 which relate to compliance status.

32 7. Grant, modify, or deny permits, under the direction of the com-
33 mission, for the installation of new equipment capable of emitting air
34 contaminants to produce air pollution as defined herein, and for re-
35 lated control equipment, subject to pertinent rules and regulations
36 promulgated hereunder. The department shall furnish necessary
37 forms to be executed in making application for such permits.

38 a. No equipment which may cause or contribute to air pollution as
39 defined herein, or which is intended primarily to prevent or to con-
40 trol the emission of air contaminants, shall be installed, altered in
41 such a way that it significantly affects operational efficiency, or placed
42 in use unless a permit has been issued for such equipment.

43 b. The condition of expected performance must be reasonably de-
44 tailed in the permit unless it is agreed between the commission and
45 the permit holder that a condition of development and adjustment
46 exists.

47 c. Upon denial of such a permit, the person applying for such per-
48 mit shall be notified of such denial and informed of the reason or
49 reasons therefor, and such person shall be entitled to a hearing before

50 the commission in accordance with section four (4), subsection seven
51 (7) of this Act.

52 8. Determine by field studies and sampling the quality of atmos-
53 phere and the degree of air pollution in this state and the several
54 parts hereof.

55 9. Conduct and encourage studies, investigations, and research re-
56 lating to air pollution and its causes, effects, abatement, control, and
57 prevention.

58 10. Accept, receive, and administer grants or other funds or gifts
59 from public or private agencies, including the federal government,
60 for the purpose of conducting any of the functions of this Act.

61 11. Employ and compensate, within appropriations available pur-
62 suant to the Iowa merit system, and prescribe the duties of such con-
63 sultants and technical assistants on a full or part-time basis as may
64 be necessary to carry out the provisions of this Act.

1 SEC. 6. Nothing contained in this Act shall be deemed to grant to
2 the commission or the department any authority or jurisdiction with
3 respect to air pollution existing solely within residences; or solely
4 within commercial and industrial plants, works, or shops under the
5 jurisdiction of chapter ninety-one (91) of the Code; or to affect the
6 relations between employers and employees with respect to, or aris-
7 ing out of, any condition of air pollution.

1 SEC. 7. The commission and the department may request and re-
2 ceive assistance from any other agency, department, or educational
3 institution of the state, or political subdivision thereof, when it is
4 deemed necessary or beneficial by the commission or the department
5 in effectuating the purposes of this Act. The department may reim-
6 burse such agencies for special expense resulting from expenditures
7 not normally a part of the operating expenses of any such agency.

1 SEC. 8. Information received by the commission or the depart-
2 ment through filed reports, inspections, or as otherwise authorized
3 under this Act concerning trade secrets, secret industrial processes,
4 or other privileged communications shall not be disclosed or opened
5 to public inspection, except as may be necessary in a proceeding con-
6 cerning a violation of the Act or of any rules and regulations promul-
7 gated thereunder, or as otherwise authorized or ordered by appro-
8 priate court action or proceedings. Nothing herein shall be construed
9 to prevent the commission or the department from compiling or pub-
10 lishing analyses or summaries relating to the general condition of the
11 atmosphere; provided that such analyses or summaries do not reveal
12 any information otherwise confidential under this section.

1 SEC. 9. Whenever the commission has evidence that a violation of
2 any provision of this Act, or rule, regulation, or standard promul-
3 gated hereunder has occurred, it may cause written notice to be
4 served upon the alleged violator or violators by certified mail. The
5 notice shall specify the provision of this Act, rule, regulation, or
6 standard alleged to be violated, and the facts alleged to constitute a
7 violation thereof, and may include an order that necessary corrective
8 action be taken within a reasonable time.

9 1. Any such order shall become final unless, no later than thirty
10 (30) days after the date the notice and order are received, the person
11 or persons named therein request a hearing before the commission.
12 In lieu of an order, the commission may require that the alleged vio-
13 lator or violators appear before the commission for a hearing at a
14 time and place specified in the notice and answer the charges. Such
15 hearings shall be held at such place as the commission shall deter-
16 mine.

17 2. The alleged violator or violators may file a written answer to a
18 notice of violation or order and may appear in person at such hearing
19 or by representative, with or without counsel, and may make oral
20 argument, offer testimony, and cross examine witnesses. The testi-
21 mony taken at the hearing shall be under oath and recorded, and
22 copies of the transcript shall be furnished to the alleged violator or
23 violators upon his request and at his expense.

24 3. If after a hearing held pursuant to subsection one (1) of this
25 section, the commission finds that a violation or violations have oc-
26 curred, it shall affirm or modify its order previously issued, or issue
27 an appropriate order or orders for the prevention, abatement, or con-
28 trol of the emissions or air pollution involved. If after hearing on an
29 order, the commission finds that no violation is occurring, it shall
30 rescind the order. Any order issued as part of a notice or after hear-
31 ing shall prescribe the date or dates by which violation or violations
32 shall cease and may prescribe time tables for necessary action in pre-
33 venting, abating, or controlling the emissions or air pollution.

34 4. Nothing in this Act shall prevent the commission and the depart-
35 ment from making efforts to obtain voluntary compliance through
36 warning, conference, or any other appropriate means.

37 5. If the commission, its technical secretary, or the commissioner
38 has evidence that any person is causing or contributing to air pollu-
39 tion and that such pollution creates an emergency requiring immedi-
40 ate action to protect the public health and safety, or property, either
41 may, without notice or hearing, issue an emergency order reciting
42 that an emergency exists and requiring such person or persons to
43 reduce or discontinue immediately the emission of air contaminants.
44 Such order shall be effective immediately. Upon issuance of such
45 order the commission or its authorized representative shall fix a place
46 and time of hearing, such hearing to be held before the commission
47 not later than twenty-four (24) hours thereafter. Not more than
48 twenty-four (24) hours from the commencement of such hearing, the
49 commission shall affirm, modify, or set aside such order.

1 SEC. 10. An appeal may be taken by any aggrieved party from
2 any order issued or entered as provided in section nine (9) to the
3 district court of the county in which the alleged offense was commit-
4 ted. Notice of appeal from an order shall be served upon the commis-
5 sion or the technical secretary by certified mail or by personal service.
6 Failure to serve such notice of appeal within thirty (30) days after
7 receipt of the order shall operate as a waiver of the right to appeal.
8 An order by the commission shall not be stayed by an appeal except
9 by order of the district court after hearing for good cause shown by
10 the aggrieved party. The hearing on appeal shall be tried as a suit
11 in equity and shall be de novo. The court may receive additional tes-

12 timony and evidence and may affirm, modify, or reverse the order of
13 the commission.

1 SEC. 11. If measures to prevent or correct air pollution which is
2 in violation of any rule or regulation promulgated by the commission
3 are not taken in accordance with an order of the commission, or if
4 the commission or its authorized representative has evidence that an
5 emergency exists by reason of air pollution, requiring immediate
6 action to protect the public health or property, the attorney general
7 shall, upon receiving a request from the commission or its authorized
8 representative, bring an action in the name of the state for an injunc-
9 tion to prevent any further or continued violation of such rule or
10 regulation or such order. In an action for a temporary injunction
11 brought pursuant to this section, any previous findings of the com-
12 mission, after due notice and hearing, shall be prima facie evidence
13 of the fact or facts found therein.

1 SEC. 12. In all proceedings with respect to any alleged violation
2 of the provisions of this Act or any rule or regulation promulgated
3 hereunder, the burden of proof shall be upon the commission except
4 in an action for a temporary injunction as provided for in Section
5 eleven (11) of this Act.

1 SEC. 13. Any person who owns or is in control of any plant,
2 building, structure, process, or equipment may apply for a variance
3 from rules, regulations, or standards governing the quality, nature,
4 duration, or extent of emissions by filing an application with the
5 technical secretary. The application shall be accompanied by such
6 information and data as the commission may require.

7 1. The department shall promptly investigate such application and
8 make a recommendation to the commission as to the disposition there-
9 of. The commission may grant such variance if it finds that:

10 a. The emissions occurring or proposed to occur do not endanger
11 or tend to endanger human health or safety or property; and

12 b. Compliance with the rules, regulations, or standards from which
13 variance is sought would produce serious hardship without equal or
14 greater benefits to the public.

15 2. A hearing shall be held if the commission in its discretion con-
16 cludes that a hearing will be advisable. The person applying for a
17 variance may request a review hearing before the commission if his
18 application is denied.

19 3. In determining under what conditions and to what extent a vari-
20 ance from this Act or rule or regulation hereunder may be granted,
21 the commission shall give due recognition to the progress which the
22 person requesting such variance shall have made in eliminating or
23 preventing air pollution. In such a case, the commission shall con-
24 sider the reasonableness of granting a variance, conditioned upon
25 such person effecting a partial abatement of the particular air pollu-
26 tion over a period of time which it shall consider reasonable under
27 the circumstances, or the commission in conformity with the intent
28 and purpose of this Act to protect health and property, may prescribe
29 other and different requirements with which the person who receives
30 such variance shall comply.

31 4. Any variance granted shall be granted for such period of time,
32 not exceeding one (1) year, as shall be specified by the commission at
33 the time of the grant of such variance. Any variance may be granted
34 by the commission upon the condition that the person who received it
35 shall make such periodic reports to the commission as the commission
36 shall specify as to the progress which such person shall have made
37 toward compliance with any rule or regulation as to which a variance
38 has been granted. Such variance may be extended from year to year
39 by affirmative action of the commission.

1 SEC. 14. 1. Any political subdivision is hereby authorized, in ad-
2 dition to any other power vested by law, to conduct an air pollution
3 control program within the boundaries of its jurisdiction, and to con-
4 duct air pollution control programs jointly with other political sub-
5 divisions of this state or of other states; provided that every joint
6 program shall be established and administered in accordance with the
7 provisions of chapter twenty-eight E (28E) of the Code. In conduct-
8 ing such programs, political subdivisions shall have the power and
9 the authority to adopt and enforce rules, regulations, or standards
10 for the purpose of securing and maintaining adequate air quality
11 within the respective jurisdictions.

12 2. If the board of supervisors in any county establishes an air-
13 pollution program and has obtained a certificate of acceptance, the
14 agency implementing the program shall have jurisdiction over and
15 may regulate air pollution within the county including any incorpo-
16 rated areas therein unless and until such incorporated areas shall
17 obtain a certificate of acceptance as a joint or separate agency.

1 SEC. 15. When an air pollution control program conducted by a
2 political subdivision, or combination of two (2) or more political sub-
3 divisions, is deemed upon review in accordance with section four (4),
4 subsection twelve (12), of this Act to be consistent with the provi-
5 sions of this Act or rules and regulations promulgated thereunder,
6 the commission shall accept such program in lieu of administration
7 of the regulatory provisions of this Act by the state within the juris-
8 diction involved. Nothing contained herein shall be construed to limit
9 the power of the commission to take emergency action under the pro-
10 visions of section nine (9), subsection five (5), of this Act.

11 1. In evaluating such a local air pollution control program, con-
12 sideration shall be given to whether such program provides for the
13 following:

14 a. Ordinances, rules, regulations, or standards establishing re-
15 quirements consistent with, or more strict than, those imposed by this
16 Act or rules, regulations, and standards promulgated thereunder;

17 b. Enforcement of such requirements by appropriate administra-
18 tive and judicial process; and

19 c. Administrative organization, staff, financial, and other resources
20 necessary to carry out its program effectively and efficiently.

21 2. When a local air pollution control program has been deemed to
22 be consistent with the provisions of this Act, the commission shall
23 issue a certificate of acceptance to the appropriate local agency.

24 a. Any political subdivision desiring a certificate of acceptance

25 shall make application for such certificate to the technical secretary
26 on such forms as the commission may prescribe.

27 *b.* The technical secretary shall investigate promptly such applica-
28 tion, and make a recommendation to the commission as to the disposi-
29 tion thereof. Upon receiving an affirmative recommendation from the
30 technical secretary, the commission may grant such certificate with-
31 out a hearing. If the recommendation is against the granting of a
32 certificate of acceptance, or if the commission in its discretion con-
33 cludes that a hearing is advisable, the political subdivision shall be
34 entitled to a hearing as provided in section nine (9) of this Act on
35 the questions as to whether the local program is substantially consist-
36 ent with the provisions of this Act or rules and regulations promul-
37 gated thereunder, and whether the local ordinance or regulation is
38 being enforced. The burden of proof thereof shall be upon the politi-
39 cal subdivision.

40 *c.* If the commission shall determine at any time that a local pro-
41 gram is being conducted by a political subdivision holding a certifi-
42 cate of acceptance in a manner inconsistent with the substantive pro-
43 visions of this Act or rules and regulations promulgated thereunder,
44 the commission shall provide to the political subdivision a notice re-
45 citing the deviations from the standards and the corrective measures
46 to be completed within a reasonable period of time. If the commission
47 finds, after such period of time, that the political subdivision has
48 failed to take the specified corrective action, the commission shall
49 suspend the certificate of acceptance and shall administer the regu-
50 latory provisions of this Act in such political subdivision until such
51 standards are met. Upon receipt of evidence that is deemed to show
52 correction of the cause of such suspension, the commission shall re-
53 instate a suspended certificate of acceptance, and the political sub-
54 division shall resume the regulatory functions involved upon receipt
55 of appropriate notice from the commission. In cases where the cer-
56 tificate of acceptance is suspended, the political subdivision shall be
57 entitled to a hearing as specified in section nine (9) of this Act.

58 *d.* Nothing in this Act shall be construed to supersede the jurisdic-
59 tion of any local air pollution control program in operation on the
60 effective date of this Act; provided that within two (2) years from
61 such date any such program shall meet all requirements of this Act
62 for a local air pollution control program and an application for a
63 certificate of acceptance is submitted to the technical secretary.

1 SEC. 16. In the event the commission shall determine that any
2 final order or determination made by it is being violated, the commis-
3 sion may cause to have instituted a civil action in any court of com-
4 petent jurisdiction for injunctive relief to prevent any further viola-
5 tion of such final order or determination or for the assessment of such
6 penalty not to exceed two hundred (200) dollars per day for each
7 day such violation continues as the court may deem proper, or both.
8 It shall be the duty of the attorney general to bring such actions at
9 the request of the commission in the name of the people of the state
10 of Iowa.

1 SEC. 17. Upon the failure of the technical secretary to take action
2 within sixty (60) days after an application for installation permit or

3 variance, or upon the failure of the commission to enter a final order
4 or determination within sixty (60) days after the final argument in
5 any hearing under section nine (9) of this Act, the person seeking
6 any of such actions shall be entitled to treat for all purposes such
7 failure to act as a grant of the requested permit or variance, or of a
8 finding favorable to the respondent in any hearing under section nine
9 (9) of this Act, as the case may be.

1 SEC. 18. No fees shall be charged by the technical secretary or
2 the commission for the performance of any of their respective func-
3 tions under this Act.

1 SEC. 19. The powers, duties, and functions vested in the commis-
2 sion under the provisions of this Act shall not be construed to affect
3 in any manner the powers, duties, and functions vested in the depart-
4 ment under any other provisions of law.

1 SEC. 20. Section two hundred sixty-three point eight (263.8),
2 Code 1966, is hereby amended by adding the following:

3 "The laboratory also shall perform all laboratory examinations and
4 studies which may be requested by the state department of health
5 and the air pollution control commission. The laboratory is author-
6 ized to perform such laboratory determinations relating to air con-
7 taminants as may be requested by political subdivisions or other per-
8 sons, and the laboratory also is hereby authorized to charge political
9 subdivisions or other persons fees covering transportation of samples
10 and the actual costs of examinations performed upon their request."

1 SEC. 21. There is hereby appropriated to the department from
2 the general fund of the state the sum of thirty-seven thousand five
3 hundred (37,500) dollars for each year of the ensuing biennium for
4 the purposes specified in this Act.

1 SEC. 22. There is hereby appropriated to the state bacteriological
2 laboratory from the general fund of the state the sum of thirty-three
3 thousand five hundred (33,500) dollars for each year of the ensuing
4 biennium for the purposes specified in this Act.

Approved June 22, 1967.

CHAPTER 163

LOCAL BOARDS OF HEALTH

S. F. 342

AN ACT relating to the organization, jurisdiction, powers and duties of county, city, and district boards of health and permits local funding therefor.

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

1 SECTION 1. Chapters one hundred thirty-seven (137) and one hun-
2 dred thirty-eight (138), Code 1966, are hereby repealed.

1 SEC. 2. This Act may be cited as the "Local Health Act."

1 SEC. 3. As used in this Act, unless the context otherwise requires:

- 2 1. "County board" means a county board of health.
- 3 2. "City board" means a city board of health.
- 4 3. "District board" means a district board of health formed with
- 5 approval by the state board of health.
- 6 4. "District health department" refers to the personnel and prop-
- 7 erty under the jurisdiction of a district board of health.
- 8 5. "Local board of health" means a county, city, or district board of
- 9 health.
- 10 6. "State department" means the state department of health.
- 11 7. "State board" means the state board of health.
- 12 8. "Commissioner" means the commissioner of public health.

1 SEC. 4. The county board of health in each county shall consist of
2 five (5) members, at least one (1) of whom shall be licensed in Iowa
3 as a doctor of medicine and surgery or as an osteopathic physician and
4 surgeon, as defined by law.

1 SEC. 5. All members of the county board shall be appointed by the
2 county board of supervisors and shall serve for a period of three (3)
3 years except the terms of the five (5) initial appointees shall be as
4 follows:

- 5 1. One (1) member shall serve from the effective date of this Act
6 to December 31, 1968.
- 7 2. Two (2) members shall serve from the effective date of this Act
8 to December 31, 1969.
- 9 3. Two (2) members shall serve from the effective date of this Act
10 to December 31, 1970.
- 11 4. Vacancies due to death, resignation, or other cause shall be filled
12 as soon as possible after the vacancy exists by appointment of the
13 board of supervisors for the unexpired term of the original appoint-
14 ment.

1 SEC. 6. The county board shall have jurisdiction over public health
2 matters within the county, except as set forth in sections seven (7)
3 and fifteen (15) of this Act.

1 SEC. 7. The board of health of any city having a population of
2 twenty-five thousand (25,000) or more, according to the latest federal
3 census, shall continue for one (1) year from the effective date of this
4 Act unless the city council shall either terminate the board sooner or
5 elect to appoint a city board of health. The city board shall have juris-
6 diction within the municipal limits of said city. The council may ap-
7 point a city board in the manner specified in sections four (4) and
8 five (5) of this Act or may appoint itself to act as the city board of
9 health.

1 SEC. 8. Local boards shall have the following powers:

- 2 1. Enforce state health laws and the rules and lawful orders of the
3 state department.
- 4 2. Make and enforce such reasonable rules and regulations not in-
5 consistent with law or with the rules of the state board as may be
6 necessary for the protection and improvement of the public health.

7 a. Rules and regulations of a county board shall become effective
8 upon approval by the county board of supervisors and publication in a
9 newspaper having general circulation in the county.

10 b. Rules and regulations of a city board shall become effective upon
11 approval by the city council and publication in a newspaper having
12 general circulation in the city.

13 c. Rules and regulations of a district board shall become effective
14 upon approval by the district board and publication in a newspaper
15 having general circulation in the district.

16 d. However, before approving any rule or regulation the local board
17 of health shall hold a public hearing on the proposed rule or regulation.
18 Any citizen may appear and be heard at the public hearing. A notice
19 of the public hearing, stating the time and place and the general nature
20 of the proposed rule or regulation, shall be published at least ten (10)
21 days before the hearing in a newspaper of general circulation in the
22 area served by the board.

23 The board shall also make a reasonable effort to give notice of the
24 hearing to the communications media located within said area.

25 3. May by agreement with the council of any city or town within its
26 jurisdiction enforce appropriate ordinances of said city or town.

27 4. Employ such employees as are necessary for the efficient dis-
28 charge of its duties. Employment practices shall meet the require-
29 ments of the Iowa merit system council or any civil service provision
30 adopted under chapter three hundred sixty-five (365) of the Code.

31 5. Provide reports of its operations and activities to the state de-
32 partment as may be required by the commissioner.

1 SEC. 9. Local boards shall have the following powers and duties to
2 the extent they do not unreasonably interfere with existing patterns of
3 private professional practice of licensed practitioners of the healing
4 arts. Local boards:

5 1. May provide such personal and environmental health services as
6 may be deemed necessary for the protection and improvement of the
7 public health.

8 2. May engage in joint operations and contract with colleges and
9 universities, the state department, other public and private agencies,
10 and individuals for public health activities or projects.

11 3. May charge reasonable fees for personal health services. No per-
12 son shall be denied necessary services within the limits of available
13 personnel because of inability to pay the cost of such services.

14 4. May issue licenses and permits and charge reasonable fees there-
15 for in relation to the collection or disposal of solid waste and the con-
16 struction or operation of private water supplies or sewage disposal
17 facilities.

1 SEC. 10. The state department shall, after consultation with exist-
2 ing county and city boards, develop and may amend from time to time
3 as necessary a district health department plan. The plan shall set
4 forth recommended areas for the development of district health de-
5 partments.

1 SEC. 11. The state board shall adopt rules and regulations setting
2 minimum standards and procedures for the formation and approval of
3 district health departments.

1 SEC. 12. The county and city boards in any area designated by the
2 district health department plan may at any time submit to the state
3 department a request for approval as a district health department.
4 The request shall include:

5 1. A plan for appointment of a district board of health, the member-
6 ship of which shall not exceed eleven (11) members who shall be rea-
7 sonably representative of all existing health jurisdictions in the area.
8 At least one (1) and not more than three (3) of the members shall be
9 licensed in Iowa as doctors of medicine and surgery or osteopathic
10 physicians and surgeons, as defined by law. The plan shall specify the
11 terms of office of the members, by whom appointments to the board
12 are to be made, and methods for filling vacancies.

13 2. Evidence that the proposed district health department is con-
14 sistent with the state district health department plan and will meet the
15 requirements of rules and regulations of the state board.

1 SEC. 13. The state department shall review requests submitted
2 under section twelve (12) of this Act. The state department, upon
3 finding that all necessary conditions are met, shall approve the forma-
4 tion of a district health department and shall so notify the local boards
5 from whom the request was received.

1 SEC. 14. On receipt of notice of approval as a district health de-
2 partment, a district board shall be appointed as specified in the plan.
3 Board members shall serve without compensation, but shall be reim-
4 bursed from the local health fund, established under section nineteen
5 (19) of this Act, for necessary expenses in accordance with rules and
6 regulations established by the state board.

1 SEC. 15. On appointment of a district board, the county and city
2 boards involved shall be disbanded and their powers and duties speci-
3 fied in sections eight (8) and nine (9) of this Act transferred to the
4 district board.

1 SEC. 16. A city or county may be added to an existing district
2 health department by submission and approval of a request, as speci-
3 fied in sections twelve (12) through fifteen (15) of this Act, and upon
4 approval of the request by both the district board and the state board.

1 SEC. 17. A city or county may withdraw from an existing district
2 health department upon submission of a request for withdrawal and
3 approval of the request by both the district board and the state board.

1 SEC. 18. The treasurer of each city which has a city board and the
2 treasurer of each county shall establish a "local health fund".

1 SEC. 19. On establishment of a district health department, the dis-
2 trict board shall designate the treasurer of a city or county within its
3 jurisdiction to establish a "local health fund" for the district. Upon
4 establishment of the fund, monies in previously existing local health
5 funds in the district shall be transferred to the fund.

1 SEC. 20. All monies received for local health purposes from fed-
2 eral appropriations, from local taxation, from licenses, from fees for
3 personal services, or from gifts, grants, bequests, or other sources
4 shall be deposited in the local health fund. Expenditures shall be made

5 from the fund on order of the local board for the purpose of carrying
6 out its duties.

1 SEC. 21. A local board may, in emergency situations, request addi-
2 tional appropriations, which may, upon approval of the commissioner,
3 be allotted from the funds reserved for that purpose. On termination
4 of the emergency situation, the local board shall report its expendi-
5 tures of emergency funds, to the commissioner and return any unex-
6 pended funds.

1 SEC. 22. The board of supervisors of any county may appropriate
2 from the county general fund and the council of any city or town may
3 appropriate from the sanitation fund for the purpose of providing
4 local health services. Such appropriation shall not exceed the statu-
5 tory limitations found in chapters four hundred four (404) and four
6 hundred forty-four (444) of the Code. Monies appropriated for this
7 purpose shall be deposited in the local health fund as specified in
8 section twenty (20) of this Act.

1 SEC. 23. Any person who violates any provision of this Act or the
2 rules and regulations of a local board or any lawful order of said
3 board, its officers, or authorized agents shall be guilty of a misde-
4 meanor and shall be punished by a fine not to exceed one hundred
5 (100) dollars or by imprisonment in the county jail for not more than
6 thirty (30) days. Each additional day of neglect or failure to comply
7 with such provision, rule or lawful order after notice of violation by
8 the local board shall constitute a separate offense.

1 SEC. 24. Section one hundred twenty-three point twenty-seven
2 (123.27), subsection four (4), Code 1966, is hereby amended by in-
3 serting in line thirty-seven (37) preceding the word "county" the
4 words "any official".

1 SEC. 25. Section one hundred thirty-five point thirty-one (135.31),
2 Code 1966, is hereby amended by inserting in line eleven (11) after
3 the word "state," the word "district,".

1 SEC. 26. Section one hundred thirty-nine point twelve (139.12),
2 Code 1966, is hereby amended by striking lines three (3) through
3 twelve (12) and inserting in lieu thereof the following:

4 "shall be accomplished according to the rules and regulations of the
5 local board of health or the rules of the state board of health."

1 SEC. 27. Section one hundred thirty-nine point eighteen (139.18),
2 Code 1966, is hereby amended by striking from line two (2) the words
3 "or town".

1 SEC. 28. Section one hundred thirty-nine point twenty (139.20),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the words "of the" and inserting
4 in lieu thereof the words "of a".

5 2. By striking from line six (6) the words "health officer" and in-
6 serting in lieu thereof the words "local board of health".

1 SEC. 29. Section one hundred thirty-nine point twenty-seven
2 (139.27), Code 1966, is hereby amended by striking from line seven
3 (7) the words "clerk of the".

1 SEC. 30. Section one hundred forty point twenty (140.20), Code
2 1966, is hereby amended by striking from line three (3) the word
3 "the" and inserting in lieu thereof the word "a".

1 SEC. 31. Section one hundred forty point thirty (140.30), Code
2 1966, is hereby amended by striking from line two (2) the words
3 "health officer."

1 SEC. 32. Section one hundred forty point thirty-four (140.34),
2 Code 1966, is hereby amended by striking lines two (2) and three (3)
3 and inserting in lieu thereof the following:
4 "local board of health shall cause an examination to be made of
5 every person reason-".

1 SEC. 33. Section one hundred forty-one point seventeen (141.17),
2 Code 1966, is hereby amended as follows:
3 1. By striking from line two (2) the words "local board or".
4 2. By striking from line four (4) the word* "local health officer or".

1 SEC. 34. Section one hundred forty-three point one (143.1), Code
2 1966, is hereby amended by striking lines one (1) through three (3)
3 and inserting in lieu thereof the following:
4 "Any local board of health, the county board of education of any
5 county, or the school board of any school".

1 SEC. 35. Section one hundred forty-three point two (143.2), Code
2 1966, is hereby amended by striking from lines one (1) and two (2)
3 the words "and councils within any county".

1 SEC. 36. Section two hundred thirty-seven point seven (237.7),
2 Code 1966, is hereby amended by striking from lines four (4) and five
3 (5) the words "of the city, village, or town in which" and inserting in
4 lieu thereof the words "in whose jurisdiction".

1 SEC. 37. Section two hundred thirty-eight point twenty-one
2 (238.21), Code 1966, is hereby amended by striking from lines three
3 (3) and four (4) the words "of the city, village, or town in which"
4 and inserting in lieu thereof the words "in whose jurisdiction".

1 SEC. 38. Section three hundred fifty-one point thirty-six (351.36),
2 Code 1966, is hereby amended by striking lines one (1) and two (2)
3 and inserting in lieu thereof the following:
4 "Local health and law enforcement officials shall".

1 SEC. 39. Section three hundred fifty-one point thirty-eight
2 (351.38), Code 1966, is hereby amended as follows:
3 1. By striking from lines five (5) and six (6) the words "county or
4 city or town" and inserting in lieu thereof the word "local".
5 2. By striking from line eight (8) the words "county or city or
6 town" and inserting in lieu thereof the word "local".

*According to enrolled Act.

1 SEC. 40. Section three hundred fifty-one point thirty-nine
2 (351.39), Code 1966, is hereby amended by striking from lines one (1)
3 and two (2) the words "county or city or town" and inserting in lieu
4 thereof the word "local".

1 SEC. 41. Section three hundred fifty-one point forty (351.40),
2 Code 1966, is hereby amended by striking from lines one (1) and two
3 (2) the words "county or city or town" and inserting in lieu thereof
4 the word "local".

1 SEC. 42. Section seven hundred thirty-four point one (734.1),
2 Code 1966, is hereby amended by striking from lines seven (7) and
3 eight (8) the words "or local health officer of the city, town, or town-
4 ship in which" and inserting in lieu thereof the words "in whose juris-
5 diction".

1 SEC. 43. Nothing in this Act shall be construed to impede, limit,
2 or restrict the right of free choice by an individual to the health care
3 or treatment that he may select.

Approved July 27, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 164

AREA HOSPITALS

H. F. 435

AN ACT to authorize the creation of area hospitals.

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

1 SECTION 1. Any of the political subdivisions of this state may con-
2 solidate to acquire and operate an area hospital for the purpose of
3 providing hospital service for all residents of such area.

1 SEC. 2. As used in this Act:

2 1. "Political subdivision" means any county, township, school dis-
3 trict, city or town.

4 2. "Officials" means the respective governing bodies of political sub-
5 divisions.

6 3. "Merged area" means two (2) or more political subdivisions
7 which have merged resources to establish and operate an area hospital.

8 4. "Area hospital" means a hospital established and operated by a
9 merged area.

10 5. "Board" means the board of trustees of an area hospital.

1 SEC. 3. The officials of any political subdivision are hereby author-
2 ized to plan for the merger of an area to establish and operate an area
3 hospital; and in planning for such hospitals, a county board of super-
4 visors may exclude any township of the county which the board of
5 supervisors determines would not sufficiently benefit by the merger.
6 Plans for an area hospital shall include the maximum millage to be

7 levied in each political subdivision taking part in the merger, and the
8 maximum millage rates for the various political subdivisions may
9 vary as the officials determine, such variance to be based upon the
10 need for hospital service of the residents of each political subdivision,
11 the proximity of such residents to the proposed location of the hos-
12 pital, the property values within said subdivision, and the expected
13 service benefits to the residents of each subdivision by the proposed
14 area hospital.

1 SEC. 4. Officials of the various subdivisions may expend public
2 funds for the purpose of formulating plans and in carrying out plans
3 for a merged area and may arrive at an equitable distribution of costs
4 to be paid by each participating political subdivision.

1 SEC. 5. When a plan is approved, the officials approving such plan
2 shall jointly issue an order of approval. Such order shall specify the
3 area to be merged, the maximum millage levy in each political sub-
4 division, the proposed location of the hospital building, the estimated
5 cost of the establishment of the hospital and any other details con-
6 cerning the establishment and operation of the hospital they deem
7 pertinent. The order shall then be published in one or more news-
8 papers which have general circulation within the merged area for
9 once each week for three consecutive weeks, but the newspapers se-
10 lected need not be published in the merged area. Such published order
11 shall also contain a notice to the residents of each subdivision of the
12 proposed merged area that if they fail to protest as provided herein,
13 that the order shall be deemed approved upon the expiration of a sixty-
14 (60) day period following the last published notice.

1 SEC. 6. The plans formulated for the area hospital shall be deemed
2 approved unless, within sixty (60) days after the third and final pub-
3 lication of the order, a petition protesting the proposed plan contain-
4 ing the signatures of at least five (5) percent of the qualified voters
5 of any political subdivision within the proposed merged area is filed
6 with the respective officials of the protesting petitioners.

1 SEC. 7. When a protesting petition is received, the officials receiv-
2 ing the petition shall call a special election of all qualified voters of
3 that political subdivision for the purpose of approving or rejecting
4 the order setting out the proposed merger plan. The vote will be taken
5 by ballot in the form provided in section forty-nine point forty-three
6 (49.43) of the Code, and the election shall be initiated and held as
7 provided in chapter forty-nine (49) of the Code. A majority vote of
8 those qualified voters voting at said special election shall be sufficient
9 to approve the order and thus include the political subdivision within
10 the merged area.

1 SEC. 8. A protest petition filed in one political subdivision shall
2 have no effect upon the other political subdivisions of the proposed
3 merged area; and in the portion of the proposed area where no pro-
4 test petition is filed within sixty (60) days after the last published
5 notice, the residents of that portion of the area shall be deemed to
6 have approved the proposed plan, and shall not take part in any
7 special election.

1 SEC. 9. If the voters at the special election approve by a majority
2 vote the proposed plan, then the plan may be carried out as originally
3 proposed. However, if the voters of any political subdivision within
4 the proposed area reject the plan as set out in the original order, then
5 said original order shall be wholly nullified.

1 SEC. 10. Upon acceptance of a plan, the officials of the merged
2 area acting as a committee of the whole shall appoint a board of hos-
3 pital trustees. The board of trustees shall then meet, elect a chairman
4 and adopt such rules for the organization of the board as may be neces-
5 sary. The number and composition of the board shall be determined
6 by the committee appointing the board; but as a matter of public
7 policy the committee is directed to apportion the board into area dis-
8 tricts in such a way that the residents of all of the merged area will
9 be represented as nearly equally as possible on the board.

1 SEC. 11. The terms of members of the board shall be four (4)
2 years, except that members of the initial board shall determine their
3 respective terms by lot so that the terms of one-half ($\frac{1}{2}$) of the mem-
4 bers, as nearly as may be, shall expire at the next general election.
5 The remaining initial terms shall expire at the following general elec-
6 tion. The successors of the initial board shall be chosen from area
7 districts at regular elections, and shall be nominated and elected in the
8 same manner as county hospital trustees as provided in section three
9 hundred forty-seven point twenty-five (347.25) of the Code, except
10 that nomination papers on behalf of a candidate shall be signed by not
11 less than twenty-five (25) qualified electors from the area district,
12 and shall be filed with the board. When nominations are complete,
13 the board shall certify the names of the nominees to each county audi-
14 tor of the respective area districts.

1 SEC. 12. The board shall govern the operation and management of
2 the area hospital and are* hereby empowered to do all things neces-
3 sary to establish and operate said hospital and shall have all the gen-
4 eral powers, duties, and responsibilities of the trustees of county public
5 hospitals as set out in sections three hundred forty-seven point thir-
6 teen (347.13) and three hundred forty-seven point fourteen (347.14)
7 of the Code of Iowa.

1 SEC. 13. A hospital area formed under the provisions of this Act
2 shall be a body politic for the purpose of exercising powers granted
3 under this Act, and as such may sue and be sued, purchase and sell
4 property, and exercise all the powers granted by law and such other
5 powers as are incident to public corporations of like character and not
6 inconsistent with the laws of this state.

1 SEC. 14. The board shall prepare an annual budget designating
2 the proposed expenditures for operation of the area hospital, and the
3 amount to be raised by taxation, following the requirements of chap-
4 ter twenty-four (24) of the Code. The board shall prorate the amount
5 to be raised by local taxation among the respective political subdivi-
6 sions forming a part of the merged area in the proportion that the
7 value of taxable property in each political subdivision bears to the

*According to enrolled Act.

8 total value of taxable property in the area, but not in an amount which
9 would exceed the maximum millage levy set out in the published order
10 of merger. The board of hospital trustees shall certify the amount so
11 determined to the respective officials of the merged area, and said
12 officials shall levy a tax sufficient to raise the annual budget. Taxes
13 collected pursuant to such levy shall be paid by the respective officials
14 to the treasurer of the merged area hospital in the same manner that
15 school taxes are paid to local school districts.

1 SEC. 15. If the area hospital is located within the corporate limits
2 of any city or town, the city or town treasurer shall act as treasurer
3 of the area hospital; and if the area hospital is located outside the
4 limits of any city or town, the county treasurer shall act as the treas-
5 urer of the area hospital; provided however, the board may appoint
6 some other person to serve as treasurer. The board may require that
7 the treasurer furnish appropriate bond for faithful performance of
8 his duties.

1 SEC. 16. In addition to revenue derived by tax levy, the board of
2 hospital trustees of a merged area shall be authorized to receive and
3 expend:

4 1. Federal funds which may be available by federal laws, rules and
5 regulations.

6 2. State aid which may be available by state laws, rules and regula-
7 tions.

8 3. Fees and expenses charged to persons using the facilities of the
9 hospital.

10 4. Donations and gifts which may be accepted by the hospital trust-
11 tees and expended in accordance with the terms of the gift without
12 compliance with the local budget law.

1 SEC. 17. Boards of hospital trustees may acquire sites and erect
2 and equip buildings for use by area hospitals and may contract indebt-
3 edness and issue bonds to raise funds for such purposes in accordance
4 with chapter seventy-five (75) of the Iowa Code.

1 SEC. 18. Taxes for the payment of bonds issued under section
2 seventeen (17) of this Act shall be levied in accordance with chapter
3 seventy-six (76) of the Code, provided, however, that the total tax
4 levy for the annual budget and for bonds issued under this Act, shall
5 not exceed the maximum millage for each political subdivision as pro-
6 vided in the published order of merger. Any indebtedness incurred
7 shall not be considered an indebtedness incurred for general and ordi-
8 nary purposes as prescribed under section four hundred seven point
9 one (407.1) of the Code.

1 SEC. 19. In addition to the tax authorized in connection with the
2 annual budget and with the issuance of bonds, the voters in any merged
3 area may at any regular election vote a special tax for a period not to
4 exceed five (5) years for the purchase of grounds, purchase or con-
5 struction of buildings, purchase of equipment, and for the purpose of
6 maintaining, remodeling, improving, or expanding the hospital area.
7 Such a tax shall not exceed one-fourth ($\frac{1}{4}$) mill for each mill of the
8 maximum millage of each political subdivision as set out in the pub-

9 lished order of merger, but the total tax levy for annual budget, bonds,
10 and special purposes shall not exceed the maximum millage as pro-
11 posed in the published order of merger.

1 SEC. 20. In addition to any other provisions of this Act and for
2 the purpose of acquiring, constructing, equipping, enlarging or im-
3 proving a hospital building or any part thereof, merged areas may
4 issue revenue bonds as provided in section three hundred forty-seven
5 A point two (347A.2) of the Code.

Approved May 25, 1967.

CHAPTER 165

RESIDENT PHYSICIAN'S LICENSE

H. F. 139

AN ACT relating to the annual renewal of a license to practice as a resident physician or as a resident osteopathic physician and surgeon.

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

1 SECTION 1. Section one hundred forty-eight point five (148.5),
2 Code 1966, is amended by striking from lines sixteen (16) and seven-
3 teen (17) the words "for a period not to exceed six (6) additional
4 years".

1 SEC. 2. Section one hundred fifty A point nine (150A.9), Code
2 1966, is amended by striking from lines twenty-one (21) and twenty-
3 two (22) the words "for a period not to exceed six (6) additional
4 years".

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 Highland Park News, a newspaper published in Des Moines, Iowa,
4 and The Essex Independent, a newspaper published in Essex, Iowa.

Approved March 15, 1967.

I hereby certify that the foregoing Act, House File 139, was published in the Highland Park News, Des Moines, Iowa, March 23, 1967, and in The Essex Independent, Essex, Iowa, March 23, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 166

DENTISTRY AND DENTAL HYGIENE

H. F. 218

AN ACT to create a state board of dentistry and to prescribe the powers and duties thereof relating to the practice of dentistry and dental hygiene and the administration of this Act.

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

1 SECTION 1. There is hereby created a state board of dentistry
2 whose duty it shall be to administer the provisions of this Act and
3 others contained in title eight (VIII) of the Code relating to the prac-
4 tice of dentistry. The board shall consist of five qualified dentists, each
5 of whom shall have been graduated from an accredited dental college,
6 shall have practiced his profession in this state not less than five years
7 immediately preceding his appointment. The present members of the
8 board now in existence shall continue in office until the expiration of
9 the term for which they were respectively appointed. The governor
10 shall annually hereafter appoint one member of said board, and shall
11 fill any vacancy in like manner for an unexpired term. The Iowa
12 Dental Association may submit a list of not less than six (6) licensed
13 dentists to the governor for his consideration in making an appoint-
14 ment to the board. Each member shall hold office for a term of five
15 years, or until the appointment and qualification of his successor. No
16 member of the dental faculty of the school of dentistry at the State
17 University of Iowa may be eligible to membership on the board.

1 SEC. 2. The board shall adopt rules and regulations for its own
2 organization and for the practice of dentistry in the state, and for
3 carrying out the provisions of this Act, and may amend, modify and
4 repeal said rules and regulations from time to time. Not less than one
5 examination each year shall be conducted by the board in Iowa City
6 at such time as near to the spring commencement of the State Univer-
7 sity of Iowa as may be practicable, the time and place thereof to be
8 fixed by the board, at which applicants to practice dentistry in this
9 state may be licensed by the board. The board shall keep a full record
10 of its proceedings and a complete registry of all duly licensed dentists
11 and dental hygienists and dental graduates to whom temporary li-
12 censes are issued, as hereinafter provided. A transcript of any entry
13 in such record or registry certified by the board shall be competent
14 evidence of the facts therein stated. Said board shall prepare and file
15 with the commissioner of public health such reports as may be re-
16 quired by the commissioner, which reports shall be open for public
17 inspection.

1 SEC. 3. Each member of the board shall receive for each day actu-
2 ally engaged in the duties of his office a per diem of twenty-five dollars.

1 SEC. 4. All moneys received by the board shall be deposited in the
2 office of the treasurer of state who shall receipt therefor and who shall
3 keep such moneys in a separate fund, which fund shall be known as the
4 board of dentistry fund. Such funds shall be continued from year to
5 year and the treasurer shall keep a separate account thereof showing
6 receipts and disbursements and any remainder in said fund in excess

7 of twenty-five thousand dollars at the end of each fiscal year shall be
8 paid into the general fund of the state.

1 SEC. 5. No person desiring to practice dentistry shall be licensed
2 until he shall have satisfactorily passed an examination by said board.
3 Every applicant for such examination shall furnish satisfactory proof
4 supported by affidavit that he is of good moral character and a gradu-
5 ate of an accredited dental college duly organized under the laws of
6 this state or any other of the United States or of any other country.
7 Said board is hereby authorized to ascertain and determine what shall
8 constitute an accredited dental college.

1 SEC. 6. Every candidate for examination shall file a written appli-
2 cation on a form prescribed by the board, shall present his license or
3 diploma for inspection, and shall pay to the board a fee of fifty dollars.
4 The applicant shall present himself before the board for examination
5 at the next regular meeting of the board after filing his application,
6 in default of which said fee may be forfeited to said board. The ex-
7 amination shall be written or oral, or both, and shall include such
8 subjects as may be designated by the board at any meeting of the
9 board held at least four months prior to such examination. The board
10 may also require such practical tests, working operations and demon-
11 strations as may be designated by the board. Any applicant who shall
12 fail to pass an examination shall have the right to apply for a subse-
13 quent examination: provided, however, that said board may for a
14 sufficient cause remit said fee for such subsequent re-examination.
15 Any person who in any affidavit or application for examination shall
16 wilfully make a false statement in a material regard shall be deemed
17 guilty of perjury and, upon conviction thereof, shall be punished as
18 provided by the laws of this state for the crime of perjury.

1 SEC. 7. The board shall issue to each person who shall successfully
2 pass the examination a license under its seal duly authenticated by the
3 signature of the chairman of the board.

1 SEC. 8. Said board shall also issue licenses to dental hygienists.
2 Every candidate for examination as a dental hygienist shall pay to the
3 secretary of the board a fee of twenty-five dollars and shall furnish
4 satisfactory proof that he or she is a graduate of an accredited high
5 school in this state, or a school of like and equal standing in any other
6 state or country, or has in earned units of study the equivalent neces-
7 sary for graduation, and has earned a diploma or certificate from an
8 accredited school of dental hygiene. The board shall ascertain and
9 determine what shall constitute an accredited school for such purpose.
10 Every applicant who shall successfully pass such examination as may
11 be prescribed by the board shall be granted a license as a dental
12 hygienist which shall be recorded in the same manner as provided in
13 section two (2) of this Act. Any applicant who shall fail to pass such
14 examination shall have the right to apply for a subsequent examina-
15 tion, in which case he or she shall pay to the board a fee of ten dollars
16 for each subsequent examination; provided, however, that said board
17 may for a sufficient cause remit said fee for such subsequent re-
18 examination.

1 SEC. 9. Every license to practice dentistry or dental hygiene shall
2 expire on the thirtieth day of June following the date of issuance of
3 such license. Application for renewal of such license shall be made in
4 writing to the board of dentistry at least sixty days prior to the ex-
5 piration of such license, accompanied by the legal fee, upon a form to
6 be prescribed by said board of dentistry in which the applicant shall
7 certify that he has not during the term of the license which he then
8 holds or the last renewal thereof violated any of the provisions of this
9 Act or committed any of the acts of unprofessional conduct, naming
10 them, as defined in this title.

1 SEC. 10. Every year the board of dentistry shall notify each licen-
2 see by mail of the expiration of his license and, subject to the provi-
3 sions of this Act, the same shall be renewed upon application being
4 made, without examination.

1 SEC. 11. On or before the thirtieth day of April of each year here-
2 after, excepting the year in which he is originally licensed, each regis-
3 tered dentist shall pay to the board such fee as may be fixed by the
4 board, which fee shall be not less than ten dollars, nor more than
5 twenty dollars, as an annual license fee and a dentist registered in but
6 not practicing in Iowa shall pay five dollars as an annual license fee;
7 and each registered dental hygienist shall pay to the board five dollars
8 as an annual license fee. The board may revoke or suspend the license
9 of any person who fails to pay the fee on or before April thirtieth, but
10 revocation or suspension shall not be ordered except after thirty days
11 written notice of the delinquency by registered mail to the last known
12 address of the person, during which period the person may pay the fee,
13 together with such penalty, not exceeding five dollars, as may be deter-
14 mined by the board. If any license is revoked or suspended, the same
15 may be reissued or reinstated upon the payment of the accrued fees
16 and such penalties, not exceeding ten dollars, as may be determined
17 by the board.

1 SEC. 12. The state board of dentistry and all persons employed to
2 administer this Act shall be included within the state department of
3 health. The funds to administer this Act shall be included in the bud-
4 get of the department of health and included in such department's
5 appropriation, except that such funds shall be appropriated from the
6 board of dentistry fund. The board shall fix the renewal license fee
7 for a license to practice dentistry within the limits prescribed in sec-
8 tion eleven (11) of this Act. On fixing the annual license fee as herein
9 provided, the board shall immediately notify all registered dental licen-
10 sees of the amount of said fee for the ensuing year. Upon payment
11 thereof by the licensee on or before April thirtieth the board shall issue
12 a renewal license authorizing such licensee to continue the practice of
13 dentistry in this state for a period of one year. Any license granted
14 under authority of this or any prior dental act of this state shall auto-
15 matically be cancelled if the holder thereof fails to secure the renewal
16 license herein provided for, within a period of thirty days from the
17 thirtieth day of April of each year. Any dentist whose license shall be
18 cancelled as herein provided may be reinstated by the board at any
19 time within six months from the date of the automatic cancellation of
20 said license, upon payment of the annual license fee so fixed by the

21 board and a penalty fee of ten dollars, and the board may require that
22 the dentist take the examination provided for in this Act. Upon fail-
23 ure of any licensee to pay the annual license fee on or before April
24 thirtieth, the board shall notify such licensee, in writing, by mailing
25 notice to his last address shown on the records of the board. Failure
26 to mail or receive such notice, however, shall not affect the cancella-
27 tion of his license.

1 SEC. 13. For the purpose of this title the following classes of per-
2 sons shall be deemed to be engaged in the practice of dentistry:

3 1. Persons publicly professing to be dentists, dental surgeons, or
4 skilled in the science of dentistry, or publicly professing to assume the
5 duties incident to the practice of dentistry.

6 2. Persons who treat, or attempt to correct by any medicine, appli-
7 ance, or method, any disorder, lesion, injury, deformity, or defect of
8 the oral cavity, teeth, gums, or maxillary bones of the human being,
9 or give prophylactic treatment to any of said organs.

1 SEC. 14. Section thirteen (13) of this Act shall not be construed
2 to include the following classes:

3 1. Students of dentistry who practice dentistry upon patients at
4 clinics in connection with their regular course of instruction at the
5 state dental college.

6 2. Licensed "physicians and surgeons" or licensed "osteopaths and
7 surgeons" who extract teeth or treat diseases of the oral cavity, gums,
8 teeth, or maxillary bones as an incident to the general practice of their
9 profession.

10 3. Persons licensed to practice dental hygiene who are exclusively
11 engaged in the practice of said profession.

1 SEC. 15. A licensed dental hygienist may perform those services
2 which are education, therapeutic, and preventive in nature which at-
3 tain or maintain optimal oral health as determined by the board of
4 dentistry and may include but are not necessarily limited to complete
5 oral prophylaxis, application of preventive agents to oral structures,
6 exposure and processing of radiographs, administration of medica-
7 ments prescribed by a licensed dentist, obtaining and preparing non-
8 surgical, clinical and oral diagnostic tests for interpretation by the
9 dentist, preparation of preliminary written records of oral conditions
10 for interpretation by the dentist. Such services shall be performed
11 under supervision of a licensed dentist and in a dental office, a public
12 or private school, public health agencies, hospitals, and the armed
13 forces, but nothing herein shall be construed to authorize a dental
14 hygienist to practice dentistry.

1 SEC. 16. Every person who owns, operates, or controls a dental
2 office in which anyone other than himself is practicing dentistry shall
3 display the name of such person in a conspicuous manner at the public
4 entrance to said office.

1 SEC. 17. Except as herein otherwise provided, it shall be unlawful
2 for any person to practice dentistry or dental surgery or dental hygiene
3 in this state, other than:

4 1. Those who are now duly licensed dentists, under the laws of this
5 state in force at the time of their licensure; and

6 2. Those who are now duly licensed dental hygienists under the laws
7 of this state in force at the time of their licensure; and

8 3. Those who may hereafter be duly licensed as dentists or dental
9 hygienists pursuant to the provisions of this Act.

1 SEC. 18. No person owning or conducting any place where dental
2 work of any kind is done or contracted for, shall employ or permit any
3 unlicensed dentist to practice dentistry in said place.

1 SEC. 19. No person shall operate any place in which dentistry is
2 practiced under any other name than his own, or display, in connection
3 with his practice, on any advertising matter any other than his own
4 name; but two or more licensed dentists who are associated in the
5 practice shall use all of their names, and a widow, heir, or any legal
6 representative of a deceased dentist, may operate such office for a
7 reasonable time for the purpose of disposing of the same.

1 SEC. 20. A dentist shall have the right to prescribe and administer
2 drugs or medicine, perform such surgical operations, administer gen-
3 eral or local anaesthetics and use such appliances as may be necessary
4 to the proper practice of dentistry.

1 SEC. 21. The board may issue a license without examination to an
2 applicant who is a citizen of the United States or who has officially
3 declared his intention to become such and who furnishes satisfactory
4 proof that he is a graduate from an accredited dental school or college
5 of a state, territory or district of the United States, who holds a license
6 from a similar dental board under equal or substantially equal require-
7 ments to those of this state, and who for five consecutive years im-
8 mediately prior to the filing of his application in this state has been
9 in a legal and reputable practice of dentistry in such other state, ter-
10 ritory or district of the United States, and who furnishes such other
11 evidence as to his qualifications and lawful practice as the board may
12 deem necessary to require. No license shall be issued under this sec-
13 tion unless the state, territory or district from which the applicant
14 comes shall accord equal rights to dentists of Iowa holding a license
15 from the state board of dentistry.

1 SEC. 22. Any dentist, who is a graduate of an accredited dental
2 school and is serving only as a resident, interne or graduate student
3 dentist and who is not licensed to practice dentistry in this state, shall
4 be required to obtain from the board of dentistry a temporary or
5 special license to practice as a resident, interne or graduate dentist.
6 The license shall be designated "Resident Dentist License" and shall
7 authorize the licensee to serve as a resident, interne or graduate stu-
8 dent only, under the supervision of a licensed practitioner of dentistry,
9 in an institution approved for this purpose by the board. Such license
10 shall be valid for one year and may be annually renewed at the discre-
11 tion of the board for a period not to exceed three additional years.
12 The fee for this license shall be ten dollars, and if extended beyond
13 one year, an annual renewal fee of ten dollars per year shall be re-
14 quired. The board shall determine in each instance those eligible for
15 this license, whether or not examinations shall be given, and the type
16 of examination. No requirements of the law pertaining to regular
17 permanent licensure shall be mandatory for this resident licensure

18 except as specifically designated by the board. The granting of a resi-
19 dent dentist's license does not in any way indicate that the person so
20 licensed is necessarily eligible for regular licensure, nor is the board
21 in any way obligated to so license such individual. The board may
22 revoke said license at any time it shall determine either that the cali-
23 ber of work done by a licensee or the type of supervision being given
24 such licensee does not conform to reasonable standards established by
25 the board.

1 SEC. 23. If, prior to the renewal of any license to practice den-
2 tistry or dental hygiene, the board is informed upon oath or affirma-
3 tion lawfully administered, that any such applicant has during the
4 term of his last license or the last renewal thereof violated any of the
5 provisions of this Act or committed any of the acts of unprofessional
6 conduct as defined in this Act, or if any member of the board certifies
7 in writing that he is credibly informed that such violation of law or
8 act of unprofessional conduct has been so committed by such applicant,
9 then the board shall notify such applicant, by certified letter, with
10 postage prepaid, mailed to his address as shown by the records of said
11 board that such information or certificate has come to the attention
12 of the board, and that on a day and hour specified the applicant may
13 appear before the board at such place stated in such notice and show
14 cause why said license should be renewed. In such event the renewal
15 of such license shall not be made prior to the date so fixed and the
16 making of such a showing by the applicant.

1 SEC. 24. The time and place of such hearing before the board shall
2 be open to public inspection at all reasonable hours.

1 SEC. 25. At such hearing, which shall be confidential unless the
2 applicant requests it be a public one, any person having knowledge of
3 the facts pertaining to the propriety of the renewal of such license
4 may testify thereto, and the chairman of the board is hereby empow-
5 ered to and shall administer oaths to all such persons offering testi-
6 mony.

1 SEC. 26. If at said hearing, or upon appeal if taken as hereinafter
2 provided, it shall be established that the applicant has theretofore
3 failed to comply with all of the provisions of this Act or has during
4 the term of his license or the last renewal thereof committed any of
5 the acts of unprofessional conduct as defined in this Act, then the
6 board shall reject such application and said license shall not be re-
7 newed except as hereinafter provided.

1 SEC. 27. The minutes of all evidence heard by the said board or
2 exhibits introduced at said hearing for or against the granting of said
3 application for license, together with the order of the board granting
4 or rejecting such application for renewal of license, which shall be in
5 writing, shall be and become a part of the records of said board and
6 shall be open to public inspection at all reasonable hours. Written
7 notice of said order shall forthwith be mailed to the applicant by the
8 board.

1 SEC. 28. If the board should reject any such application, and re-
2 fuse to renew any such license, the applicant may, within thirty days

3 after the order of the board, and not afterward, obtain a review of the
4 action of the board by a writ of certiorari to the district court in the
5 county where such applicant resides in which court the hearing shall
6 be de novo and all competent evidence pertaining to the action of the
7 board may be submitted, including new evidence not submitted to the
8 board.

1 SEC. 29. The order of the board rejecting such application, and
2 refusing to renew such license, shall remain in force and effect until
3 such writ of certiorari is finally determined and disposed of upon the
4 merits and no new or temporary license shall be issued to the applicant
5 pending such disposition.

1 SEC. 30. Any former licensee whose application for renewal of
2 license has been rejected by the board and who has not successfully
3 prosecuted a review by certiorari therefrom as herein provided shall
4 not thereafter receive such license or renewal thereof unless same shall
5 be granted by the board and upon payment of the renewal fees then
6 due. Said board may require examination of the former licensee, in
7 which case he shall pay the examination fees provided by law.

1 SEC. 31. A license to practice either dentistry or dental hygiene
2 shall be revoked or suspended in the manner and upon the grounds
3 elsewhere provided in this Act, and also when the certificate accom-
4 panying the application of such licensee for renewal of license filed
5 with the board is not in all material respects true.

1 SEC. 32. As to dentists and dental hygienists "unprofessional con-
2 duct" shall consist of any of the acts denominated as such elsewhere in
3 this Act, and also any other of the following acts:

4 1. All advertising of any kind or character other than the carrying
5 or publishing of a professional card or the display of a window sign
6 at the licensee's place of business; which professional card or window
7 sign shall display only the name, address, profession, office hours and
8 telephone connections of the licensee.

9 2. Exploiting or advertising through the press, on the radio, on
10 television, or by the use of handbills, circulars or periodicals, other
11 than professional cards stating only the name, address, profession,
12 office hours, and telephone connections of the licensee.

13 3. Employing or making use of advertising solicitors or publicity
14 agents or soliciting employment personally or by representative.

15 4. Employing any person to obtain, contract for, sell or solicit pa-
16 tronage, or make use of free publicity press agents.

17 5. Receiving any rebate, or other thing of value, directly or indi-
18 rectly from any dental laboratory or dental technician.

19 6. Solicitation of professional patronage by agents or persons popu-
20 larly known as "cappers" or "steerers", or profiting by the acts of
21 those representing themselves to be agents of the licensee.

22 7. Receipt of fees on the assurance that a manifestly incurable dis-
23 ease can be permanently cured.

24 8. Division of fees or agreeing to split or divide the fees received
25 for professional services with any person for bringing or referring a
26 patient or assisting in the care or treatment of a patient without the
27 consent of said patient or his legal representative.

28 9. Willful neglect of a patient in a critical condition.

1 SEC. 33. Subject to the the* provisions of this Act, any provision
2 of title eight (8) of the Code to the contrary notwithstanding, the
3 board shall exercise the following powers:

4 1. To initiate investigations of and conduct hearings on all matters
5 or complaints relating to the practice of dentistry or dental hygiene or
6 pertaining to the enforcement of any provision of this Act, to revoke
7 or suspend licenses or the renewal thereof issued under this or any
8 prior Act, and to otherwise discipline licensees.

9 2. All employees needed to administer this Act shall be appointed
10 pursuant to the merit system.

11 3. To initiate in its own name or cause to be initiated in a proper
12 court appropriate civil proceedings against any person to enforce the
13 provisions of this Act or title eight (8) of the Code relating to the
14 practice of dentistry, and the board may have the benefit of counsel in
15 connection therewith. Any such judicial proceeding as may be initi-
16 ated by the board shall be commenced and prosecuted in the same
17 manner as any other civil action and injunctive relief may be granted
18 therein without proof of actual damage sustained by any person but
19 such injunctive relief shall not relieve the person so enjoined from
20 criminal prosecution by the attorney general or county attorney for
21 violation of any provision of this Act or title eight (8) of the Code
22 relating to the practice of dentistry.

23 4. In any investigation made or hearing conducted by the board on
24 its own motion, or upon written complaint filed with the board by any
25 person, pertaining to any alleged violation of this Act or the accusa-
26 tion against any licensee, the following procedure and rules so far as
27 material to such investigation or hearing shall obtain:

28 a. The accusation of such person against any licensee shall be re-
29 duced to writing, verified by some person familiar with the facts there-
30 in stated, and three copies thereof filed with the board.

31 b. If the board shall deem the charges sufficient, if true, to warrant
32 suspension or revocation of license, it shall make an order fixing the
33 time and place for hearing thereon and requiring the licensee to appear
34 and answer thereto, such order, together with a copy of the charges so
35 made to be served upon the accused at least twenty days before the
36 date fixed for hearing, either personally or by certified or registered
37 mail, sent to his last known post office address as shown by the records
38 of the board.

39 c. At the time and place fixed in said notice for said hearing, or at
40 any time and place to which the said hearing shall be adjourned, the
41 board shall hear the matter and may take evidence, administer oaths,
42 take the deposition of witnesses, including the person accused, in the
43 manner provided by law in civil cases, compel the appearance of wit-
44 nesses before it in person the same as in civil cases by subpoena issued
45 over the signature of the chairman of the board and in the name of the
46 state of Iowa, require answers to interrogatories and compel the pro-
47 duction of books, papers, accounts, documents and testimony pertain-
48 ing to the matter under investigation or relating to the hearing.

49 d. In all such investigations and hearings pertaining to the suspen-
50 sion or revocation of licenses, the board and any person affected there-
51 by may have the benefit of counsel, and upon the request of the licensee

*According to enrolled Act.

52 or his counsel the board shall issue subpoenas for the attendance of
53 such witnesses in behalf of the licensee, which subpoenas when issued
54 shall be delivered to the licensee or his counsel. Such subpoenas for
55 the attendance of witnesses shall be effective if served upon the person
56 named therein anywhere within this state, provided, that at the time
57 of such service the fees now or hereafter provided by law for witnesses
58 in civil cases in district court shall be paid or tendered to such person.

59 *e.* In case of disobedience of a subpoena lawfully served hereunder,
60 the board or any party to such hearing aggrieved thereby may invoke
61 the aid of the district court in the county where such hearing is being
62 conducted to require the attendance and testimony of such witnesses.
63 Such district court of the county within which the hearing is being
64 conducted may, in case of contumacy or refusal to obey such subpoena,
65 issue an order requiring such person to appear before said board, and
66 if so ordered give evidence touching the matter involved in the hear-
67 ing. Any failure to obey such order of the court may be punished by
68 such court as a contempt thereof.

69 *f.* If the licensee pleads guilty, or after hearing he shall be found
70 guilty by the board of any of the charges made, it may suspend for a
71 limited period or revoke the license and the last renewal thereof, and
72 shall enter the order on its records and notify the accused of the revo-
73 cation or suspension of his license, as the case may be, who shall there-
74 upon forthwith surrender his license to the board. Any such person
75 whose license has been so revoked or suspended shall not thereafter
76 and while such revocation or suspension is in force and effect practice
77 dentistry or dental hygiene within this state.

78 *g.* The findings of fact made by the board acting within its power
79 shall, in the absence of fraud, be conclusive, but the district court shall
80 have power to review questions of law involved in any final decision or
81 determination of the board; provided, that application is made by the
82 aggrieved party within thirty days after such determination by cer-
83 tiorari, mandamus or such other method of review or appeal permitted
84 under the laws of this state, and to make such further orders in re-
85 spect thereto as justice may require.

86 *h.* Pending the review and final disposition thereof by the district
87 court, the action of the board suspending or revoking such license
88 shall not be stayed.

1 SEC. 34. The board shall suspend for a limited period or revoke
2 the license and the last renewal thereof of any licensed dentist or any
3 licensed dental hygienist for any of the following reasons:

4 1. For fraud or deceit in procuring his license or the renewal there-
5 of to practice dentistry or dental hygiene.

6 2. His conviction of a felony or of a misdemeanor involving moral
7 turpitude, in either of which cases a certified copy of the court record
8 where such conviction appears shall be conclusive evidence, upon re-
9 ceipt of which the board shall revoke or suspend the license of the
10 person so convicted.

11 3. For habitually using drugs or intoxicants to the extent of render-
12 ing him unfit for the practice of dentistry or dental hygiene, or for
13 gross immorality.

14 4. For being guilty of willful and gross malpractice or willful and
15 gross neglect in the practice of dentistry or dental hygiene.

16 5. For conducting the practice of dentistry so as to permit directly
 17 or indirectly an unlicensed person to perform work which under this
 18 Act can legally be done only by persons licensed to practice dentistry
 19 or dental hygiene in this state.

20 6. For employing solicitors or cappers for the purpose of procuring
 21 patients for dental work to be done.

22 7. For fraud in representation as to skill or ability.

23 8. For distribution of intoxicating liquors or drugs for any other
 24 than lawful purposes.

25 9. For willful or repeated violations of this Act, title eight (8) of
 26 the Code, or the rules of the state board of dentistry.

27 10. For continuing practice while knowingly having an infectious or
 28 contagious disease.

29 11. For obtaining any fee by fraud or misrepresentation.

30 12. For having failed to pay license fees as provided herein.

31 13. For being guilty of dishonorable or unprofessional conduct in
 32 the practice of dentistry or dental hygiene.

33 14. For the use of the name "clinic", "institute", or other title of
 34 similar import that may suggest a public or semipublic activity to
 35 designate what is in fact an individual or group private practice.

36 15. For failure to maintain a reasonably satisfactory standard of
 37 competency in the practice of dentistry or dental hygiene.

38 16. For a violation of any provision of this Act, or for being a party
 39 to or assisting in any violation of any provision of this Act.

1 SEC. 35. This Act shall be deemed to be passed in the interest of
 2 the public health, safety and welfare of the people of this state, and
 3 its provisions shall be liberally construed to carry out its object and
 4 purposes.

1 SEC. 36. Chapter one hundred fifty-three (153), Code 1966, is
 2 hereby repealed and sections one hundred forty-seven point one
 3 (147.1) through one hundred forty-seven point sixteen (147.16), one
 4 hundred forty-seven point eighteen (147.18) through one hundred
 5 forty-seven point twenty-six (147.26), one hundred forty-seven point
 6 twenty-nine (147.29) through one hundred forty-seven point thirty-
 7 two (147.32), one hundred forty-seven point thirty-four (147.34)
 8 through one hundred forty-seven point seventy-one (147.71), one hun-
 9 dred forty-seven point eighty (147.80), subsections one (1), five (5),
 10 seven (7), eight (8), fifteen (15), and sixteen (16), one hundred
 11 forty-seven point eighty-one (147.81) and one hundred forty-seven
 12 point eighty-two (147.82), one hundred forty-seven point eighty-seven
 13 (147.87) through one hundred forty-seven point ninety-two (147.92),
 14 one hundred forty-seven point one hundred four (147.104), one hun-
 15 dred forty-seven point one hundred fourteen (147.114), and one hun-
 16 dred forty-seven point one hundred fifteen (147.115), Code 1966, shall
 17 not apply to the practice of dentistry.

1 SEC. 37. This Act is declared to be severable, and should any word,
 2 phrase, sentence, provision or section hereof be declared unconstitu-
 3 tional or otherwise invalid by a court of competent jurisdiction, the
 4 remainder of this Act shall not thereby be affected but shall remain in

5 full force and as valid as if such word, phrase, sentence, provision or
6 section had not been incorporated herein.

Approved June 30, 1967.

CHAPTER 167

PHARMACY

H. F. 224

AN ACT relating to pharmacy.

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

1 SECTION 1. Section one hundred fifty-five point one (155.1), Code
2 1966, is hereby amended by striking from line three (3) of subsection
3 one (1) the words "at retail".

1 SEC. 2. Section one hundred fifty-five point three (155.3), Code
2 1966, is hereby amended as follows:

3 1. By striking subsection two (2) of such section and inserting in
4 lieu thereof the following:

5 "Pharmacy" means every store or other place of business where
6 prescription drugs are compounded, dispensed, or sold by a pharmacist
7 and where prescription orders for prescription drugs are received or
8 processed in accordance with the pharmacy laws."

9 2. By striking from line eight (8) of subsection five (5) of such sec-
10 tion the words "retailer for resale" and inserting in lieu thereof the
11 word "pharmacy".

12 3. By striking lines one (1) through five (5) of subsection six (6)
13 of such section and inserting in lieu thereof the following:

14 "The term 'wholesale salesman' includes any individual who takes a
15 purchase order from a pharmacy in this state for any prescription
16 drug, medicinal chemical, medicines or poisons."

17 4. By striking subsection nine (9) of such section and inserting in
18 lieu thereof the following:

19 "Prescription" means a written order, or an oral order later re-
20 duced to writing, of a medical practitioner for a prescription drug or
21 medicine."

22 5. By adding thereto the following new subsection:

23 "Medical practitioner" means a physician, dentist, veterinarian, or
24 any other person authorized by law to treat sick and injured humans
25 or animals and to use prescription drugs in such treatment."

1 SEC. 3. Section one hundred fifty-five point ten (155.10), Code
2 1966, is hereby amended by striking from line four (4) the word
3 "retail".

1 SEC. 4. Section one hundred fifty-five point twelve (155.12), Code
2 1966, is hereby amended as follows:

3 1. By inserting in line six (6) after the word "by" the words "the
4 pharmacist-".

5 2. By striking from line eleven (11) the word "retail".

6 3. By striking lines twenty (20) through twenty-six (26) and in-
7 serting in lieu thereof the following:

8 "Each license shall be issued only for the premises and to the per-
9 sons named in the application and shall not be transferred or assigned.
10 If a corporation or other business entity licensee elects to change or
11 replace the pharmacist-manager within an annual registration period,
12 a new license shall be obtained from the board without additional fee.

13 "1. The application for a pharmacy license shall contain the follow-
14 ing:

15 "a. The name of the pharmacist-owner.

16 "b. The name of each pharmacist employed at the pharmacy at the
17 time the application is made.

18 "c. The trade or corporate name of the pharmacy.

19 "2. Every pharmacist shall immediately notify the board of any
20 change of his address or employment.

21 "3. As used in this section, 'pharmacist-owner' means:

22 "a. The pharmacist-owner if the pharmacy is a single proprietor-
23 ship.

24 "b. The pharmacist-owners if the pharmacy is a partnership.

25 "c. The pharmacist-manager, if the pharmacy is a corporate entity
26 or any other business entity not owned by a pharmacist, and shall in-
27 clude an enumeration of the names of all corporate officers and mem-
28 bers of the board of directors."

1 SEC. 5. Section one hundred fifty-five point thirteen (155.13),
2 Code 1966, is hereby amended by striking lines five (5) through seven
3 (7).

1 SEC. 6. Section one hundred fifty-five point seventeen (155.17),
2 Code 1966, is hereby amended by striking from line three (3) the word
3 "retail".

1 SEC. 7. Section one hundred fifty-five point eighteen (155.18),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the word "retail".

4 2. By striking from lines one (1) and two (2) of subsection two (2)
5 of such section the words "one-fourth grain" and inserting in lieu
6 thereof the words "ten (10) milligrams".

1 SEC. 8. Section one hundred fifty-five point twenty-one (155.21),
2 Code 1966, is hereby amended by striking all of such section after the
3 words "to any" in line four (4) and inserting in lieu thereof the fol-
4 lowing:

5 "pharmacy in this state unless such pharmacy is licensed under this
6 chapter."

1 SEC. 9. Section one hundred fifty-five point twenty-eight (155.28),
2 Code 1966, is hereby amended by striking from line eight (8) the word
3 "retail".

1 SEC. 10. Chapter one hundred fifty-five (155), Code 1966, is here-
2 by amended by adding thereto the following new section:

3 "Each prescription issued or filled in this state:

4 "1. If written, shall contain:

5 "a. The date of issue.

- 6 "b. The name and address of the patient for whom, or the owner of
7 the animal for which, the drug is dispensed.
8 "c. The name and quantity of the drug or medicine prescribed.
9 "d. The directions for use of the drug or medicine.
10 "e. The name, address, and signature of the medical practitioner is-
11 suing the prescription.
12 "2. If oral, the medical practitioner issuing the prescription shall
13 furnish the same information required for a written prescription,
14 except for the written signature of the medical practitioner. Upon
15 receipt of an oral prescription, the pharmacist shall promptly reduce
16 the oral prescription to writing by recording the information required
17 in a written prescription."

1 SEC. 11. Chapter one hundred fifty-five (155), Code 1966, is here-
2 by amended by adding thereto the following new section:
3 "No prescription for any prescription drug shall be filled or refilled
4 more than one (1) year after the date on which the prescription was
5 issued, and no prescription which is authorized to be refilled shall be
6 refilled more than eleven (11) times, except when otherwise ordered
7 by the practitioner on the original prescription; provided however, no
8 medical practitioner shall be prohibited from issuing a new prescrip-
9 tion for the same drug either in writing or orally."

1 SEC. 12. Unless the prescription indicates to the contrary, the
2 label of any drug sold and dispensed on the prescription of a licensed
3 physician or dentist shall include the name and strength of the drug.

Approved June 26, 1967.

CHAPTER 168
BARBERING SCHOOLS
S. F. 728

AN ACT relating to barbering.

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

1 SECTION 1. Section one hundred fifty-eight point eleven (158.11),
2 Code 1966, is hereby amended by inserting after line nine (9) the fol-
3 lowing new paragraph:
4 "In each private school or college of barbering, there shall be at
5 least two (2) registered instructors for every thirty (30) students or
6 fraction thereof, and one (1) additional instructor for each additional
7 fifteen (15) students or fraction thereof. Instructors shall devote their
8 entire time during school hours to the instruction and supervision of
9 student work and shall not apply time during such hours to the private
10 or public practice of barbering for any reason."

Approved June 26, 1967.

CHAPTER 169

FEEDER PIG DEALERS

S. F. 353

AN ACT relating to the licensing of feeder pig dealers.

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

1 SECTION 1. Section one hundred sixty-three point thirty (163.30),
2 subsection one (1), Code 1966, is hereby amended by striking from
3 lines six (6) and seven (7) the words "employees of a licensed pig
4 dealer doing business in the name of such dealer, or".

1 SEC. 2. Section one hundred sixty-three point thirty (163.30), sub-
2 section two (2), Code 1966, is hereby amended by adding in line seven-
3 teen (17) after the word "Act.":

4 "Employees or agents doing business by buying for resale, selling or
5 exchanging feeder swine in the name of the licensed dealer, shall be
6 required to secure a permit and identification card issued by the de-
7 partment showing they are employed by a licensed dealer. All permits
8 and identification certificates shall be issued upon application forms
9 furnished by the department at a cost of three (3) dollars per annum
10 and shall expire on the first day of July following the date of issue."

1 SEC. 3. Section one hundred sixty-three point thirty (163.30), sub-
2 section three (3), Code 1966, is hereby amended by adding to line
3 seventeen (17) after the word "certificate.":

4 "All native Iowa swine that are purchased for further resale as
5 feeders, except as slaughter animals or for the production of biological
6 products, and except the swine sold at Iowa auction markets operating
7 under a valid Iowa permit, shall be individually ear tagged with an
8 approved Iowa swine tag, affixed to either ear, at the time of purchase
9 by the purchaser before leaving the premises of the seller, or by the
10 purchaser prior to leaving the premises of the livestock market from
11 which they were consigned for sale, provided, however, this Act shall
12 not apply to native Iowa swine raised from birth, and consigned or
13 sold to an Iowa auction market operating under a valid Iowa permit.
14 The attached swine ear tag numbers shall be recorded in series inclu-
15 sive for each separate lot of swine on the appropriate certificates and
16 such certificates must accompany the swine from the premises of the
17 seller or livestock market. A record shall be kept by the purchaser,
18 seller, or the approved market if consigned there for sale, of the num-
19 ber on the attached swine ear tags. These records shall be made avail-
20 able to any state inspector."

1 SEC. 4. Section one hundred sixty-three point thirty (163.30), sub-
2 section five (5), Code 1966, is hereby amended by adding the follow-
3 ing:

4 "In a hardship case the department may issue a permit to extend the
5 time limit on movement of swine."

1 SEC. 5. Section one hundred sixty-three point thirty (163.30), sub-
2 section seven (7), Code 1966, is hereby amended by striking lines four-
3 teen (14) through sixteen (16).

Approved June 30, 1967.

CHAPTER 170

BRUCELLOSIS CONTROL IN SWINE

S. F. 689

AN ACT relating to brucellosis control in swine.

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

1 SECTION 1. Section one hundred sixty-three A point one (163A.1),
2 Code 1966, is hereby amended as follows:

3 1. By striking from subsection four (4) all of such subsection after
4 the word "reactor" in line one (1) and inserting in lieu thereof the
5 following:

6 "means, on an incomplete herd test, an animal which has given a
7 complete reaction to the brucellosis test in the dilution of one (1) to
8 fifty (50) or higher. On a complete herd test, all animals over four
9 (4) months of age intended or used for breeding purposes, an 'in-
10 fected animal' or 'reactor' means an animal which has given a com-
11 plete reaction to the brucellosis test in the dilution of one (1) to one
12 hundred (100) or higher."

13 2. By striking from subsection five (5) all of such subsection after
14 the words "negative animal" and inserting in lieu thereof the follow-
15 ing:

16 "means, on an incomplete herd test, an animal which does not give a
17 complete reaction to the brucellosis test in the dilution of one (1) to
18 fifty (50). On a complete herd test, all animals over four (4) months
19 of age intended or used for breeding purposes, a 'negative animal'
20 means an animal which does not give a complete reaction to the bru-
21 cellosis test in the dilution of one (1) to one hundred (100)."

1 SEC. 2. Section one hundred sixty-three A point seven (163A.7),
2 Code 1966, is hereby amended by striking from line one (1) the word
3 "breeding". Further amend section one hundred sixty-three A point
4 seven (163A.7), Code 1966, by striking the period at the end of line
5 thirteen (13) and adding the following: "on all swine intended or
6 used for breeding purposes."

1 SEC. 3. Section one hundred sixty-three A point eight (163A.8),
2 Code 1966, is hereby repealed and the following enacted in lieu there-
3 of:

4 "Swine from herds under quarantine may be moved to slaughter on
5 a form designated for this purpose and issued by the department or an
6 accredited veterinarian."

1 SEC. 4. This Act being of immediate importance shall be in full
2 force and effect from and after its passage and publication in The
3 Washington Evening Journal, a newspaper published at Washington,
4 Iowa, and The Lamoni Chronicle, a newspaper published at Lamoni,
5 Iowa.

Approved April 18, 1967.

I hereby certify that the foregoing Act, Senate File 689, was published in The Wash-
ington Evening Journal, Washington, Iowa, April 20, 1967, and in The Lamoni Chron-
icle, Lamoni, Iowa, April 20, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 171

HOG CHOLERA ERADICATION

H. F. 575

AN ACT relating to the eradication of hog cholera, and to make appropriations therefor.

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

1 SECTION 1. Section one hundred sixty-six B point one (166B.1),
2 Code 1966, is hereby amended by adding thereto the following new
3 subsection:

4 " 'Exposed' means all swine in physical contact with a known in-
5 fected herd or tended by a person having direct contact with an in-
6 fected herd."

1 SEC. 2. Section one hundred sixty-six B point two (166B.2), Code
2 1966, is hereby amended by inserting in line eight (8) after the word
3 "cholera." the following:

4 "Disposal of condemned swine shall be under the supervision of a
5 regulatory employee. Salvage of apparently healthy marketable swine
6 is permissible as a minimum provision and may be discontinued in
7 favor of total herd disposition with indemnification as necessary and
8 without such salvage in any case or at any time when it is determined
9 by the department of agriculture and the United States department of
10 agriculture that the procedure would constitute an undue threat to the
11 eradication program."

1 SEC. 3. There is hereby appropriated from the general fund of the
2 state to the department of agriculture the sum of five hundred thou-
3 sand (500,000) dollars for each year of the biennium beginning July
4 1, 1967 and ending June 30, 1969 for the payment of indemnities for
5 hogs destroyed under the hog cholera eradication program in accord-
6 ance with chapter one hundred sixty-six B (166B) of the Code. Any
7 unencumbered balances remaining as of June 30, 1969 from the funds
8 so appropriated shall revert to the general fund.

1 SEC. 4. Chapter one hundred sixty-six B (166B), Code 1966, is
2 hereby amended by adding the following new section:

3 "The use of inactivated vaccine shall be prohibited on all hogs ex-
4 cept those used for breeding purposes."

Approved June 22, 1967.

CHAPTER 172

FOOD ESTABLISHMENT EXCLUSION

S. F. 231

AN ACT relating to an exclusion from licensing requirement as food establishment to those establishments processing only meat and poultry.

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

- 1 SECTION 1. Section one hundred seventy point two (170.2), Code
- 2 1966, is hereby amended by inserting in line twenty-five (25) after
- 3 the number "192.3" the words "or to those persons or establishments
- 4 exclusively engaged in the processing of meat and poultry licensed
- 5 as required under section one hundred eighty-nine A point three
- 6 (189A.3) of the Code."

Approved May 11, 1967.

CHAPTER 173

SANITARY REQUIREMENTS OF SLAUGHTERHOUSES

S. F. 145

AN ACT relating to the sanitary requirements of slaughterhouses.

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

- 1 SECTION 1. Section one hundred seventy point twenty (170.20),
- 2 Code 1966, is hereby repealed.

Approved April 14, 1967.

CHAPTER 174

POULTRY SHOWS

H. F. 295

AN ACT relating to the holding of local and state-wide poultry shows.

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

- 1 SECTION 1. Section one hundred eighty-four point six (184.6),
- 2 Code 1966, is amended by striking from lines three (3), four (4), and
- 3 five (5) the following: ", but such show shall not be held oftener than
- 4 once in three years in the same city or town".

Approved June 8, 1967.

CHAPTER 175

CORN GROWERS ASSOCIATION

S. F. 185

AN ACT to provide for an additional agricultural producer association and including such an association in the agriculture marketing board.

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

1 Title nine (IX), Code 1966, is hereby amended by adding thereto
2 the following new chapter consisting of sections one (1) and two (2)
3 of this Act.

1 SECTION 1. The corporation known as the Iowa corn growers as-
2 sociation incorporated under the laws of this state shall be entitled to
3 the benefits of this chapter by filing each year with the department of
4 agriculture verified proofs of its organization, names of its officers,
5 and five hundred (500) persons who are bona fide members thereof
6 together with such other information as the department may require.

1 SEC. 2. The Iowa corn growers association shall:

2 1. Aid the promotion of corn growers and the corn industry of Iowa
3 through education, research, marketing, transportation study, and
4 public relations programs, and to foster research designed to develop
5 new additional and improved uses for corn products and determine
6 better methods of converting them to various industrial and human
7 uses.

8 2. Make an annual report of the proceedings to the secretary of
9 agriculture.

1 SEC. 3. Section one hundred fifty-nine point twenty-five (159.25),
2 Code 1966, is amended by inserting after the word "association," in
3 lines fifteen (15) and sixteen (16) the words "Iowa corn growers
4 association,".

5 Further amend said section by inserting in line thirty-three (33)
6 after the word "association," the words "Iowa corn growers associ-
7 ation,".

8 Further amend said section by striking from lines thirty-five (35)
9 to forty (40) the words "However, in 1959 the appointees from the
10 Iowa state dairy association, state horticulture society, and Iowa crop
11 improvement association shall be selected as provided in this section
12 and shall serve only until their successors are appointed and qualified
13 in 1960." and insert in lieu thereof the words "However, in the year
14 1967 three (3) names shall be submitted by the Iowa corn growers
15 association for a member to be appointed to the agriculture marketing
16 board for a term of three (3) years ending July 1, 1970."

Approved July 5, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 176

BRANDING OF ANIMALS

H. F. 356

AN ACT relating to the marking and branding of animals.

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

1 SECTION 1. Section one hundred eighty-seven point one (187.1),
2 Code 1966, is amended by adding a new subsection as follows:
3 "Cryo-branding" means a brand produced by application of extreme
4 cold temperature.

1 SEC. 2. Section one hundred eighty-seven point three (187.3),
2 Code 1966, is amended by adding at the end thereof the words "In no
3 case shall cryo-brands be accepted as evidence of ownership."

1 SEC. 3. Section one hundred eighty-seven point seven (187.7),
2 Code 1966, is amended by adding after the first sentence the following
3 new sentence: "Hot brands and cryo-brands, consisting of Arabic
4 numerals only, may be used in conjunction with recorded brands for
5 within the herd identification and as such shall not be recorded; and
6 when so used shall not be evidence of ownership."

1 SEC. 4. Section one hundred eighty-seven point ten (187.10), Code
2 1966, is amended by adding the following at the end thereof:
3 "Disputes in custody or ownership of branded animals shall be in-
4 vestigated, on request, by the sheriff of the county where the animals
5 are located and he may call upon the services of a disinterested veteri-
6 narian, approved by the secretary of agriculture, in reading the brands
7 on animals. The cost of the veterinarian's services shall be borne by
8 the person requesting the investigation which cost shall be limited to
9 ten (10) dollars per trip. The results of the sheriff's investigation
10 shall be a public record and be admissible in evidence."

Approved June 30, 1967.

CHAPTER 177

LABELING ADULTERATIONS

S. F. 225

AN ACT relating to establishing a power of condemnation by the secretary of agriculture of articles found to be adulterated or improperly labeled.

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

1 SECTION 1. Chapter one hundred eighty-nine (189), Code 1966, is
2 hereby amended by adding thereto the following new section under the
3 title "LABELING-ADULTERATIONS":
4 "Unless a procedure or method of seizure and confiscation or con-
5 demnation is otherwise provided, the secretary is hereby authorized to
6 prohibit the entrance into channels of commerce or possession of any
7 article found to be adulterated or improperly labeled according to the

8 provisions of this title or rules and regulations established hereunder.
 9 Any articles found in channels of commerce or in possession by an
 10 inspector which are not in compliance with the adulteration or label-
 11 ing provisions of this title shall be subject to immediate seizure by the
 12 department. Seized articles shall be condemned unless of such char-
 13 acter that the articles can be made to conform with the provisions of
 14 this title by methods approved by the secretary. Condemned articles
 15 shall be effectively destroyed for the purpose for which they were
 16 intended by the owner of the article, or the owner's agent, under the
 17 supervision of an inspector in such manner as the secretary may pre-
 18 scribe."

1 SEC. 2. Chapter one hundred eighty-nine (189), Code 1966, is
 2 amended by adding the following new section thereto:
 3 "A party whose article, item, commodity or product is wrongfully
 4 condemned or seized shall be entitled to maintain a cause of action
 5 against the state of Iowa, for the damage proximately caused by the
 6 wrongful condemnation or seizure. Such cause of action shall be a
 7 claim as defined in chapter twenty-five A (25A) of the Code and shall
 8 be subject to the provisions of said chapter, notwithstanding the pro-
 9 visions of section twenty-five A point fourteen (25A.14) of the Code."

Approved June 8, 1967.

CHAPTER 178

HUMANE SLAUGHTER OF ANIMALS

S. F. 180

AN ACT relating to humane slaughtering methods which shall be practiced by those establishments subject to the meat and poultry inspection Act.

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

1 SECTION 1. Section one hundred eighty nine A point eighteen
 2 (189A.18), Code 1966, is hereby repealed and the following enacted
 3 in lieu thereof:
 4 "Every establishment subject to the provisions of this chapter
 5 engaged in the slaughter of bovine, porcine, or ovine animals shall
 6 slaughter all such animals in an approved humane slaughtering meth-
 7 od. For purposes of this section an approved humane slaughtering
 8 method shall include and be limited to slaughter by shooting, elec-
 9 trical shock, or use of carbon dioxide gas prior to the animal being
 10 shackled, hoisted, thrown, cast or cut; however, the slaughtering,
 11 handling or other preparation of livestock in accordance with the
 12 ritual requirements of the Jewish or any other faith that prescribes
 13 and requires a method whereby slaughter becomes effected by sever-
 14 ance of the carotid arteries with a sharp instrument is hereby desig-
 15 nated and approved as a humane method of slaughter under the law."

Approved April 6, 1967.

CHAPTER 179

MEAT AND POULTRY INSPECTION

H. F. 414*

AN ACT to amend chapter one hundred eighty-nine A (189A), Code 1966, relating to meat and poultry inspection.

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

- 1 SECTION 1. Section one hundred eighty-nine A point four
- 2 (189A.4), Code 1966, is hereby amended by striking all after the word
- 3 "stores" in line three (3) of subsection two (2) and inserting in lieu
- 4 thereof a period.

Approved May 25, 1967.

*Amended by chapter 180.

CHAPTER 180

MEAT AND POULTRY INSPECTION

H. F. 751

AN ACT relating to meat and poultry inspection, and amending House File four hundred fourteen (414), Acts of the Sixty-second General Assembly.

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

- 1 SECTION 1. Section one (1), house file four hundred fourteen
- 2 (414), Acts of the Sixty-second General Assembly, is hereby amended
- 3 as follows:
- 4 1. By inserting in line two (2) after the word "all" the words "of
- 5 subsection two (2)".
- 6 2. By striking from line three (3) the words "of subsection two
- 7 (2)".

Approved July 5, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 181

MILK AND MILK PRODUCTS

H. F. 685

AN ACT relating to production and sale of milk and milk 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 1966, is hereby amended as follows:
- 3 1. By striking from line two (2) the word "chapter" and inserting
- 4 in lieu thereof the word "title".
- 5 2. By striking all of subsection six (6) and inserting in lieu there-
- 6 of the following:

- 7 *a.* Cream is the sweet, fatty liquid separated from milk, with or
8 without the addition of milk or skim milk, which contains not less
9 than eighteen (18) percent milk fat.
- 10 *b.* Light cream, coffee cream, or table cream is cream which con-
11 tains not less than eighteen (18) percent but less than thirty (30)
12 percent milk fat.
- 13 *c.* Whipping cream is cream which contains not less than thirty
14 (30) percent milk fat.
- 15 *d.* Light whipping cream is cream that contains not less than
16 thirty (30) percent but less than thirty-six (36) percent milk fat.
- 17 *e.* Heavy cream or heavy whipping cream is cream which con-
18 tains not less than thirty-six (36) percent milk fat.
- 19 *f.* Whipped cream is whipping cream into which air or gas has
20 been incorporated.
- 21 *g.* Whipped light cream, coffee cream, or table cream is light
22 cream, coffee cream, or table cream into which air or gas has been
23 incorporated.
- 24 *h.* Sour cream or cultured sour cream is a fluid or semifluid cream
25 resulting from the souring, by lactic acid producing bacteria or simi-
26 lar culture, of pasteurized cream, which contains not less than one-
27 fifth ($\frac{1}{5}$) of one (1) percent acidity expressed as lactic acid."
- 28 3. By striking all of subsection thirty-eight (38) and inserting in
29 lieu thereof the following:
30 "Milk is hereby defined to be the lacteal secretion, practically free
31 from colostrum, obtained by the complete milking of one (1) or more
32 healthy cows, which contains not less than eight and one-fourth
33 ($8\frac{1}{4}$) percent milk solids-not-fat and not less than three and one-
34 fourth ($3\frac{1}{4}$) percent milk fat. (Milk fat or butterfat is the fat of
35 milk.)"
- 36 4. By striking all of subsection thirty-nine (39) and inserting in
37 lieu thereof the following:
38 "Skim milk or skimmed milk is milk from which sufficient milk fat
39 has been removed to reduce its milk fat content to less than one-half
40 ($\frac{1}{2}$) of one (1) percent."
- 41 5. By adding thereto the following new subsections:
42 *a.* "Goat milk is the lacteal secretion, practically free from colos-
43 trum, obtained by the complete milking of healthy goats. The word
44 'milk' shall be interpreted to include goat milk."
- 45 *b.* "Half-and-half is a product consisting of a mixture of milk and
46 cream which contains not less than ten and one-half ($10\frac{1}{2}$) percent
47 milk fat."
- 48 *c.* "Sour half-and-half or cultured half-and-half is fluid or semi-
49 fluid half-and-half derived from the souring, by lactic acid producing
50 bacteria or similar culture, of pasteurized half-and-half, which con-
51 tains not less than one-fifth ($\frac{1}{5}$) of one (1) percent acidity expressed
52 as lactic acid."
- 53 *d.* "Reconstituted or recombined milk or milk products shall mean
54 milk or milk products defined in this section which result from the
55 recombining of milk constituents with potable water."
- 56 *e.* "Concentrated milk is a fluid product, unsterilized and unsweet-
57 ened, resulting from the removal of a considerable portion of the
58 water from milk, which, when combined with potable water, results

59 in a product conforming with the standards for milk fat and solids-
60 not-fat of milk."

61 *f.* "Concentrated milk products shall mean and include homoge-
62 nized concentrated milk, vitamin D concentrated milk, concentrated
63 skim milk, fortified concentrated skim milk, concentrated low fat
64 milk, fortified concentrated low fat milk, concentrated flavored milk,
65 concentrated flavored milk products, and similar concentrated prod-
66 ucts made from concentrated milk or concentrated skim milk, and
67 which, when combined with potable water in accordance with in-
68 structions printed on the container, conform with the definitions of
69 the corresponding milk products in this chapter and chapters one
70 hundred ninety-one (191) and one hundred ninety-two (192) of the
71 Code."

72 *g.* "Low fat milk is milk from which a sufficient portion of milk
73 fat has been removed to reduce its milk fat content to not less than
74 one-half ($\frac{1}{2}$) of one (1) percent and not more than two (2) per-
75 cent."

76 *h.* "Vitamin D milk and milk products are milk and milk products,
77 the vitamin D content of which has been increased by an approved
78 method to at least four hundred (400) U.S.P. units per quart."

79 *i.* "Fortified milk and milk products are milk and milk products
80 other than vitamin D milk and milk products, the vitamin or mineral
81 content of which have been increased by a method and in an amount
82 approved by the secretary."

83 *j.* "Homogenized milk is milk which has been treated to insure
84 breakup of the fat globules to such an extent that, after forty-eight
85 (48) hours of quiescent storage at forty-five (45) degrees Fahren-
86 heit, no visible cream separation occurs on the milk, and the fat per-
87 centage of the top one hundred (100) milliliters of milk in a quart,
88 or of proportionate volumes in containers of other sizes, does not
89 differ by more than ten (10) percent from the fat percentage of the
90 remaining milk as determined after thorough mixing. The word
91 'milk' shall be interpreted to include homogenized milk."

92 *k.* "Flavored milk or milk products shall mean milk and milk prod-
93 ucts as defined in this chapter and chapters one hundred ninety-one
94 (191) and one hundred ninety-two (192) of the Code to which has
95 been added a flavor or sweetener or both."

96 *l.* "Buttermilk is a fluid product containing not less than eight and
97 one-fourth ($8\frac{1}{4}$) percent of milk solids-not-fat and resulting from
98 the manufacture of butter from milk or cream."

99 *m.* "Cultured buttermilk is a fluid product resulting from the sour-
100 ing, by lactic acid producing bacteria or similar culture, of pasteur-
101 ized skim milk or pasteurized low fat milk."

102 *n.* "Cultured milk or cultured whole milk buttermilk is a fluid
103 product resulting from the souring, by lactic acid producing bacteria
104 or similar culture, of pasteurized milk."

105 *o.* "Acidified milk and milk products are milk and milk products
106 obtained by the addition of food grade acids to pasteurized cream,
107 half-and-half, milk, low fat milk, or skim milk, resulting in a product
108 acidity of not less than one-fifth ($\frac{1}{5}$) of one (1) percent expressed
109 as lactic acid."

110 p. "Milk products include cream, light cream, coffee cream, table
 111 cream, whipping cream, light whipping cream, heavy cream, heavy
 112 whipping cream, whipped cream, whipped light cream, whipped cof-
 113 fee cream, whipped table cream, sour cream, cultured sour cream,
 114 half-and-half, sour half-and-half, cultured half-and-half, reconsti-
 115 tuted or recombined milk and milk products, concentrated milk, con-
 116 centrated milk products, skim milk, skimmed milk, low fat milk,
 117 fortified milk and milk products, vitamin D milk and milk products,
 118 homogenized milk, flavored milk or milk products, buttermilk, cul-
 119 tured buttermilk, cultured milk, cultured whole milk buttermilk, and
 120 acidified milk and milk products.

121 "This definition is not intended to include such products as steri-
 122 lized milk and milk products hermetically sealed in a container and
 123 so processed, either before or after sealing, as to prevent microbial
 124 spoilage, or evaporated milk, condensed milk, ice cream and other
 125 frozen desserts, butter, dry milk products, except as defined herein,
 126 or cheese except when they are combined with other substances to
 127 produce any pastuerized* milk or milk product defined herein."

128 q. "Grade A dry milk products are milk products which have been
 129 produced for use in grade A pasteurized milk products and which
 130 have been manufactured under the provisions of Grade 'A' Dry Milk
 131 Products—Recommended Sanitation Ordinance and Code for Dry
 132 Milk Products Used in Grade 'A' Pasteurized Milk Products (1959)
 133 of the United States Public Health Service."

134 r. "Optional ingredients shall mean and include grade A dry milk
 135 products, concentrated milk, concentrated milk products, flavors,
 136 sweeteners, stabilizers, emulsifiers, acidifiers, vitamins, minerals,
 137 and similar ingredients."

1 SEC. 2. Chapter one hundred ninety (190), Code 1966, is hereby
 2 amended by inserting immediately after section one hundred ninety
 3 point four (190.4), Code 1966, the following new section and re-
 4 numbering the remaining sections:

5 "Any milk or milk product shall further be deemed to be adulter-
 6 ated:

7 "1. If it bears or contains any poisonous or deleterious substance
 8 in a quantity which may render it injurious to health.

9 "2. If it bears or contains any added poisonous or deleterious sub-
 10 stance for which no safe tolerance has been established by state or
 11 federal regulation, or in excess of such tolerance if one has been
 12 established.

13 "3. If it consists, in whole or in part, of any substance unfit for
 14 human consumption.

15 "4. If it has been produced, processed, prepared, packed, or held
 16 under insanitary conditions.

17 "5. If its container is composed, in whole or in part, of any poison-
 18 ous or deleterious substance which may render the contents injuri-
 19 ous to health.

20 "6. If any substance has been added thereto or mixed or packed
 21 therewith so as to increase its bulk or weight, or reduce its quality
 22 or strength, or make it appear better or of greater value than it is."

*According to enrolled Act.

1 SEC. 3. Section one hundred ninety-one point two (191.2), Code
2 1966, is hereby amended as follows:

3 1. By striking subsection one (1) of such section.

4 2. By adding thereto the following subsections:

5 a. "All bottles, containers, and packages enclosing milk or milk
6 products as defined in section one (1) of this Act shall be conspicu-
7 ously labeled or marked with:

8 "a. The name of the contents as given in the definitions of this
9 chapter and chapters one hundred ninety (190) and one hundred
10 ninety-two (192) of the Code.

11 "b. The word 'reconstituted' or 'recombined' if the product is made
12 by reconstitution or recombination.

13 "c. The grade of the contents.

14 "d. The word 'pasteurized' if the contents are pasteurized and the
15 identity of the plant where pasteurized.

16 "e. The word 'raw' if the contents are raw and the name or other
17 identity of the producer.

18 "f. The designation 'vitamin D' and the number of U.S.P. units per
19 quart in the case of vitamin D milk or milk products.

20 "g. The volume or proportion of water to be added for recombining
21 in the case of concentrated milk or milk products.

22 "h. The words 'nonfat milk solids added' and the percentage added
23 if such solids have been added, except that this requirement shall not
24 apply to reconstituted or recombined milk and milk products.

25 "i. The words 'artificially sweetened' in the name if nonnutritive
26 or artificial sweeteners or both are used.

27 "j. The common name of stabilizers, distillates, and ingredients,
28 provided that:

29 "(1) Only the identity of the milk producer shall be required on
30 cans delivered to a milk plant which receives only grade A raw milk
31 for pasteurization, and which immediately dumps, washes, and re-
32 turns the cans to the milk producer.

33 "(2) The identity of both milk producer and the grade shall be
34 required on cans delivered to a milk plant which receives both grade
35 A raw milk for pasteurization and ungraded raw milk and which
36 immediately dumps, washes, and returns the cans to the milk pro-
37 ducer.

38 "(3) In the case of concentrated milk products, the specific name
39 of the product shall be substituted for the generic term 'concentrated
40 milk products', e.g., 'homogenized concentrated milk', 'concentrated
41 skim milk', 'concentrated chocolate milk', 'concentrated chocolate
42 flavored low fat milk'.

43 "(4) In the case of flavored milk or flavored reconstituted milk,
44 the name of the principal flavor shall be substituted for the word
45 'flavored'.

46 "(5) In the case of cultured milk and milk products, the special
47 type culture used may be substituted for the word 'cultured', e.g.,
48 'acidophilus buttermilk', 'Bulgarian buttermilk', and 'yogurt'."

49 b. "All vehicles and transport tanks containing milk or milk prod-
50 ucts, except those referred to in section one hundred ninety-two point
51 five (192.5) of the Code, shall be legibly marked with the name and
52 address of the milk plant or hauler in possession of the contents."

53 c. "Tanks transporting raw milk and milk products to a milk plant
54 from sources of supply not under the supervision of the secretary or
55 authorized municipal corporation are required to be marked with the
56 name and address of the milk plant or hauler and shall be sealed;
57 in addition, for each such shipment, a shipping statement shall be
58 prepared containing at least the following information:

59 "a. Shipper's name, address, and permit number.

60 "b. Permit number of hauler, if not employee of shipper.

61 "c. Point of origin of shipment.

62 "d. Tanker identity number.

63 "e. Name of product.

64 "f. Weight of product.

65 "g. Grade of product.

66 "h. Temperature of product.

67 "i. Date of shipment.

68 "j. Name of supervising health authority at the point of origin.

69 "k. Whether the contents are raw, pasteurized, or otherwise heat
70 treated.

71 "Such statement shall be prepared in triplicate and shall be kept
72 on file by the shipper, the consignee, and the carrier for a period of
73 six (6) months for the information of the secretary."

74 d. "The labeling information which is required on all bottles, con-
75 tainers, or packages of milk or milk products shall be in letters of an
76 acceptable size, kind, and color satisfactory to the secretary and shall
77 contain no marks or words which are misleading."

78 3. By adding thereto the following:

79 "Milk and milk products are misbranded:

80 "a. When their container bears or accompanies any false or mis-
81 leading written, printed, or graphic matter.

82 "b. When such milk and milk products do not conform to their defi-
83 nitions as contained in this Act.

84 "c. When such products are not labeled in accordance with this
85 section."

1 SEC. 4. Section one hundred ninety-one point four (191.4), Code
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 " 'Person' as used in chapters one hundred ninety (190), one hun-
4 dred ninety-one (191), and one hundred ninety-two (192) of the
5 Code means any individual, plant operator, partnership, corporation,
6 company, firm, trustee, or association."

1 SEC. 5. Chapter one hundred ninety-two (192), Code 1966, is
2 hereby amended by inserting immediately after section one hundred
3 ninety-two point four (192.4) of the Code the following new section
4 and renumbering the remaining sections:

5 "It shall be unlawful for any person who does not possess a permit
6 from the secretary or authorized municipal corporation to bring into,
7 send into, or receive into the state for sale, or to sell, or offer for sale
8 therein, or to have in storage any milk or milk products defined in
9 this chapter and chapters one hundred ninety (190) and one hundred
10 ninety-one (191) of the Code; provided that, grocery stores, restau-
11 rants, soda fountains, and similar establishments where milk or milk

12 products or both are served or sold at retail, but not processed, may
13 be exempt from the requirements of this section.

14 "Only a person who complies with the requirements of this chapter
15 and chapters one hundred ninety (190) and one hundred ninety-one
16 (191) of the Code shall be entitled to receive and retain such a permit
17 from the department or authorized municipal corporation. Permits
18 shall not be transferable with respect to persons or locations.

19 "The secretary or authorized municipal corporation shall suspend
20 such permit whenever there is reason to believe that a public health
21 hazard exists, or whenever the permit holder has violated any of the
22 requirements of said chapters or whenever the permit holder has
23 interfered with the secretary or authorized municipal corporation in
24 the performance of their duties: Except, where the milk or milk
25 product involved creates, or appears to create, an imminent hazard
26 to the public health; or in any case of a willful refusal to permit
27 authorized inspection, the secretary or authorized municipal corpo-
28 ration shall serve upon the holder a written notice of intent to sus-
29 pend the permit. The notice shall specify with particularity the
30 violations in question and afford the holder such reasonable oppor-
31 tunity to correct such violations as may be agreed to by the parties,
32 or in the absence of agreement, fixed by the secretary or authorized
33 municipal corporation before making any order of suspension effec-
34 tive. A suspension of permit shall remain in effect until the violation
35 has been corrected to the satisfaction of the secretary or authorized
36 municipal corporation.

37 "Upon written application of any person whose permit has been
38 suspended, or upon application within forty-eight (48) hours of any
39 person who has been served with a notice of intention to suspend,
40 and in the latter case before suspension, the secretary or authorized
41 municipal corporation shall within seventy-two (72) hours proceed
42 to a hearing to ascertain the facts of such violation or interference
43 and upon evidence presented at such hearing shall affirm, modify, or
44 rescind the suspension or intention to suspend.

45 "Upon repeated violation, the secretary or authorized municipal
46 corporation may revoke such permit following reasonable notice to
47 the permit holder and an opportunity for a hearing. This section is
48 not intended to preclude the institution of court action as provided
49 in sections seven (7) and twelve (12) of this Act.

50 "The provisions of this section are intended for the regulation of
51 the production, processing, labeling, and distribution of grade A milk
52 and grade A milk products under sanitary requirements which are
53 uniform throughout the state."

1 SEC. 6. Section one hundred ninety-two point seven (192.7),
2 Code 1966, is hereby repealed and the following enacted in lieu there-
3 of:

4 "For the purpose of this title, unless the context otherwise re-
5 quires:

6 "1. 'Pasteurization', 'pasteurized', and similar terms mean the
7 process of heating every particle of milk or milk product to at least
8 one hundred forty-five (145) degrees Fahrenheit, and holding it con-
9 tinuously at or above this temperature for at least thirty (30) min-
10 utes, or to at least one hundred sixty-one (161) degrees Fahrenheit,

11 and holding it continuously at or above this temperature for at least
12 fifteen (15) seconds, in equipment which is properly operated and
13 approved by the secretary or authorized municipal corporation;
14 except, that milk products which have a higher milk fat content than
15 milk or contain added sweeteners or both shall be heated to at least
16 one hundred fifty (150) degrees Fahrenheit, and held continuously
17 at or above that temperature for at least thirty (30) minutes, or to
18 at least one hundred sixty-six (166) degrees Fahrenheit, and held
19 continuously at or above that temperature for at least fifteen (15)
20 seconds. Nothing in this definition shall be construed as barring any
21 other pasteurization process which has been recognized by the United
22 States public health service to be equally efficient and which is ap-
23 proved by the department of agriculture.

24 "2. Sanitization is the application of any effective method or sub-
25 stance to a clean surface for the destruction of pathogens, and of
26 other organisms as far as is practicable. Such treatment shall not
27 adversely affect the equipment, the milk or milk product or the health
28 of consumers, and shall be acceptable to the secretary or authorized
29 municipal corporation.

30 "3. A milk producer is any person who operates a dairy farm and
31 provides, sells, or offers milk for sale to a milk plant, receiving sta-
32 tion, or transfer station.

33 "4. A milk hauler is any person who transports raw milk or raw
34 milk products or both to or from a milk plant or a receiving or trans-
35 fer station.

36 "5. A milk distributor is any person who offers for sale or sells to
37 another any milk or milk products.

38 "6. A dairy farm is any place or location where one (1) or more
39 cows or goats are kept, and from which a part or all of any milk or
40 milk product is provided, sold, or offered for sale to a milk plant,
41 transfer station, or receiving station.

42 "7. A milk plant or receiving station is any place, location, or
43 establishment where milk or milk products are collected, handled,
44 processed, stored, pasteurized, bottled, or prepared for distribution.

45 "8. A transfer station is any place, location, or establishment
46 where milk or milk products are transferred directly from one (1)
47 transport tank to another.

48 "9. An official laboratory is a biological, chemical, or physical
49 laboratory which is under the direct supervision of the department
50 or authorized municipal corporation.

51 "10. An officially designated laboratory is a commercial laboratory
52 authorized to do official work by the department or authorized mu-
53 nicipal corporation, or a milk industry laboratory officially designated
54 by the department or authorized municipal corporation for the ex-
55 amination of producer samples of grade A raw milk for pasteuriza-
56 tion."

1 SEC. 7. Section one hundred ninety-two point ten (192.10), Code
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "From and after July 1, 1968, only grade A pasteurized milk and
4 milk products shall be sold to the final consumer, or to restaurants,
5 soda fountains, grocery stores, or similar establishments; except in
6 an emergency, the sale of pasteurized milk and milk products which

7 have not been graded, or the grade of which is unknown, may be
8 authorized by the secretary, in which case, such products shall be
9 labeled 'ungraded'.

10 "No person shall within the state produce, provide, sell, offer, or
11 expose for sale, or have in possession with intent to sell, any milk
12 or milk product which is adulterated or misbranded; except, in an
13 emergency, the sale of pasteurized milk and milk products which
14 have not been graded, or the grade of which is unknown, may be
15 authorized by the secretary, in which case such products shall be
16 labeled 'ungraded'.

17 "Any adulterated or misbranded milk or milk product may be
18 impounded by the secretary or authorized municipal corporation and
19 disposed of in accordance with applicable laws or regulations.

20 "Each dairy farm, milk plant, receiving station, and transfer sta-
21 tion whose milk or milk products are intended for consumption as
22 grade A pasteurized milk and milk products shall be inspected by the
23 secretary prior to the issuance of the permit provided for in section
24 five (5) of this Act. However, if any municipal corporation makes
25 application to the secretary for authority to conduct such inspections,
26 the secretary, upon finding that such municipal corporation has quali-
27 fied personnel to perform the same, shall enter into agreements with
28 the municipal corporation providing for such inspection. Inspection
29 by either the secretary or approved municipal corporation shall be
30 acceptable for issuance of such permit by the secretary or municipal
31 corporation.

32 "When inspections are conducted and permits are issued by a
33 municipal corporation under this chapter, in a manner which the
34 secretary deems consistent with the provisions of this chapter and
35 chapter* one hundred ninety (190) and one hundred ninety-one
36 (191) of the Code, as evidenced by the annual survey by the state
37 department of health provided for in Section 27 of this Act, the
38 secretary shall accept such procedures in lieu of administration of
39 the provisions of said chapters by the state, within the jurisdiction
40 involved. In the event the survey required in section twenty-seven
41 (27) of this Act indicates that a municipal corporation is acting in
42 a manner which is inconsistent with the provisions of said chapters,
43 the secretary may revoke the agreement with the municipal corpo-
44 ration after notice and hearing, in the manner described for permit
45 revocation in section five (5) of this Act, and perform such acts as
46 are necessary to regulate grade A milk and milk products in such
47 jurisdiction in conformity herewith.

48 "Following the issuance of such permit, each dairy farm and trans-
49 fer station shall be inspected at least once every six (6) months and
50 each milk plant and receiving station shall be inspected at least once
51 every three (3) months. Should the violation of any requirement set
52 forth in sections fifteen (15) through twenty-one (21) of this Act
53 be found to exist, a second inspection shall be required after the time
54 deemed necessary to remedy the violation, but not before three (3)
55 days from the previous inspection. The reinspection shall be used to
56 determine compliance with the requirements of said sections. Any
57 violation of the same requirement of said sections on such reinspec-

*According to enrolled Act.

58 tion shall call for permit suspension in accordance with section five
59 (5) of this Act or court action or both.

60 "One (1) copy of the inspection report shall be handed to the oper-
61 ator, or other responsible person, or be posted in a conspicuous place
62 on an inside wall of the establishment. The inspection report shall
63 not be defaced and shall be made available to the secretary upon
64 request. An identical copy of the inspection report shall be filed with
65 the records of the secretary or authorized municipal corporation."

1 SEC. 8. Every milk producer, hauler, distributor, or plant oper-
2 ator shall, upon request of the secretary or authorized municipal cor-
3 poration, permit access of officially designated persons to all parts of
4 his establishment or facilities to determine compliance with the pro-
5 visions of this Act. A distributor or plant operator shall furnish the
6 secretary or authorized municipal corporation, upon request, for
7 official use only, a true statement of the actual quantities of milk and
8 milk products of each grade purchased and sold, and a list of all
9 sources of such milk and milk products, records of inspections, tests,
10 and pasteurization time and temperature records.

1 SEC. 9. It shall be unlawful for any person who in an official
2 capacity obtains any information under the provisions of this chapter
3 or chapter one hundred ninety-one (191) of the Code which is entitled
4 to protection as a trade secret, including information as to quantity,
5 quality, source or disposition of milk or milk products, or results of
6 inspections or tests thereof, to use such information to his own ad-
7 vantage or to reveal it to any unauthorized person.

1 SEC. 10. During any consecutive six (6) months, at least four
2 (4) samples of raw milk for pasteurization shall be taken from each
3 producer having a permit as defined in Section [five]* 5 of this Act
4 and four (4) samples of raw milk for pasteurization shall be taken
5 from each milk plant having such a permit after receipt of the milk
6 by the milk plant and prior to pasteurization. In addition, during any
7 consecutive six (6) months, at least four (4) samples of pasteurized
8 milk and at least four (4) samples of each milk product defined in
9 this chapter and chapters one hundred ninety (190) and one hundred
10 ninety-one (191) of the Code shall be taken from every such milk
11 plant. Such samples of milk and milk products shall be taken while
12 in possession of the producer or distributor at any time prior to final
13 delivery. Samples of milk and milk products from dairy retail stores,
14 restaurants and food establishments as defined in chapter one hun-
15 dred seventy (170) of the Code, grocery stores, vending machines,
16 and other places where milk and milk products are sold shall be
17 examined periodically as determined by the secretary or authorized
18 municipal corporation and the results of such examination shall be
19 used to determine compliance with sections two (2), three (3), seven
20 (7), nineteen (19), twenty (20), and twenty-one (21) of this Act.
21 Proprietors of such establishments shall furnish the secretary or
22 authorized municipal corporation, upon their request, with the names
23 of all the distributors from whom milk or milk products are obtained.

*Word supplied by editor, §3.1(3).

1 SEC. 11. Required bacterial counts and cooling temperature
2 checks shall be performed on grade A raw milk for pasteurization.
3 In addition, antibiotic tests on each producer's milk or on com-
4 mingled raw milk shall be conducted at least four (4) times during
5 any consecutive six (6) months. When commingled milk is tested,
6 all producers shall be represented in the sample. All individual
7 sources of milk shall be tested when test results on the commingled
8 milk are positive. Required bacterial counts, coliform determina-
9 tions, phosphatase, and cooling temperatures checks shall be per-
10 formed on pasteurized milk and milk products.

1 SEC. 12. Whenever two (2) of the last four (4) consecutive bac-
2 teria counts, coliform determinations, or cooling temperatures, taken
3 on separate days, exceed the limit of the standard for the milk or
4 milk products or both, the secretary or authorized municipal corpo-
5 ration shall send a written notice thereof to the person concerned.
6 The notice shall be in effect so long as two (2) of the last four (4)
7 consecutive samples exceed the limit of the standard. An additional
8 sample shall be taken within fourteen (14) days of the sending of
9 such notice, but not before the lapse of three (3) days from the pre-
10 vious sampling. Immediate suspension of permit in accordance with
11 section five (5) of this Act or court action or both shall be instituted
12 whenever the standard is violated by three (3) of the last five (5)
13 bacteria counts, coliform determinations, or cooling temperatures.

1 SEC. 13. Whenever a phosphatase test is positive, the cause shall
2 be determined. Where the cause is improper pasteurization, the
3 cause shall be corrected and any milk or milk product involved shall
4 not be offered for sale.

1 SEC. 14. Samples shall be analyzed at an official or appropriate
2 officially designated laboratory. All sampling procedures and re-
3 quired laboratory examinations shall be in substantial compliance
4 with the Standard Methods for the Examination of Dairy Products,
5 Eleventh (11th) Edition 1960, of the American Public Health As-
6 sociation, and the Official Methods of Analyses of the Association of
7 Official Agricultural Chemists, Tenth (10th) Edition 1965. Such
8 procedures and examinations shall be evaluated in accordance with
9 the methods of evaluating milk laboratories recommended by the
10 United States public health service. Examinations and tests shall be
11 conducted to detect adulterants, including pesticides, as the secretary
12 shall require. Assays of vitamin D milk or milk products or fortified
13 milk and milk products or both shall be made at least annually in a
14 laboratory acceptable to the secretary.

1 SEC. 15. All grade A raw milk for pasteurization and all grade A
2 pasteurized milk and milk products shall be produced, processed, and
3 pasteurized to conform with the following chemical, bacteriological,
4 and temperature standards, and the sanitation requirements of this
5 chapter.
6 No process or manipulation other than pasteurization, processing
7 methods integral therewith, and appropriate refrigeration shall be
8 applied to milk and milk products for the purpose of removing or
9 deactivating microorganisms.

10 Chemical, Bacteriological and Temperature Standards 11 for Grade A Milk and Milk Products.			
12	Grade A raw milk 13 for pasteurization. 14	Temperature	Cooled to 50° Fahrenheit or less and maintained thereat until processed.
15		Bacterial limits	Individual producer milk not to exceed 100,000 per milli- liter prior to commingling with other producer milk. Not exceeding 300,000 per milliliter as commingled milk prior to pasteurization.
16			
17			
18			
19			
20		Antibiotics	No detectible antibiotic resi- dues.
21			
22	Grade A pasteurized 25 milk and milk 26 products (except 27 cultured products). 28	Temperature	Cooled to 45° Fahrenheit or less and maintained thereat, except when on delivery ve- hicles.
29		Bacterial limits	Milk and milk products — 20,000 per milliliter.
30		Coliform limit	Not exceeding 10 per milli- liter.
31			
32		Phosphatase	Less than 1 microgram per milliliter, by Scharer Rapid Method (or equivalent by other means).
33			
34	Grade A pasteurized 37 cultured products. 38	Temperature	Cooled to 45° Fahrenheit or less and maintained thereat, except when on delivery ve- hicles.
39			
40		Coliform limit	Not exceeding 10 per milli- liter.
41			
42		Phosphatase	Less than 1 microgram per milliliter, by Scharer Rapid Method (or equivalent by other means).
43			
44			
45			
46		Bacterial limits	Exempt.

1 SEC. 16. Sanitation requirements for grade A raw milk for pas-
2 teurization.

3 1. Cows which show evidence of the secretion of abnormal milk in
4 one (1) or more quarters based upon bacteriological, chemical, or
5 physical examination, shall be milked last or with separate equipment,
6 and the milk shall be discarded. Cows treated with, or cows which
7 have consumed chemical, medicinal or radioactive agents which are
8 capable of being secreted in the milk and which, in the judgment of
9 the health authority, may be deleterious to human health, shall be
10 milked last or with separate equipment, and the milk disposed of as
11 the health authority may direct.

- 12 2. A milking barn, stable, or parlor shall be provided on all dairy
13 farms in which the milking herd shall be housed during milking time
14 operations. The areas used for milking purposes shall:
- 15 a. Have floors constructed of concrete or equally impervious mate-
16 rial.
- 17 b. Have walls and ceilings which are smooth, painted or finished in
18 an approved manner and are in good repair and ceilings shall be dust
19 tight.
- 20 c. Have separate stalls or pens for horses, calves, and bulls.
- 21 d. Be provided with natural or artificial light, or both, well dis-
22 tributed for day milking or night milking, or both.
- 23 e. Provide sufficient airspace and air circulation to prevent con-
24 densation and excessive odors.
- 25 f. Not be overcrowded.
- 26 g. Have dust-tight covered boxes or bins or separate storage facili-
27 ties for ground, chopped, or concentrated feed.
- 28 The interior of such places shall be kept clean. Floors, walls, win-
29 dows, pipelines, and equipment shall be free of filth and litter and
30 shall be clean. Swine and fowl shall be kept out of the milking barn.
- 31 3. Cow yards shall be graded and drained and shall have no stand-
32 ing pools of water or accumulations of organic wastes. In loafing or
33 cattle-housing areas, cow droppings and soiled bedding shall be re-
34 moved or clean bedding added at sufficiently frequent intervals to
35 prevent the soiling of the cow's udder and flanks. Waste feed shall
36 not be allowed to accumulate. Manure packs shall be properly drained
37 and shall provide a reasonably firm footing. Swine shall be kept out
38 of the cow yard.
- 39 4. A milk house or room of sufficient size shall be provided in which
40 the cooling, handling, and storing of milk and the washing, sanitiz-
41 ing, and storing of milk containers and utensils shall be conducted.
- 42 The milk house shall be provided with a smooth floor constructed
43 of concrete or equally impervious material graded to drain and main-
44 tained in good repair. Liquid waste shall be disposed of in a sanitary
45 manner. All floor drains shall be accessible and shall be trapped if
46 connected to a sanitary sewer system.
- 47 The walls and ceilings shall be constructed of smooth material,
48 shall be in good repair, and shall be well painted or finished in an
49 equally suitable manner.
- 50 The milk house shall have adequate natural or artificial light or
51 both and be well ventilated.
- 52 The milk house shall be used for no other purpose than milk house
53 operations. There shall be no direct opening into any barn, stable, or
54 into a room used for domestic purposes; except, a direct opening
55 between the milk house and milking barn, stable, or parlor shall be
56 permitted when one (1) or more tight-fitting, self-closing solid doors
57 hinged to be single or double acting is provided.
- 58 Water under pressure shall be piped into the milk house.
- 59 The milk house shall be equipped with a two-compartment wash
60 vat and adequate hot water heating facilities.
- 61 5. When a transportation tank is used for the cooling and storage
62 of milk on the dairy farm, such tank shall be provided with a suitable
63 shelter for the receipt of milk. Such shelter shall be adjacent to, but

64 not a part of, the milk room and shall comply with the requirements
65 of the milk room with respect to construction, light, drainage, insect
66 and rodent control, and general maintenance.

67 6. The floors, walls, ceilings, windows, tables, shelves, cabinets,
68 wash vats, nonproduct contact surfaces of milk containers, utensils,
69 and equipment, and other milk room equipment shall be clean. Only
70 articles directly related to milk room activities shall be permitted in
71 the milk room. The milk room shall be free of trash, animals, and
72 fowl.

73 7. Every dairy farm shall be provided with one (1) or more toilets,
74 conveniently located and properly constructed, operated, and main-
75 tained in a sanitary manner. The waste shall be inaccessible to flies
76 and shall not pollute the soil surface or contaminate any water sup-
77 ply.

78 8. Water for milk house and milking operations shall be from a
79 supply properly located, protected, and operated, and shall be easily
80 accessible, adequate, and of a safe, sanitary quality.

81 9. All multiuse containers, equipment, and utensils used in the
82 handling, storage, or transportation of milk shall be made of smooth,
83 nonabsorbent, corrosion-resistant, nontoxic materials, and shall be
84 so constructed as to be easily cleaned. All containers, utensils, and
85 equipment shall be in good repair. All milk pails used for hand milk-
86 ing and stripping shall be seamless and of the hooded type. Multiple-
87 use woven material shall not be used for straining milk. All single-
88 service articles shall have been manufactured, packaged, transported,
89 stored, and handled in a sanitary manner and shall comply with the
90 applicable requirements of this chapter. Articles intended for single-
91 service use shall not be reused.

92 10. Farm holding or cooling tanks, welded sanitary piping, and
93 transportation tanks shall comply with the applicable requirements
94 of this chapter.

95 11. The product-contact surfaces of all multiuse containers, equip-
96 ment, and utensils used in the handling, storage, or transportation of
97 milk shall be cleaned after each usage.

98 The product-contact surfaces of all multiuse containers, equipment,
99 and utensils used in the handling, storage, or transportation of milk
100 shall be sanitized before each usage.

101 All containers, utensils, and equipment used in the handling, stor-
102 age, or transportation of milk, unless stored in sanitizing solutions,
103 shall be stored to assure complete drainage and shall be protected
104 from contamination prior to use.

105 After sanitization, all containers, utensils, and equipment shall be
106 handled in such manner as to prevent contamination of any product-
107 contact surface.

108 12. Milking shall be done in the milking barn, stable, or parlor.
109 The flanks, udders, bellies, and tails of all milking cows shall be free
110 from visible dirt. All brushing shall be completed prior to milking.
111 The udders and teats of all milking cows shall be cleaned and treated
112 with a sanitizing solution just prior to the time of milking and shall
113 be relatively dry before milking. Wet hand milking is prohibited.

114 13. Surcingles, milk stools, and antikickers shall be kept clean and
115 stored above the floor.

116 14. Each pail or container of milk shall be transferred immediately
 117 from the milking barn, stable, or parlor to the milk house. No milk
 118 shall be strained, poured, transferred, or stored unless it is properly
 119 protected from contamination.

120 15. There shall be provided adequate hand-washing facilities, in-
 121 cluding running water, soap or detergent, and individual sanitary
 122 towels, in the milk house and in the milking barn, stable, or parlor,
 123 or convenient thereto.

124 16. Hands shall be washed clean and dried with an individual sani-
 125 tary towel immediately before milking, before performing any milk
 126 house function, and immediately after the interruption of any of
 127 these activities. Milkers and milk haulers shall wear clean outer
 128 garments while milking or handling milk, milk containers, utensils,
 129 or equipment.

130 17. Raw milk for pasteurization shall be cooled to fifty (50) de-
 131 grees Fahrenheit or less within two (2) hours after milking and shall
 132 be maintained at that temperature until delivered.

133 18. Vehicles used to transport milk in cans from the dairy farms
 134 to the milk plant or receiving station shall be constructed and oper-
 135 ated to protect their contents from sun, freezing, and contamination.
 136 Such vehicles shall be kept clean inside and out, and no substance
 137 capable of contaminating milk shall be transported with milk.

138 19. Effective measures shall be taken to prevent the contamination
 139 of milk, containers, equipment, and utensils by insects and rodents
 140 and by chemicals used to control such vermin. Milk rooms shall be
 141 free of insects and rodents. Surroundings shall be kept neat, clean,
 142 and free of conditions which might harbor or be conducive to the
 143 breeding of insects and rodents.

1 SEC. 17. Sanitation requirements for grade A pasteurized milk
 2 and milk products. A receiving station shall comply with subsections
 3 one (1) through fifteen (15), seventeen (17), twenty (20), and
 4 twenty-two (22) of this section; except, that the partitioning require-
 5 ment of subsection five (5) of this section shall not apply.

6 A transfer station shall comply with subsections one (1), four (4),
 7 six (6) through twelve (12), fourteen (14), fifteen (15), twenty
 8 (20), and twenty-two (22) of this section, and the applicable provi-
 9 sions of subsections two (2) and three (3) of this section as climatic
 10 and operating conditions require; except, in every case, overhead
 11 protection shall be provided.

12 Facilities for the cleaning and sanitizing of bulk transport tanks
 13 shall comply with subsections one (1), four (4), six (6) through
 14 twelve (12), fourteen (14), fifteen (15), twenty (20), and twenty-
 15 two (22) of this section, and the applicable provisions of subsections
 16 two (2) and three (3) of this section as climatic and operating con-
 17 ditions require; except, in every case, overhead protection shall be
 18 provided.

19 1. The floors of all rooms in which milk or milk products are proc-
 20 essed, handled, or stored, or in which milk containers, equipment,
 21 and utensils are washed, shall be constructed of concrete or other
 22 equally impervious and easily cleaned material and shall be smooth,
 23 properly sloped, provided with trapped drains kept in good repair;
 24 except, that cold-storage rooms used for storing milk and milk prod-

25 ucts need not be provided with floor drains when the floors are sloped
26 to drain to one (1) or more exits and storage rooms for storing dry
27 ingredients or packaging materials or both need not be provided with
28 drains and the floors may be constructed of tightly joined wood.

29 2. Walls and ceilings of rooms in which milk or milk products are
30 handled, processed, or stored, or in which milk containers, utensils,
31 and equipment are washed, shall have a smooth, washable, light-
32 colored surface in good repair.

33 3. Effective means shall be provided to prevent the access of flies
34 and rodents. All openings to the outside shall have solid doors or
35 glazed windows which shall be closed during dusty weather.

36 4. All rooms in which milk and milk products are handled, proc-
37 essed, or stored or in which milk containers, equipment, and utensils
38 are washed or both shall be well lighted and well ventilated.

39 5. There shall be separate rooms for:

40 a. Pasteurizing, processing, cooling, and packaging.

41 b. Cleaning of milk cans and bottles.

42 In addition, plants receiving milk in bulk transport tanks shall pro-
43 vide for cleaning and sanitizing facilities.

44 Unless all milk and milk products are received in bulk transport
45 tanks, a receiving room, separate from rooms *a* and *b* of this subsec-
46 tion, shall be required. Rooms in which milk or milk products are
47 handled, processed, or stored, or in which milk containers, utensils,
48 and equipment are washed or stored, shall not open directly into any
49 stable or any room used for domestic purposes.

50 6. Every milk plant shall be provided with toilet facilities con-
51 forming with the statutes of the state of Iowa. Toilet rooms shall not
52 open directly into any room in which milk or milk products or both
53 are processed. Toilet rooms shall be completely enclosed and shall
54 have tight-fitting, self-closing doors. Dressing rooms, toilet rooms,
55 and fixtures shall be kept in a clean condition and good repair and
56 shall be well ventilated and well lighted. Sewage and other liquid
57 wastes shall be disposed of in a sanitary manner.

58 7. Water for milk plant purposes shall be from a supply properly
59 located, protected, and operated and shall be easily accessible, ade-
60 quate, and of a safe, sanitary quality.

61 8. Convenient hand-washing facilities shall be provided, including
62 hot and cold or warm running water or both, soap, and individual
63 sanitary towels or other approved hand-drying devices. Hand-wash-
64 ing facilities shall be kept in a clean condition and in good repair.

65 9. All rooms in which milk and milk products are handled, proc-
66 essed, or stored, or in which containers, utensils, or equipment are
67 washed or stored, or both, shall be kept clean, neat, and free of evi-
68 dence of insects and rodents. Pesticides shall be safely used. Only
69 equipment directly related to processing operations or to the handling
70 of containers, utensils, and equipment shall be permitted in the pas-
71 teurizing, processing, cooling, packaging, and bulk milk storage
72 rooms.

73 10. All sanitary piping, fittings, and connections exposed to milk
74 and milk products or from which liquids may drip, drain, or be
75 drawn into milk or milk products shall consist of smooth, impervi-
76 ous, corrosion-resistant, nontoxic, easily cleanable material. All pip-

77 ing shall be in good repair. Pasteurized milk and milk products shall
78 be conducted from one (1) piece of equipment to another only
79 through sanitary piping.

80 11. All multiuse containers and equipment with which milk or milk
81 products come into contact shall be of smooth, impervious, corrosion-
82 resistant, nontoxic material, shall be constructed for ease of cleaning,
83 and shall be kept in good repair. All single-service containers, clos-
84 ures, gaskets, and other articles with which milk or milk products
85 come in contact shall be nontoxic, and shall have been manufactured,
86 packaged, transported, and handled in a sanitary manner. Articles
87 intended for single-service use shall not be reused.

88 12. The product-contact surfaces of all multiuse containers, uten-
89 sils, and equipment used in the transportation, processing, handling,
90 and storage of milk and milk products shall be effectively cleaned and
91 shall be sanitized before each use.

92 13. After cleaning, all multiuse milk or milk product containers,
93 utensils, and equipment shall be transported and stored to assure
94 complete drainage, and shall be protected from contamination before
95 use.

96 14. Single-service caps, cap stock, parchment paper, containers,
97 gaskets, and other single-service articles for use in contact with milk
98 and milk products shall be purchased and stored in sanitary tubes,
99 wrappings, or cartons, shall be kept therein in a clean, dry place until
100 used, and shall be handled in a sanitary manner.

101 15. Milk plant operations, equipment, and facilities shall be located
102 and conducted to prevent any contamination of milk or milk prod-
103 ucts, ingredients, equipment, containers, and utensils. All milk or
104 milk products or ingredients which have been spilled, overflowed, or
105 leaked shall be discarded. The processing or handling of products
106 other than milk and milk products in the pasteurization plant shall
107 be performed to preclude the contamination of such milk and milk
108 products.

109 16. Pasteurization shall be performed as defined in section six (6),
110 subsection one (1), of this Act.

111 17. All raw milk and milk products shall be maintained at fifty
112 (50) degrees Fahrenheit or less until processed. All pasteurized milk
113 and milk products, except those to be cultured, shall be cooled im-
114 mediately prior to filling or packaging in approved equipment to a
115 temperature of forty-five (45) degrees Fahrenheit or less. All pas-
116 teurized milk and milk products shall be stored at a temperature of
117 forty-five (45) degrees Fahrenheit or less. On delivery vehicles, the
118 temperature of milk and milk products shall not exceed fifty (50)
119 degrees Fahrenheit. Every room or tank in which milk or milk
120 products are stored shall be equipped with an accurate thermometer.

121 18. Bottling and packaging of milk and milk products shall be done
122 at the place of pasteurization in approved mechanical equipment.

123 19. Capping or closing of milk and milk product containers shall
124 be done in a sanitary manner by approved mechanical capping or
125 closing equipment, or both. The cap or closure shall protect the pour-
126 ing lip to at least its largest diameter.

127 20. Hands shall be thoroughly washed before commencing plant
128 functions and as often as may be required to remove soil and con-

129 tamination. No employee shall resume work after visiting the toilet
130 room without thoroughly washing his hands. All persons engaged in
131 the processing, pasteurization, handling, storage, or transportation
132 of milk, milk products, containers, equipment, and utensils shall wear
133 clean outer garments. The use of tobacco by any person while en-
134 gaged in the processing of milk or milk products is prohibited.

135 21. All vehicles used for transportation of pasteurized milk and
136 milk products shall be constructed and operated so that the milk and
137 milk products are protected from sun, from freezing, and from con-
138 tamination.

139 22. Milk plant surroundings shall be kept neat, clean, and free
140 from conditions which might attract or harbor flies, other insects, or
141 rodents, or which otherwise constitute a nuisance.

1 SEC. 18. All milk for pasteurization shall be from herds which
2 are located in a modified accredited tuberculosis area as determined
3 by the United States department of agriculture; except, that herds
4 located in an area that fails to maintain such accredited status shall
5 have been accredited by the department as tuberculosis free or shall
6 have passed an annual tuberculosis test.

7 All milk for pasteurization shall be from herds under a brucellosis
8 eradication program which meets one (1) of the following condi-
9 tions:

10 a. Is located in a certified brucellosis free area as defined by the
11 United States department of agriculture and enrolled in the testing
12 program for such areas.

13 b. Is located in a modified certified brucellosis area as defined by
14 the United States department of agriculture and enrolled in the test-
15 ing program for such areas.

16 c. Meets United States department of agriculture requirements for
17 an individually certified herd.

18 d. Is participating in a milk ring testing program which is con-
19 ducted on a continuing basis at intervals of not less than every three
20 (3) months or more than every six (6) months with individual blood
21 tests on all animals in herds showing suspicious reactions to the milk
22 ring test.

23 e. Is having an individual blood agglutination test annually with
24 an allowable maximum grace period not exceeding two (2) months.

25 For diseases other than brucellosis and tuberculosis, the secretary
26 shall require such physical, chemical, or bacteriological tests as he
27 deems necessary. The diagnosis of other diseases in dairy cattle shall
28 be based upon the findings of a licensed veterinarian or a veterinar-
29 ian in the employ of an official agency. Any diseased animal disclosed
30 by such test shall be disposed of as the secretary directs.

1 SEC. 19. Except as permitted in this chapter, no milk producer or
2 distributor shall transfer milk or milk products from one (1) con-
3 tainer or tank truck to another on the street, in any vehicle, store, or
4 in any place except a milk plant, receiving station, transfer station,
5 or milk house especially used for that purpose. The dipping or ladling
6 of milk or fluid milk products is prohibited.

1 SEC. 20. It shall be unlawful to sell or serve any milk or fluid
2 milk product except in the individual, original container received

3 from the distributor or from an approved bulk dispenser; except,
4 this prohibition shall not apply to milk for mixed drinks requiring
5 less than one-half ($\frac{1}{2}$) pint of milk, or to cream, whipped cream, or
6 half-and-half which is consumed on the premises and which may be
7 served from the original container of not more than one-half ($\frac{1}{2}$)
8 gallon capacity, or from a bulk dispenser approved for such service
9 by the secretary or authorized municipal corporation.

1 SEC. 21. It shall be unlawful to sell or serve any pasteurized milk
2 or milk product which has not been maintained at a temperature of
3 forty-five (45) degrees Fahrenheit or less except as authorized in
4 section seventeen (17), subsection seventeen (17), of this Act. If
5 containers of pasteurized milk or milk products are stored in ice, the
6 storage container shall be properly drained.

1 SEC. 22. Milk and milk products from points beyond the limits of
2 the state of Iowa may be sold in Iowa provided they are produced and
3 pasteurized under regulations which are substantially equivalent to
4 this chapter and chapters one hundred ninety (190) and one hundred
5 ninety-one (191) of the Code and have been awarded an acceptable
6 milk sanitation compliance and enforcement rating made by a state
7 milk sanitation rating officer certified by the United States public
8 health service.

1 SEC. 23. Properly prepared plans for all milk houses, milking
2 barns, stables, parlors, transfer stations, receiving stations, and milk
3 plants regulated under this chapter which are hereafter constructed,
4 reconstructed, or extensively altered, shall be submitted to the sec-
5 retary or authorized municipal corporation for written approval
6 before work is begun.

1 SEC. 24. No person affected with any disease in a communicable
2 form or while a carrier of such disease shall work at any dairy farm
3 or milk plant in any capacity which brings him into contact with the
4 production, handling, storage, or transportation of milk, milk prod-
5 ucts, containers, equipment, and utensils. No dairy farm or milk
6 plant operator shall employ in any such capacity any such person,
7 or any person suspected of having any disease in a communicable
8 form, or of being a carrier of such disease. Any producer or distribu-
9 tor of milk or milk products, upon whose dairy farm, or in whose milk
10 plant any communicable disease occurs, or who suspects that any
11 employee has contracted any disease in a communicable form, or has
12 become a carrier of such disease shall immediately notify the secre-
13 tary or authorized municipal corporation.

1 SEC. 25. When reasonable cause exists to suspect the possibility
2 of transmission of infection from any person concerned with the
3 handling of milk or milk products, or both, the secretary or author-
4 ized municipal corporation may require any and all of the following
5 measures:

- 6 1. The immediate exclusion of that person from milk handling.
- 7 2. The immediate exclusion of the milk supply concerned from dis-
8 tribution and use.

9 3. Adequate medical and bacteriological examination of the person,
10 of his associates, and of his and their body discharges.

1 SEC. 26. This chapter and chapters one hundred ninety (190)
2 and one hundred ninety-one (191) of the Code shall be enforced by
3 the secretary or municipal corporations, which have entered into
4 agreements with him under section seven (7) of this Act, both of
5 whom shall make regulations which shall conform to the Grade "A"
6 Pasteurized Milk Ordinance with Administrative Procedures—1965
7 Recommendations of the United States Public Health Service, a cer-
8 tified copy of which shall be on file at the secretary's office or the
9 office of the clerk of an authorized municipal corporation. Where the
10 mandatory compliance with provisions of the appendixes therein is
11 specified, such provisions shall be deemed a requirement of said
12 chapters.

1 SEC. 27. The state department of health shall annually survey
2 and certify all milk labeled grade A pasteurized and grade A raw
3 milk for pasteurization, and, in the event a survey shows the require-
4 ments for production, processing, and distribution for such grade are
5 not being complied with, the fact thereof shall be certified by the
6 state department of health to the secretary of agriculture who shall
7 proceed with the provisions of section five (5) of this Act for sus-
8 pending the permit of the violator or who, if he did not issue such
9 permit, shall withdraw the grade A declared on the label.

1 SEC. 28. Any person who shall violate any of the provisions of
2 chapters one hundred ninety (190), one hundred ninety-one (191),
3 and one hundred ninety-two (192) of the Code may be enjoined from
4 continuing such violations. Each day upon which such a violation
5 occurs shall constitute a separate violation.

1 SEC. 29. A pasteurized milk and milk products sanitation compli-
2 ance rating of ninety (90) percent or more calculated according to
3 the rating system as contained in Public Health Service Publication
4 No. 678, "Method of Making Sanitation Ratings of Milk Sheds",
5 shall be necessary to receive or retain a permit under Section [five]*
6 5 of this Act. Said publication is hereby incorporated into this sec-
7 tion by this reference and made a part hereof insofar as applicable,
8 a copy of which shall be on file in the office of the secretary or the
9 office of the clerk of an authorized municipal corporation at all times.

1 SEC. 30. Section one hundred ninety-two point forty (192.40),
2 Code 1966, is hereby repealed and the following enacted in lieu there-
3 of:

4 "To insure uniformity in the tests and reporting, an employee cer-
5 tified by the United States public health service of the bacteriological
6 laboratory of the department shall annually certify all laboratories
7 doing work in the sanitary quality of milk and dairy products for
8 public report. Such approval by the department shall be based on the
9 evaluation of these laboratories as to personnel training, laboratory
10 methods used, and reporting. The results on tests made by approved
11 laboratories shall be reported to the department on request, on forms

*Word supplied by editor, §3.1(3).

12 prescribed by the secretary of agriculture, and such reports may be
13 used by the department.

14 "The department shall annually certify every laboratory in the
15 state doing work in the sanitary quality of milk and dairy products
16 for public report. The certifying officer may enter any such place at
17 any reasonable hour to make such survey. The management of the
18 laboratory shall afford free access to every part of the premises and
19 render all aid and assistance necessary to enable the certifying officer
20 to make a thorough and complete examination."

1 SEC. 31. Section one hundred ninety-four point three (194.3),
2 Code 1966, is hereby amended by adding thereto the following new
3 subsection:

4 " 'Milk used for manufacturing purposes' means milk or milk prod-
5 ucts manufactured into butter, cheese, ungraded dry milk or other
6 dairy products except milk and milk products as defined in chapter
7 one hundred ninety (190) of the Code."

1 SEC. 32. Section three hundred sixty-eight point twenty-five
2 (368.25), Code 1966, is hereby amended by striking all of such sec-
3 tion after the word "consumption." in line nine (9).

1 SEC. 33. Section one hundred seventy-eight point two (178.2),
2 Code 1966, is hereby amended by striking therefrom subsection one
3 (1).

1 SEC. 34. This Act shall be effective July 1, 1967, except grade A
2 raw milk and pasteurized milk—grade not declared—may be sold in
3 Iowa until July 1, 1968.

Approved May 18, 1967.

CHAPTER 182
CHEESE STANDARDS
S. F. 259

AN ACT relating to the specifications and standards for 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 1966, is hereby amended by striking from line seven (7) of subsection
3 four (4) of such section the number "1964" and inserting in lieu
4 thereof the number "1966".

Approved May 5, 1967.

CHAPTER 183

SOYBEAN OIL MILK-TYPE PRODUCT

S. F. 186

AN ACT relating to the production and sale of a milk-type product to which edible soybean oil has been added.

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

- 1 SECTION 1. Section one hundred ninety point five (190.5), Code
 2 1966, is hereby amended by adding thereto the following:
 3 "Provided however, that it shall be lawful to produce and sell a
 4 condensed or evaporated milk product in which the milk fat has been
 5 replaced by an edible vegetable fat made from soybean oil. Such a
 6 product shall be given a distinctive name to distinguish it from natu-
 7 ral, condensed, or evaporated milk, which name shall not include the
 8 words 'milk' or 'milk products' or any derivative thereof, and the label
 9 under which such a product is sold at retail shall clearly state the
 10 vegetable fat content of the product."

Approved April 21, 1967.

CHAPTER 184

PACKAGING MARGARINE

S. F. 146

AN ACT relating to the manufacturing, storage, and packaging of oleo, oleomargarine or margarine.

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

- 1 SECTION 1. Section one hundred ninety-one point two (191.2),
 2 Code 1966, is hereby amended by striking from subsection three (3)
 3 lines forty-six (46) through fifty-six (56).

Approved March 10, 1967.

CHAPTER 185

COMMERCIAL FEEDS

S. F. 149

AN ACT requiring all distributors of commercial feeds to file semi-annual tonnage statements with the department of agriculture.

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

- 1 SECTION 1. Section one hundred ninety-eight point seven (198.7),
 2 Code 1966, is hereby amended as follows:
 3 1. By striking from lines one (1) and two (2) of subsection four
 4 (4) of such section the words " , except as hereinafter provided,".

5 2. By inserting in line thirteen (13) of paragraph *a* of subsection
6 four (4) a period after the word "fee" and by striking from lines
7 thirteen (13) through fifteen (15) the words "unless he is specifically
8 exempted by subsection one (1) of this section."

Approved May 18, 1967.

CHAPTER 186

FERTILIZER INSPECTION FEE

S. F. 147

AN ACT establishing a minimum inspection fee for small packages of commercial fertilizer.

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

1 SECTION 1. Section two hundred point four (200.4), subsection
2 one (1), Code 1966, is hereby amended by adding thereto the follow-
3 ing:

4 "This subsection shall not apply to a manufacturer who manufac-
5 tures 'specialty fertilizer' only, as defined in subsection five (5) of
6 section two hundred point three (200.3) of the Code, in packages of
7 twenty-five pounds or less."

1 SEC. 2. Section two hundred point eight (200.8), subsection one
2 (1), Code 1966, is hereby amended by striking lines thirteen (13)
3 through eighteen (18) of said subsection and inserting in lieu thereof
4 the following:

5 "On individual packages of specialty fertilizer containing twenty-
6 five pounds or less, there shall be paid in lieu of the annual license fee
7 and the semiannual inspection fee as set forth in this chapter, an
8 annual registration and inspection fee of twenty-five dollars for each
9 brand and grade sold or distributed in the state. In the event that any
10 person sells specialty fertilizer in packages of twenty-five pounds or
11 less and also in packages of more than twenty-five pounds, this annual
12 registration and inspection fee shall apply only to that portion sold in
13 packages of twenty-five pounds or less, and that portion sold in pack-
14 ages of more than twenty-five pounds shall be subject to the same
15 inspection fee as fixed by the secretary of agriculture as provided in
16 this chapter."

17 Section two hundred point eight (200.8), Code 1966, is further
18 amended by adding to paragraph *a* of subsection two (2) the follow-
19 ing:

20 "However, in lieu of the semiannual statement by grade for each
21 county, as hereinabove provided for, the registrant, on individual
22 packages of commercial fertilizer containing twenty-five pounds or
23 less, shall file not later than the last day of July of each year, on forms
24 furnished by the secretary, an annual statement setting forth the
25 number of net tons of commercial fertilizer distributed in this state
26 by grade during the preceding twelve-month period, but no inspection
27 fee shall be due thereon."

1 SEC. 3. Section two hundred point eight (200.8), Code 1966, is
 2 amended by inserting in line one (1) of subsection two (2) after the
 3 word "licensee" the words "and any person required to pay an annual
 4 registration and inspection fee".

Approved June 26, 1967.

CHAPTER 187

FERTILIZER TONNAGE REPORT

S. F. 144

AN ACT establishing a penalty for failure to file a semiannual fertilizer tonnage report.

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

1 SECTION 1. Section two hundred point eight (200.8), Code 1966,
 2 is hereby amended by striking paragraph *b* of subsection two (2) of
 3 such section and inserting in lieu thereof the following:
 4 "If the tonnage report is not filed or the payment of inspection fees,
 5 or both, is not made within ten (10) days after the last day of January
 6 and July of each year as required in paragraph *a* of this subsection, a
 7 penalty amounting to ten (10) percent of the amount due, if any, shall
 8 be assessed against the licensee. In any case, the penalty shall be no
 9 less than fifty (50) dollars. The amount of fees due, if any, and pen-
 10 alty shall constitute a debt and become the basis of a judgment against
 11 the licensee."

Approved May 11, 1967.

CHAPTER 188

AGRICULTURAL LIME

H. F. 713

AN ACT relating to agricultural lime.

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

1 SECTION 1. Chapter two hundred one (201), Code 1966, is hereby
 2 repealed and sections two (2) through sixteen (16) enacted in lieu
 3 thereof:

1 SEC. 2. When used in this Act, unless the context otherwise re-
 2 quires:

3 1. "Agricultural lime", "limestone" or "aglime" shall include all
 4 calcium and magnesium products sold for agricultural purposes in the
 5 oxide, hydrate, or carbonate form; such form being designated as
 6 quicklime, hydrated lime, carbonate of lime, and crushed or ground
 7 limestone.

8 2. "ASCS" shall mean Iowa agricultural stabilization and conserva-
 9 tion service state office of the United States department of agriculture.

- 10 3. "ECCE" shall mean effective calcium carbonate equivalent.
 11 4. "Number four (4)", "number eight (8)" and "number sixty
 12 (60)" mesh sieve as used herein shall mean four (4), eight (8) and
 13 sixty (60) meshes respectively per linear inch, according to the speci-
 14 fications of the American society for testing materials.
 15 5. "Permanent fixed plants" as used in this Act shall mean station-
 16 ary crushing and screening equipment which is immobile.
 17 6. "Portable plants" as used in this Act shall mean mobile crushing
 18 and screening equipment mounted on wheels.
 19 7. "Ton" shall mean two thousand (2,000) avoirdupois pounds.

1 SEC. 3. Before any person shall sell, offer for sale, or dispose of in
 2 this state any agricultural lime to be used for soil fertility or the cor-
 3 rection of soil acidity, such person shall file with the secretary of
 4 agriculture an acceptable application for a license to sell, together
 5 with the license fee, on or before January 31 of each year. The appli-
 6 cation shall be sworn to before a notary public, or other proper official,
 7 stating the name of the manufacturer or shipper, the location of the
 8 principal office of the manufacturer or shipper, and the name, brand,
 9 or trademark under which the agricultural lime will be sold.

1 SEC. 4. The annual license fee shall be twenty-five (25) dollars.

1 SEC. 5. Upon the acceptance of the application and the proper fee,
 2 the secretary of agriculture shall issue a license for the current year.
 3 The payment of such license fee shall exempt any agent or dealer of a
 4 licensee from the licensing requirements of this Act. All licenses shall
 5 expire on January 31 of each year.

1 SEC. 6. Agricultural lime, limestone or aglime sold, offered, or
 2 exposed for sale in this state shall be analyzed on the basis of the
 3 number of pounds of effective calcium carbonate equivalent per ton,
 4 using the method set forth in subsections one (1), two (2), and three
 5 (3) of this section:

- 6 1. A fineness factor shall be determined as follows:
 7 a. Multiply the percent of the total material passing the number
 8 four (4) sieve by one-tenth ($\frac{1}{10}$).
 9 b. Multiply the percent of the total material passing the number
 10 eight (8) sieve by three-tenths ($\frac{3}{10}$).
 11 c. Multiply the percent of the total material passing the number
 12 sixty (60) sieve by six-tenths ($\frac{6}{10}$).
 13 Add the results obtained from paragraphs *a*, *b*, and *c* of this subsection
 14 to obtain the fineness factor.
 15 2. Multiply the fineness factor obtained by using the method set
 16 forth in subsection one (1) of this section by the percent of calcium
 17 carbonate equivalent in the agricultural lime, limestone, or aglime to
 18 obtain the percent of ECCE.
 19 3. The number of pounds of ECCE per ton of agricultural lime, lime-
 20 stone, or aglime shall be determined by multiplying two thousand
 21 (2,000) pounds by the percent of ECCE determined as provided in
 22 subsection two (2) of this section.

1 SEC. 7. Samples of agricultural lime, limestone, or aglime within
 2 the meaning of this Act for analyzing the number of pounds of ECCE

3 shall be obtained by taking such sample from the manufacturer's or
4 producer's production belt as the material is being produced. Sam-
5 pling of stockpiles shall be made only when there is a stockpile having
6 no certification of ECCE, as herein provided. Samples shall be taken
7 at locations where there are permanent fixed plants once each calendar
8 month during the months in which agricultural lime, limestone, or
9 aglime is being manufactured or produced. Samples shall be taken at
10 locations where there is no permanent fixed plant once during the first
11 week that a portable plant is at a location and manufacturing or pro-
12 ducing agricultural lime, limestone, or aglime, and once each week
13 thereafter during the period that the portable plant is at the location
14 and manufacturing or producing agricultural lime, limestone, or
15 aglime until a total of five (5) representative samples have been ac-
16 cumulated and submitted for analysis, after which a sample shall be
17 obtained and tested once each calendar month during the months in
18 which agricultural lime, limestone, or aglime is being manufactured
19 or produced. Samples from production belts shall be taken by the
20 manufacturer or producer in the presence of a person or persons ap-
21 pointed by the secretary of agriculture. Samples from stockpiles,
22 where stockpile sampling is authorized in this section, shall be taken
23 by a person or persons appointed by the secretary of agriculture. The
24 manufacturer or producer of agricultural lime, limestone or aglime
25 shall notify the secretary of agriculture or person or persons appointed
26 by him of the manufacture or production of agricultural lime, lime-
27 stone, or aglime so that samples may be taken in compliance with this
28 section.

1 SEC. 8. Samples of agricultural lime, limestone, or aglime taken
2 as provided in section seven (7) of this Act may be submitted by the
3 secretary of agriculture, or person or persons appointed by him, to
4 the Iowa state university of science and technology for analyzing in
5 accordance with the provisions of section six (6) of this Act. The
6 results of the analysis of each sample shall be submitted to the secre-
7 tary of agriculture.

1 SEC. 9. The secretary of agriculture shall, upon receipt of the
2 analysis provided in section eight (8) of this Act certify the number
3 of pounds of ECCE, using the method provided in section six (6) of
4 this Act, to the manufacturer or producer from whom the sample was
5 obtained by written notice and forwarded by United States mail. The
6 effective date of the certification shall be on a Monday but not less than
7 seven (7) days from date of mailing and the date of mailing shall not
8 be counted as one of the seven (7) days.

9 Each certification of ECCE shall be based on the average of a maxi-
10 mum of five (5) analyses obtained from five (5) samples. Each new
11 analysis received shall be added to the previous five (5) analyses and
12 the oldest analysis shall be omitted. Less than five (5) analyses shall
13 be averaged on the basis of the actual number of analyses. Nothing
14 in this Act shall preclude a manufacturer or producer from having a
15 certification on separate stockpiles of agricultural lime, limestone or
16 aglime, provided that such separate stockpiles shall be separated from
17 any other stockpile and such separate stockpiles shall have been sam-
18 pled as provided in this Act.

1 SEC. 10. The secretary of agriculture may adopt the certification
2 of pounds of ECCE issued by the ASCS and if adopted shall constitute
3 compliance with this Act.

1 SEC. 11. The certification of pounds of ECCE on the effective date
2 of this Act shall be those issued and in effect on that date by the
3 ASCS, the same as if they had been issued by the Iowa secretary of
4 agriculture.

1 SEC. 12. All agricultural lime, limestone or aglime sold, offered, or
2 exposed for sale shall be sold, offered, or exposed for sale by the pound
3 of ECCE. Any person who shall sell, offer, or expose for sale or who
4 shall ship, transport, or deliver agricultural lime, limestone, or aglime
5 shall affix, or cause to be affixed, to every bill of lading, scale ticket,
6 ticket, delivery receipt or other instrument of sale, shipping or deliv-
7 ery, plainly thereon in the English language, the certification of the
8 secretary of agriculture of the number of pounds of ECCE per ton in
9 the agricultural lime, limestone or aglime, and the name, brand, or
10 trademark under which the agricultural lime, limestone or aglime is
11 sold, the name of the manufacturer, producer or shipper, and the loca-
12 tion of the principal office of the manufacturer, producer or shipper.
13 The certification shall be in the following form:

14 "Iowa Secretary of Agriculture Certified
15 pounds ECCE per ton."

16 The pounds of ECCE certified by the secretary of agriculture for the
17 agricultural lime, limestone, or aglime shall be inserted in the space
18 provided.

19 In case the secretary of agriculture shall adopt the certification of
20 number of pounds of ECCE of the ASCS, the following form will effect
21 full compliance with this section:

22 "ASCS certified pounds ECCE per ton."

1 SEC. 13. Whoever sells, offers for sale, or exposes for sale or dis-
2 tribution any bulk agricultural lime, limestone, or aglime without
3 complying with the provisions of this Act, or permits any certification
4 to accompany or be printed or stamped on any bill of lading, scale
5 ticket, ticket, or delivery receipt or other instrument of sale, shipping
6 or delivery, stating that the agricultural lime, limestone, or aglime
7 contains a different number of pounds of ECCE than certified as pro-
8 vided in this Act, or who shall adulterate any agricultural lime, lime-
9 stone, or aglime with foreign mineral matter or other foreign sub-
10 stances, or who shall adulterate the same with any substance injurious
11 to the growth of plants, or make any false report, shall be deemed
12 guilty of a misdemeanor. On conviction thereof, such person shall be
13 fined not less than fifty (50) dollars nor more than one hundred (100)
14 dollars. The secretary of agriculture may revoke the license of any
15 person so convicted.

16 In all litigation arising from the purchase, sale, or disposal of any
17 agricultural lime, limestone, or aglime, in which the composition of
18 the same may be involved, a certified copy of the official analysis shall
19 be accepted as prima facie evidence of the composition of such agri-
20 cultural lime, limestone, or aglime. The possession of agricultural
21 lime, limestone, or aglime, in any building, room, railroad equipment,
22 store, storeroom, warehouse, truck, or other place within this state,

23 except by a person who has the same for his private use, without com-
24 plying with the provisions of this Act relative to agricultural lime,
25 shall be prima facie evidence of keeping the same for the purpose of
26 selling or disposal. In all prosecutions under this Act, a justice of the
27 peace, police judge, or mayor shall have jurisdiction with the right of
28 appeal to the district court by certiorari.

29 It shall be the duty of the secretary of agriculture or his deputized
30 representative to bring prosecution for all violations under the pro-
31 visions of this Act. Action may be commenced by the attorney general
32 when requested to do so by the secretary. A person authorized by law
33 to prosecute a case under the provisions of this Act shall not be re-
34 quired to advance or secure costs therein. If the defendant is acquitted
35 or discharged from custody, or if he is convicted and committed in
36 default of the payment of fine and costs, such costs shall be certified
37 under oath by the court to the county auditor who shall, when verified,
38 issue a warrant on the county treasurer payable to the person or per-
39 sons entitled thereto. The secretary of agriculture shall rest his prose-
40 cution under this Act on samples collected as provided in section seven
41 (7) of this Act.

1 SEC. 14. The secretary of agriculture is hereby empowered to pre-
2 scribe and enforce such rules and regulations relating to agricultural
3 lime, limestone, or aglime as may be deemed necessary to carry into
4 effect the full intent and meaning of this Act, including establishing
5 and collecting a reasonable fee from the producers of agricultural lime
6 to cover the cost of obtaining samples and analyzing same as pre-
7 scribed in section seven (7) and section eight (8) of this Act, and to
8 refuse the registration of any agricultural lime, limestone, or aglime
9 under a name or claim which would be misleading.

1 SEC. 15. The moneys received under the provisions of this Act
2 shall be paid into the state treasury. The secretary of agriculture
3 shall issue a quarterly report showing a statement of moneys received
4 from license fees for the sale of agricultural lime, limestone or aglime,
5 and of fines collected from prosecutions in the enforcement of this Act.
6 The secretary shall also issue a quarterly report, which shall be avail-
7 able to the public, showing the certifications of ECCE for all agricul-
8 tural lime, limestone, or aglime certified as provided in this Act, which
9 report shall be by manufacturer or producer and location or locations.
10 The reports required by this section shall be issued not later than
11 twenty (20) days after March 31, June 30, September 30, and Decem-
12 ber 31.

1 SEC. 16. Any person who shall obstruct the secretary of agricul-
2 ture or his agents or representatives when in the discharge of any
3 duty or duties prescribed by this Act shall be deemed to be guilty of a
4 misdemeanor and upon conviction thereof shall be punished by a fine
5 of not less than ten (10) dollars nor more than one hundred (100)
6 dollars for the first offense, and for each subsequent offense by a fine
7 of not less than fifty (50) dollars nor more than thirty (30) days in
8 jail, or by both such fine and imprisonment.

Approved June 26, 1967.

CHAPTER 189

DEPRESSANT, STIMULANT AND HALLUCINOGENIC DRUGS

H. F. 285

AN ACT relating to the regulation and control of depressant, stimulant and counterfeit drugs, including drugs having a hallucinogenic effect.

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

1 SECTION 1. As used in this Act, unless the context otherwise re-
2 quires:

3 1. "Board" means the board of pharmacy examiners.

4 2. "Person" means an individual, partnership, corporation, and as-
5 sociation.

6 3. "Federal Act" means the Federal Food, Drug, and Cosmetic Act,
7 52 Stat. 1040 (1938), 21 U.S.C. sections 301-392 and all amendments
8 thereto prior to the effective date of this Act.

9 4. "Drug" is as defined in chapter two hundred three A (203A) of
10 the Code.

11 5. "Counterfeit drug" means a drug, container or label which with-
12 out authorization bears the trademark, trade name, or other identify-
13 ing mark, imprint, or device, or any likeness thereof of a drug manu-
14 facturer, processor, packer, or distributor other than the person or
15 persons who in fact manufactured, processed, packed, or distributed
16 such drug and which thereby falsely represents the origin of the drug.

17 6. "Depressant or stimulant drug" means any one of the following:
18 a. Any drug which contains any quantity of barbituric acid or any
19 of the salts of barbituric acid; or any derivative of barbituric acid
20 which has been designated under section 502 (d) of the Federal Act as
21 habit-forming.

22 b. Any drug which contains any quantity of amphetamine or any of
23 its optical isomers; any salt of amphetamine or any salt of an optical
24 isomer of amphetamine; or any substance designated by regulations
25 promulgated under the Federal Act as habit-forming because of its
26 stimulant effect on the central nervous system.

27 c. Any drug, or other substance having a hallucinogenic effect, which
28 contains any quantity of a substance designated by regulations pro-
29 mulgated under the Federal Act as having a potential for abuse be-
30 cause of its depressant or stimulant effect on the central nervous
31 system.

32 7. The terms "manufacture", "dispense", "compound", or "process"
33 include re-packaging or otherwise changing the container, wrapper, or
34 labeling of any drug package in the process of distributing the drug
35 from the original place of manufacture to the ultimate consumer.

36 8. "Medical practitioner" means a physician, dentist, veterinarian,
37 or any other person licensed in this state to prescribe or administer
38 drugs which are subject to this Act.

1 SEC. 2. Section three (3) of this Act shall not apply to the follow-
2 ing:

3 1. Manufacturers, dispensers, compounders, and processors, oper-
4 ating in conformance with the laws of this state relating to the manu-
5 facture, dispensing, compounding or processing of drugs, who are
6 regularly engaged in preparing pharmaceutical chemicals or prescrip-

7 tion drugs for distribution through branch outlets, through wholesale
8 druggists, or by direct shipment:

9 a. To pharmacies, hospitals, clinics, public health agencies for dis-
10 pensing by registered pharmacists upon prescriptions, or for dispens-
11 ing or other use by or under the supervision of a medical practitioner
12 acting in the course of his professional practice; or

13 b. To laboratories or research or educational institutions for their
14 use in research, teaching, or chemical analysis.

15 2. Suppliers, operating in conformance with the laws of this state
16 relating to the manufacture, dispensing, compounding or processing
17 of drugs, of manufacturers, dispensers, compounders, and processors
18 referred to in subsection one (1) of this section.

19 3. Wholesale druggists who maintain their establishments in con-
20 formance with state and local laws relating to the manufacture, dis-
21 pensing, compounding or processing of drugs and regularly supply
22 prescription drugs to the persons and institutions enumerated in para-
23 graphs *a.* and *b.* of subsection one (1) of this section.

24 4. Pharmacies, hospitals, clinics and public health agencies which
25 maintain their establishments in conformance with state and local
26 laws regulating the practice of pharmacy and medicine when such
27 institutions are administering or dispensing drugs upon an order or
28 prescription of a medical practitioner acting in the course of his pro-
29 fessional practice.

30 5. Medical practitioners acting in the course of their professional
31 practice.

32 6. Persons who use depressant or stimulant drugs in research,
33 teaching, or chemical analysis and not for sale.

34 7. Officers and employees of this state, or of a political subdivision
35 of this state or of the United States while acting in the course of their
36 official duties.

37 8. An employee or agent of any person described in subsections one
38 (1) through six (6) of this section, and a nurse or other medical tech-
39 nician under the supervision of a medical practitioner while such em-
40 ployee, nurse, or medical technician is acting in the course of his em-
41 ployment or occupation and not on his own account.

42 9. A common or contract carrier or warehouseman, or an employee
43 thereof, whose possession of any drug is in the usual course of his
44 business or employment.

45 10. Depressant or stimulant drugs exempted under section 511(f)
46 of the Federal Act.

47 11. Substances sold, given, delivered, dispensed, possessed or ob-
48 tained for use as commercial feeds and defined in section one hundred
49 ninety-eight point three (198.3) of the Code.

50 12. Peyote used in bona fide religious ceremonies of the Native
51 American Church; however, persons supplying the product to the
52 church are required to register and maintain appropriate records of
53 receipts and disbursements of the article.

1 SEC. 3. It shall be unlawful for any person to:

2 1. Sell, deliver, give, dispense or otherwise make available to any
3 person any depressant, stimulant, or counterfeit drug.

4 2. Possess any depressant, stimulant, or counterfeit drug unless the
5 drug was obtained upon a valid prescription issued by a medical prac-

6 titioner licensed under the laws of this state or any other state or ter-
7 ritory of the United States and is held in the original container in
8 which the drug was delivered; or the drug was delivered by a medical
9 practitioner in the course of his professional practice and is held in
10 the immediate container in which the drug was delivered.

11 3. Obtain or attempt to obtain a depressant or stimulant drug by:

12 a. Fraud, deceit, misrepresentation, or subterfuge.

13 b. Falsely assuming the title of or representing himself to be a
14 manufacturer, wholesaler, medical practitioner, pharmacist, owner of
15 a pharmacy, or other person authorized to possess stimulant or de-
16 pressant drugs.

17 c. The use of a forged or altered prescription.

18 d. The use of a false name or a false address on a prescription.

19 This subsection shall not apply to drug manufacturers, their agents
20 or employees, when such manufacturers are authorized to engage in
21 and are actually engaged in investigative activities directed solely
22 toward the safeguarding of said drug manufacturer's trademark.

23 4. Manufacture, dispense, compound or process in this state any
24 depressant or stimulant drug.

25 5. Make, sell, possess or dispose of any punch, die, plate, stone, or
26 other thing designed to print, imprint, or reproduce the trademark,
27 trade name, or other identifying mark, imprint, or device of another
28 or any likeness of any of the foregoing upon any drug or container or
29 labeling thereof so as to render such drug a counterfeit drug.

30 6. Do any act which causes a drug to be a counterfeit drug, or sell,
31 dispense, or hold for sale a counterfeit drug.

1 SEC. 4. Every person engaged in manufacturing, dispensing, com-
2 pounding, processing, selling, delivering or otherwise disposing of any
3 depressant or stimulant drug shall maintain, and preserve for a period
4 of at least five (5) years, complete and accurate records:

5 1. Of all stocks of such depressant and stimulant drugs on hand on
6 the effective date of this Act except that if this record has already been
7 prepared in accordance with section 511(d) of the Federal Act, no
8 additional record shall be required if the records prepared under the
9 Federal Act are retained for five (5) years.

10 2. Of the kind and quantity of each such depressant and stimulant
11 drug manufactured, compounded, or processed and the date of such
12 manufacture, compounding, or processing.

13 3. Of each such depressant and stimulant drug received, sold, de-
14 livered, or otherwise disposed of, the name and address from whom
15 the drug was received and to whom it was transferred and the date of
16 such transaction.

1 SEC. 5. Every person required by this Act to keep records, and
2 any carrier maintaining records with respect to any shipment contain-
3 ing any depressant or stimulant drug shall, upon request of an officer
4 or employee designated by the secretary of the board, permit such
5 officer or employee at reasonable times to have access to and copy such
6 records. For the purpose of verifying such records and enforcing this
7 Act, officers or employees designated by the secretary of the board
8 may enter at reasonable times any place or vehicle in which any de-
9 pressant or stimulant drug is held, manufactured, dispensed, com-

10 pounded, processed, sold, delivered, or otherwise disposed of and in-
11 spect such place or vehicle, and the contents thereof.

1 SEC. 6. Sections four (4) and five (5) of this Act shall not apply
2 to a medical practitioner unless the medical practitioner regularly
3 engages in dispensing any depressant or stimulant drug to his patients
4 for which they are charged, either separately or together with charges
5 for other professional services.

1 SEC. 7. No prescription for any depressant or stimulant drug may
2 be filled or refilled more than six (6) months after the date on which
3 the prescription was issued and no prescription which is authorized
4 to be refilled may be refilled more than five (5) times, except that noth-
5 ing in this Act shall prevent a medical practitioner from issuing a new
6 prescription for the same drug either in writing or orally. Any oral
7 prescription shall be promptly reduced to writing on a prescription
8 blank and filed by the pharmacist filling the prescription.

1 SEC. 8. Any officer or employee of the board designated by the sec-
2 retary of the board to conduct examinations, investigations, or inspec-
3 tions under this Act relating to depressant, stimulant or counterfeit
4 drugs shall have all the powers of other peace officers and may arrest
5 without warrant for offenses under this Act committed in his presence
6 or, in the case of a felony, if he has probable cause to believe that the
7 person arrested has committed or is committing such offense. Such
8 officers and employees shall have the same powers as other peace offi-
9 cers to seize drugs or articles used in the manufacture or sale of drugs
10 which they have reasonable grounds to believe are in violation of this
11 Act. Such drugs or articles shall be subject to condemnation.

1 SEC. 9. The board shall promulgate regulations to carry out this
2 Act, and such regulations shall conform, insofar as practicable, with
3 those promulgated under the Federal Act.

1 SEC. 10. Any person who violates any of the provisions of this Act
2 shall be guilty of a felony and shall, upon conviction for a first offense,
3 be subject to a fine of not more than one thousand (1,000) dollars or
4 imprisonment for not more than one (1) year, or both such fine and
5 imprisonment. On conviction for the second or any subsequent offense,
6 such person shall be subject to a fine of not more than two thousand
7 (2,000) dollars or imprisonment for not more than five (5) years, or
8 both such fine and imprisonment.

1 SEC. 11. Any person eighteen (18) years of age or more who is
2 convicted for a violation of subsection one (1) of section three (3) of
3 this Act by selling, delivering, or otherwise making available any de-
4 pressant or stimulant drug to a person under twenty-one (21) years
5 of age shall, for a first offense, be subject to a fine of not more than
6 two thousand (2,000) dollars or imprisonment for not more than five
7 (5) years, or both such fine and imprisonment. On conviction for the
8 second or any subsequent offense, such person shall be subject to a fine
9 of not more than five thousand (5,000) dollars or imprisonment for
10 not more than twenty (20) years, or both such fine and imprisonment.

1 SEC. 12. The board may bring ordinary civil proceedings to en-
2 force this Act or to enjoin any person from violation of the Act.

1 SEC. 13. The attorney general or the county attorney where an
2 offense is committed shall cause appropriate proceedings to be insti-
3 tuted in the proper courts when requested by the board.

Approved July 5, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 190
HAY AND STRAW
S. F. 222

AN ACT relating to the sale of hay and straw.

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

1 SECTION 1. Section two hundred twelve point five (212.5), Code
2 1966, is hereby repealed.

Approved May 11, 1967.

CHAPTER 191
ANNUITY CONTRACTS FOR CERTAIN STATE EMPLOYEES
S. F. 334

AN ACT relating to the purchase of annuity contracts for employees of the institutions under the jurisdiction of the board of control.

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

1 SECTION 1. Chapter two hundred eighteen (218), Code 1966, is
2 hereby amended by adding the following section:
3 "At the request of an employee through contractual agreement, the
4 board of control or any institution under its jurisdiction may purchase
5 an individual annuity contract for an employee, from such insurance
6 organization authorized to do business in this state and through an
7 Iowa-licensed insurance agent as the employee may select, for retire-
8 ment or other purposes and may make payroll deductions in accord-
9 ance with such arrangements for the purpose of paying the entire
10 premium due and to become due under such contract. The deductions
11 shall be made in the manner which will qualify the annuity premiums
12 for the benefits afforded under section four hundred three b (403b)
13 of the Internal Revenue Code of 1954 and amendments thereto. The
14 employee's rights under such annuity contract shall be nonforfeitable
15 except for the failure to pay premiums."

Approved June 30, 1967.

CHAPTER 192

REHABILITATION CAMP SYSTEM

H. F. 237

AN ACT authorizing the board of control to establish and operate a rehabilitation camp system.

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

1 SECTION 1. Section two hundred eighteen point seventy-eight
2 (218.78),* Code 1966, is hereby amended by adding the following sub-
3 section:

4 "Establish and operate a system of rehabilitation camps within the
5 state. The board of control may designate appropriate facilities of the
6 board as a part of this camp system. Persons committed to institu-
7 tions under the board of control may be transferred to the facilities
8 of the camp system and upon transfer shall be subject to the same
9 laws as pertain to the transferring institution."

Approved April 27, 1967.

*See chapter 209, §95.

CHAPTER 193

CANTEEN FUND IN INSTITUTIONS

H. F. 147

AN ACT relating to the establishment of a permanent canteen fund for 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 ninety-eight
2 (218.98), Code 1966, is hereby amended by adding thereto the follow-
3 ing:

4 "The board may establish and maintain a permanent operating fund
5 for each canteen. The fund shall consist of the receipts from the sale
6 of commodities at the canteen and the moneys now in the operating
7 fund of the canteen."

Approved March 15, 1967.

CHAPTER 194

WOODWARD HOSPITAL-SCHOOL

S. F. 235

AN ACT to establish a fund for operating and maintaining a central supply and distribution warehouse at the Woodward State Hospital-School.

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

1 SECTION 1. Chapter two hundred eighteen (218), Code 1966, is
2 hereby amended by adding the following section:

3 "The board of control shall establish a fund for maintaining and
 4 operating a central warehouse as a supply depot and distribution facil-
 5 ity for surplus government products, carload canned goods, paper
 6 products, other staples and such other items as determined by the
 7 board of control. The fund shall be permanent and shall be composed
 8 of the receipts from the sales of merchandise, recovery of handling,
 9 operating and delivery charges of such merchandise and from the
 10 funds contributed by the institutions now in a contingent fund being
 11 used for this purpose. All claims for purchases of merchandise, oper-
 12 ating and salary expenses shall be subject to the provisions of sections
 13 two hundred eighteen point eighty-six (218.86) through two hundred
 14 eighteen point eighty-nine (218.89) of the Code."

Approved May 11, 1967.

CHAPTER 195

VIET NAM VETERANS TO SOLDIERS HOME

S. F. 2

AN ACT relating to the soldiers home.

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

1 SECTION 1. Section two hundred nineteen point one (219.1), Code
 2 1966, is amended by inserting in line eight (8) after the word "in-
 3 clusive," the words "and including the Viet Nam Conflict at any time
 4 between August 5, 1964 and ending on the date the armed forces of
 5 the United States are directed by formal order of the government of
 6 the United States to cease hostilities, both dates inclusive,".

1 SEC. 2. Section two hundred nineteen point eight (219.8), Code
 2 1966, is amended by inserting in line nine (9) after the word "in-
 3 clusive" the words ", and including the Viet Nam Conflict at any time
 4 between August 5, 1964 and ending on the date the armed forces of
 5 the United States are directed by formal order of the government of
 6 the United States to cease hostilities, both dates inclusive".

1 SEC. 3. Chapter two hundred nineteen (219), Code 1966, is
 2 amended by adding the following new section:
 3 "Wherever the word 'soldier' appears in this chapter, it shall in-
 4 clude, without limitation, the members of the United States air
 5 force."

Approved February 10, 1967.

CHAPTER 196

BOARD OF CONTROL FUNDS

S. F. 803

AN ACT relating to the availability of receipts of the board of control institutions.

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

1 SECTION 1. Section two hundred nineteen point seventeen
2 (219.17), Code 1966, is hereby amended by striking all of such section
3 after the word "the" in line six (6) and inserting in lieu thereof the
4 words "general fund of the state."

1 SEC. 2. Section two hundred twenty-two point seventy-three
2 (222.73), Code 1966, is hereby amended by striking lines twenty-five
3 (25) through twenty-seven (27) and inserting in lieu thereof the fol-
4 lowing:

5 "such days into one hundred (100) percent of the portion of the
6 hospital-schools appropriation expended during such period, unless
7 otherwise specified in the biennial appropriation for support of the
8 hospital-schools. The amount charged for the treatment".

1 SEC. 3. Section two hundred twenty-nine point forty-one
2 (229.41), Code 1966, is hereby amended by striking all of such section
3 after the word "comptroller" in line thirty-one (31) and inserting in
4 lieu thereof the words "monthly to be credited to the general fund of
5 the state."

1 SEC. 4. Section two hundred twenty-nine point forty-two
2 (229.42), Code 1966, is hereby amended by striking lines fifteen (15)
3 through seventeen (17) and inserting in lieu thereof the following:

4 "credited to the general fund of the state, providing the mental
5 health hospital rendering the services has certified to the county".

1 SEC. 5. Section two hundred thirty point twenty (230.20), Code
2 1966, is hereby amended by striking lines eleven (11) through nine-
3 teen (19) and inserting in lieu thereof the following:

4 "the counties the superintendent shall divide the total expenditures
5 less the amount of billings for outpatient services, by the total patient
6 days in determining a per diem rate. The daily per diem shall be billed
7 at one hundred (100) percent unless otherwise specified in the bien-
8 nial appropriation for support of the state hospitals. A duplicate cer-
9 tificate shall also".

Approved June 26, 1967.

CHAPTER 197

IOWA COMPREHENSIVE ALCOHOLISM PROJECT

H. F. 754

AN ACT to establish an Iowa comprehensive alcoholism project; to provide for the administration thereof and to make appropriations therefor, and to ratify and approve Acts heretofore done to initiate, and in pursuance of, the functions and purposes of the project.

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

1 SECTION 1. There is hereby established the Iowa comprehensive
2 alcoholism project, hereinafter referred to as I.C.A.P.

1 SEC. 2. The I.C.A.P. shall develop and carry on a statewide pro-
2 gram to combat alcoholism, in cooperation with the federal office of
3 economic opportunity and the federal vocational rehabilitation admin-
4 istration. The I.C.A.P. shall establish a system of coordination and
5 interagency cooperation, at all levels of state government, to stimulate
6 the development of services for alcoholics; and interagency system for
7 the provision and expansion of services to the alcoholic at the commu-
8 nity level; and a community-based support staff of subprofessional
9 alcoholism aides.

10 The I.C.A.P. also shall establish community service centers which
11 shall serve the basic purposes of acting as catalyst for local planning,
12 programming and coordination in the respective geographical areas;
13 and providing direct services to the indigent alcoholic through assess-
14 ment, referral, intensive follow-through, follow-up, and residential
15 care. The project also shall establish, as may be found necessary,
16 residential settings to provide the transition between existing facili-
17 ties and the community.

18 The policy of the state of Iowa hereby is declared to be the develop-
19 ment of maximum services to alcoholics through the coordination and
20 full utilization, of all state and local, public and private agencies; and
21 the I.C.A.P. is authorized and directed to cooperate fully with all ap-
22 propriate agencies and the furtherance of this policy.

1 SEC. 3. The I.C.A.P., during the continuance of its operations,
2 shall file periodic reports of its progress with the governor, board of
3 welfare, board of control, alcohol study commission and as shall be
4 required by such federal agencies as may be cooperating with the
5 project in its operations and activities, and shall report to the next
6 regular session of the Iowa general assembly.

1 SEC. 4. The director may accept funds, property, or services from
2 any source, for the project and all revenue received by the I.C.A.P.
3 in any manner including gifts, grants in aid, reimbursement, or sale
4 of articles or services is hereby appropriated and shall be used in
5 carrying out the provisions of this chapter. Expenditure of any funds
6 available to the I.C.A.P. shall be made upon vouchers signed by the
7 director.

8 To the extent any federal grants accepted by authority of this chap-
9 ter require the return to the federal government of any unexpended
10 portion thereof, I.C.A.P. is hereby authorized to return said funds at
11 the time and in the manner required.

1 SEC. 5. The I.C.A.P. shall be administered by a director, who shall
2 be appointed by the governor, with the approval of two-thirds of the
3 members of the senate. The director's salary shall be fixed by the
4 governor at a level consistent with the policy of this state with regard
5 to compensation for such services, and with the regulations and poli-
6 cies of the federal agencies cooperating with I.C.A.P. in its activities,
7 but not to exceed twenty thousand dollars per annum. The director
8 shall serve until June 30, 1969, or until the governor shall determine
9 that the work of the I.C.A.P. is complete and direct its termination,
10 but not beyond June 30, 1969.

1 SEC. 6. With the approval of the governor, the director shall or-
2 ganize the work of the project, establish programs consistent with the
3 purposes herein declared, arrange for such quarters, supplies and
4 facilities as may be necessary, and employ such personnel as may be
5 needed, but not to exceed one hundred persons, and provide for their
6 compensation at a level consistent with the policy of this state with
7 regard to compensation for such services and with the regulations and
8 policies of the federal agencies cooperating with I.C.A.P. in its activi-
9 ties.

1 SEC. 7. Such funds as may be needed for the purpose of matching
2 federal grants, are hereby appropriated from the revenue derived from
3 the operations of the Iowa state liquor commission, but not to exceed
4 fifty thousand dollars.

1 SEC. 8. The acts of the governor preliminary to establishment of
2 I.C.A.P., with respect to funds accepted under authority of section
3 seven point nine (7.9) of the Code and all acts and provisions made
4 by the interim agency designated by the governor to initiate the oper-
5 ations of the project, which otherwise are lawful and proper, are
6 hereby ratified, approved and legalized.

1 SEC. 9. This Act being deemed of immediate importance, shall be
2 in full force and effect from and after its passage and publication in
3 the Oelwein Daily Register, a newspaper published in Oelwein, Iowa,
4 and in The Evening Sentinel, a newspaper published in Shenandoah,
5 Iowa.

This bill, having remained with the governor three days (Sunday excepted), the general assembly being in session, has become a law this first day of July, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, House File 754, was published in the Oelwein Daily Register, Oelwein, Iowa, July 8, 1967, and in The Evening Sentinel, Shenandoah, Iowa, July 7, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 198

INTERAGENCY MENTALLY HANDICAPPED INFORMATION

S. F. 685

AN ACT establishing an interagency case information service and authorizing public and private agencies to participate therein.

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

1 SECTION 1. The purpose of this Act is to permit information con-
2 cerning persons believed to be mentally handicapped to be efficiently
3 used by and exchanged among the state and local governments, their
4 departments and agencies, and with other public or private agencies,
5 where the use or exchange of the information is for the purpose of
6 assisting any of the agencies in providing care, evaluation, services,
7 assistance, education, or habilitation to such persons.

1 SEC. 2. When used in this Act, unless the context otherwise re-
2 quires:

3 1. "Service" means the interagency case information service.

4 2. "Public agency" means any agency, department, board, commis-
5 sion, or division of the state of Iowa or the United States, any political
6 subdivision of or school board in the state of Iowa, any state of the
7 United States, and the District of Columbia.

8 3. "Private agency" means any individual and any nonprofit or busi-
9 ness organization authorized under the laws of Iowa.

10 4. "Board" means board of control of state institutions.

1 SEC. 3. The board of control of state institutions is hereby desig-
2 nated as the administrative agency to provide for a central data con-
3 trol and exchange agency known as the interagency case information
4 service.

1 SEC. 4. The service shall receive from and make available to the
2 following state agencies case information on persons believed to be
3 mentally handicapped: the state department of health, the state de-
4 partment of public instruction, the state department of social welfare,
5 the state board of regents, and the board of control.

1 SEC. 5. The board shall:

2 1. Administer and enforce the provisions of this Act.

3 2. Be the official agency to join or cooperate with the government of
4 the United States or any state of the United States and the District of
5 Columbia through their appropriate agencies or departments in carry-
6 ing out the provisions of this Act.

7 3. Apply for and receive funds, appropriations, moneys, grants,
8 gifts, or services of any kind from the United States or any agency
9 thereof, as well as this state and any person or private agency for the
10 purpose of carrying out the provisions of this Act and the services
11 hereunder.

12 4. Make such reports and budget estimates to the governor and to
13 the general assembly as are necessary to obtain the appropriation of
14 state funds for the service.

15 5. Cooperate with the other state departments and public and pri-
16 vate agencies as authorized by this Act in obtaining, exchanging, and
17 disseminating case information.

18 6. Employ personnel for the administration of the service and con-
19 tract with other public or private agencies to carry out the services.

1 SEC. 6. The state agencies designated in section four (4) of this
2 Act may receive from and disseminate to other public agencies or pri-
3 vate agencies such information as is necessary or proper for the pur-
4 pose of providing evaluation services, treatment services, education,
5 support or habilitation services to the mentally handicapped person.
6 The enumerated state agencies or their designated staff shall be au-
7 thorized to make determination of the proper receipt or dissemination
8 of information to other public or private agencies.

1 SEC. 7. Any law or departmental rule of the state of Iowa which
2 restricts or declares confidential information concerning persons be-
3 lieved to be mentally handicapped shall not apply to information ex-
4 changed through the service for the purposes of this Act. Information
5 supplied under a restriction by the government of the United States,
6 its departments or agencies, or by other state government, its depart-
7 ments and agencies, shall be processed in compliance with such restric-
8 tions. Any case information restricted by any order of court shall be
9 processed in compliance with the order.

1 SEC. 8. For purposes of research, study, and public information,
2 public or private agencies may receive from the service comprehensive
3 statistical information which may be disseminated to the public. Such
4 information shall not use names of individual persons nor be so spe-
5 cific as to make possible the identification of individual persons.

1 SEC. 9. Any person or any public or private agency or employee
2 thereof who participates in good faith in the collection, exchange, or
3 dissemination of case information for the purposes of this Act shall
4 have immunity from any liability, civil or criminal, which might be
5 otherwise imposed.

1 SEC. 10. Chapter two hundred eighteen (218), Code 1966, is here-
2 by amended by adding thereto the following new section:

3 "The board of control shall provide for and be the administrative
4 agency for the interagency case information service. The board shall
5 perform such duties and responsibilities as required under the provi-
6 sions of this Act."

1 SEC. 11. This Act shall operate retroactively and retrospectively,
2 with full force and effect, to and from July 1, 1967.

1 SEC. 12. This Act, being deemed of immediate importance, shall
2 take effect after its passage, approval and publication in the Cedar
3 Rapids Gazette, a newspaper published at Cedar Rapids, Iowa, and in
4 The DeWitt Observer, a newspaper published at DeWitt, Iowa.

Approved July 24, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 685, was published in the Cedar Rapids Gazette, Cedar Rapids, Iowa, July 28, 1967, and in The DeWitt Observer, DeWitt, Iowa, July 31, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 199

SECURITY INSTITUTION FOR MENTALLY ILL PERSONS

S. F. 721

AN ACT relating to the establishment and operation of an institution for the diagnosis and treatment of persons suffering from mental illness requiring management and care in a security setting in place of the department of mentally ill at the men's reformatory.

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

1 SECTION 1. There is hereby established an institution for persons
2 displaying evidence of mental illness or psychosocial disorders and re-
3 quiring diagnostic services and treatment in a security setting. The
4 institution shall be under the jurisdiction of the board of control of
5 state institutions and shall be known as the Iowa security medical
6 facility.

1 SEC. 2. A superintendent of the Iowa medical facility shall be
2 appointed as designated in section two hundred eighteen point nine
3 (218.9) of the Code. The superintendent shall be a reputable and
4 qualified person experienced in the administration of programs for
5 the care and treatment of persons afflicted with mental disorders and
6 with such other qualifications as the board deems necessary.

1 SEC. 3. The superintendent shall:

- 2 1. Perform all duties required by law and by the state board of con-
3 trol not inconsistent with this Act.
- 4 2. Maintain cognizance of and secure the professional care and
5 treatment of each patient.
- 6 3. Maintain a complete record on the condition of each patient.
- 7 4. Retain custody of all patients in such manner as deemed neces-
8 sary and in the best interest of the patients subject to the regulations
9 of the board of control.

1 SEC. 4. Patients admitted to the facility may originate from the
2 following sources:

- 3 1. Residents of any institution under the jurisdiction of the board
4 of control.
- 5 2. Commitments by the courts as mentally incompetent to stand
6 trial under chapter seven hundred eighty-three (783) of the Code.
- 7 3. Referrals by the courts for psychosocial diagnosis and recommen-
8 dations as part of the pretrial or presentence procedure or determina-
9 tion of mental competency to stand trial.
- 10 4. Mentally ill prisoners from county and city jails for diagnosis,
11 evaluation, or treatment.

12 Patients from other sources may be admitted providing such admis-
13 sion is not inconsistent with the law and is within the capacity of the
14 facilities and staff to accommodate same.

1 SEC. 5. All admissions to the facility shall be by written applica-
2 tion only. Application shall be made by the head of the state institu-
3 tion, agency, governmental body, or court requesting same to the
4 superintendent of the facility. An application shall not be accepted
5 by the superintendent if by so doing the admission will result in an

6 overcrowded condition or if adequate staff or facilities are not avail-
7 able.

1 SEC. 6. The final decision regarding admission and discharge of
2 patients shall rest with the superintendent of the facility.

1 SEC. 7. When a patient transferred to the facility from any other
2 state institution or admitted by request or order of any agency, gov-
3 ernmental body, or court no longer requires special treatment in the
4 security setting, the patient may be returned to the source from which
5 received. The state institution, agency, governmental body, or court
6 that referred the patient for hospitalization shall retain constructive
7 jurisdiction over the patient. Patients without legal encumbrances
8 may be discharged directly from the facility upon concurrence of the
9 superintendent of the facility and the head of the referring institu-
10 tion, agency, governmental body, or court. The support, commitment,
11 and release statutes applicable to a patient at the state institution
12 from which transferred shall remain applicable while the person is a
13 patient at the facility.

1 SEC. 8. Chapter two hundred thirty (230) of the Code, shall gov-
2 ern the determination of the costs and charges for the care and treat-
3 ment of mentally ill patients admitted to the Iowa security medical
4 facility as direct civil commitments upon authorization of a county
5 hospitalization commission or persons having no legal settlement in
6 this state. The charge for the cost of other admittees shall be as
7 follows:

8 1. Transferees from mental health institutions under the jurisdic-
9 tion of the board of control shall be charged to the county or state at
10 a cost not to exceed that being billed counties or the state for other
11 patients at the transferring institution.

12 2. Referees by the courts for psychosocial diagnosis and recommen-
13 dations as part of the pretrial or presentence procedure or determina-
14 tion of competency to stand trial shall be charged to the court refer-
15 ring such persons.

16 3. Mentally ill prisoners from county or city jails admitted for diag-
17 nosis shall be charged to the county or city government so referring.

18 4. Commitments by the courts as mentally incompetent to stand
19 trial shall be charged to the court by which committed after twelve
20 (12) months of such commitment.

21 5. Commitments by the courts upon conviction in a county outside
22 the county of legal residence of the convicted person shall be consid-
23 ered a responsibility of the state.

24 6. Commitments of persons from other sources where admission is
25 not inconsistent with the law and is within the capacity of the facility
26 and staff to accommodate such person shall be charged to the court,
27 county, city, governmental body, or agency so referring.

28 7. Transferees from other institutions under the jurisdiction of the
29 board of control shall be considered a responsibility of the state.

1 SEC. 9. Section two hundred eighteen point one (218.1), Code
2 1966, is hereby amended by adding thereto the following subsection:
3 "Iowa Security Medical Facility".

1 SEC. 10. Section two hundred eighteen point nine (218.9), Code
2 1966, is hereby amended by inserting in line thirteen (13) after the
3 word "of" the words "the Iowa security medical facility,".

1 SEC. 11. Section two hundred eighteen point seventy-eight
2 (218.78), subsection one (1), Code 1966, is hereby amended by insert-
3 ing in line nine (9) after the word "penitentiary," the words "Iowa
4 security medical facility,".

1 SEC. 12. Section two hundred eighteen point ninety-two (218.92),
2 Code 1966, is hereby amended by striking from lines twelve (12),
3 thirteen (13) and fourteen (14) the words "hospital unit for the
4 mentally ill at the men's reformatory" and inserting in lieu thereof
5 the words "Iowa security medical facility".

1 SEC. 13. Section two hundred twenty-six point thirty (226.30),
2 Code 1966, is hereby amended by striking from lines eight (8) and
3 nine (9) the words "department for the mentally ill in the men's
4 reformatory" and inserting in lieu thereof the words "Iowa security
5 medical facility".

1 SEC. 14. Section two hundred forty-five point twelve (245.12),
2 Code 1966, is hereby amended by striking lines four (4) through nine
3 (9) and inserting in lieu thereof the following:

4 "mentally ill to be examined by one (1) of the superintendents or
5 his qualified designee of a state hospital for the mentally ill or trans-
6 ferred to the Iowa security medical facility for examination. If the
7 woman is found to be mentally ill, the board may order such woman
8 transferred to or retained at a state hospital or the Iowa security
9 medical facility where she shall".

1 SEC. 15. Section two hundred forty-six point fifteen (246.15),
2 Code 1966, is hereby repealed.

1 SEC. 16. Section two hundred forty-six point sixteen (246.16),
2 Code 1966, is hereby amended by striking all of such section after the
3 word "penitentiary" in line three (3) and inserting in lieu thereof the
4 following:

5 "or reformatory is mentally ill, the board may cause such prisoner
6 to be transferred to the Iowa security medical facility for examina-
7 tion, diagnosis, or treatment. The prisoner shall be confined at such
8 institution or a state hospital for the mentally ill until the expiration
9 of his sentence or until he is pronounced in good mental health. If the
10 prisoner is pronounced in good mental health before the expiration of
11 his sentence, he shall be returned to the penitentiary or reformatory
12 until the expiration of his sentence."

1 SEC. 17. Section two hundred forty-six point seventeen (246.17),
2 Code 1966, is hereby amended by striking from lines thirteen (13) and
3 fourteen (14) the words "department for the mentally ill at the men's
4 reformatory" and inserting in lieu thereof the words "Iowa security
5 medical facility".

1 SEC. 18. Section seven hundred eighty-three point three (783.3),
2 Code 1966, is hereby amended by striking from lines seven (7) and
3 eight (8) the words "department for the criminal insane at Anamosa"

4 and inserting in lieu thereof the words "Iowa security medical facil-
5 ity".

1 SEC. 19. Section seven hundred eighty-three point four (783.4),
2 Code 1966, is hereby amended by striking from lines one (1) and two
3 (2) the words "department for the criminal insane" and inserting in
4 lieu thereof the words "Iowa security medical facility".

1 SEC. 20. Section seven hundred eighty-three point five (783.5),
2 Code 1966, is hereby amended by striking from lines seven (7) and
3 eight (8) the words "department for the criminal insane at Anamosa"
4 and inserting in lieu thereof the words "Iowa security medical facil-
5 ity".

1 SEC. 21. Section seven hundred eighty-five point nineteen
2 (785.19), Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "insanity" and inserting
4 in lieu thereof the words "mental illness".

5 2. By striking from lines seven (7) and eight (8) the words "the
6 insane hospital" and inserting in lieu thereof the words "one (1) of
7 the mental health institutes or the Iowa security medical facility".

8 3. By striking from lines eight (8) and nine (9) the words "he
9 becomes sane" and inserting in lieu thereof the words "he demon-
10 strates good mental health and is considered no longer dangerous to
11 the public peace and safety or to himself".

Approved July 25, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

CHAPTER 200

STATE AID FOR MENTALLY ILL PERSONS

S. F. 385

AN ACT relating to state aid for the mentally ill and mentally retarded.

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

1 SECTION 1. Section two hundred twenty-seven point sixteen
2 (227.16), Code 1966, is hereby amended as follows:

3 1. By inserting in line six (6) after the word "hospitalization" in
4 lines five (5) and six (6) the following: ", or any mentally retarded
5 adult patient discharged or removed from the state hospital-schools
6 and cared for and supported by the county in the county home or else-
7 where outside a state institution for the mentally ill or mentally re-
8 tarded".

9 2. By striking from line seven (7) the word "three" and inserting
10 in lieu thereof the word "five (5)".

1 SEC. 2. Section two hundred twenty-seven point seventeen
2 (227.17), Code 1966, is hereby amended by striking from line nine

3 (9) the words "five hundred thousand" and inserting in lieu thereof
4 the words "one million (1,000,000)".

Approved May 26, 1967.

CHAPTER 201

COMMISSION OF HOSPITALIZATION COMPENSATION

S. F. 90

AN ACT relating to the compensation and expenses of the members of the commission of hospitalization.

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

1 SECTION 1. Section two hundred twenty-eight point nine (228.9),
2 subsection one (1), Code 1966, is hereby amended as follows:
3 1. By striking from line four (4) the word "seven" and inserting
4 in lieu thereof the word "fifteen (15)".
5 2. By striking from line eight (8) the word "seven" and inserting
6 in lieu thereof the word "fifteen (15)".

Approved February 27, 1967.

CHAPTER 202

MENTAL ILLNESS

S. F. 658

AN ACT relating to care and treatment of mental illness.

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

1 SECTION 1. Section two hundred twenty-nine point nine (229.9),
2 Code 1966, is hereby amended by inserting in line fifteen (15) after
3 the word, "situated" the following:
4 "or upon authorization by the county board of supervisors, the com-
5 mission may order commitment and treatment to a local hospital
6 instead of a state hospital;".
1 SEC. 2. Section four hundred forty-four point twelve (444.12),
2 Code 1966, is amended by inserting in line twenty-five (25) after the
3 word, "are" the words, "committed and treated locally pursuant to
4 section two hundred twenty-nine point nine (229.9) of the Code or".

Approved June 19, 1967.

CHAPTER 203

DEPENDENT, NEGLECTED AND DELINQUENT CHILDREN

S. F. 200

AN ACT relating to court procedures, services, and personnel involving dependent, neglected, and delinquent children.

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

1 SECTION 1. Section two hundred thirty-two point two (232.2),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line seven (7) of subsection nine (9) of such
4 section the word "ordinary" and inserting in lieu thereof the word
5 "necessary".

6 2. By striking from lines one (1) and two (2) of subsection thir-
7 teen (13), paragraph *a*, of such section the words "habitually vio-
8 lated".

1 SEC. 2. Section two hundred thirty-two point three (232.3), Code
2 1966, is hereby amended as follows:

3 1. By striking lines one (1) through twelve (12) and inserting in
4 lieu thereof the following:

5 "Whenever the court or any of its officers are informed by any com-
6 petent person that a minor is within the purview of this chapter, an
7 inquiry shall be made of the facts presented which bring the minor
8 under this chapter to determine whether the interests of the public or
9 of the minor require that further action be taken. After such an in-
10 quiry the judge, probation officer, or county attorney may authorize
11 the filing of a petition with the clerk of the court by any informed
12 person without payment of a filing fee. If the".

13 2. By striking from line sixteen (16) the word "informed" and in-
14 sserting in lieu thereof the word "informal".

1 SEC. 3. Section two hundred thirty-two point eight (232.8), Code
2 1966, is hereby amended as follows:

3 1. By striking from line three (3) the words "an attested" and in-
4 sserting in lieu thereof the word "a".

5 2. By adding thereto the following:

6 "All notices of subsequent proceedings, after an initial valid notice
7 or summons has been made, shall be made in such manner and under
8 such provisions as shall be prescribed by the court."

1 SEC. 4. Section two hundred thirty-two point twenty-eight
2 (232.28), Code 1966, is hereby amended by inserting in line two (2)
3 after the word "to" the word "legal".

1 SEC. 5. Section two hundred thirty-two point thirty-one (232.31),
2 Code 1966, is hereby amended by adding thereto the following new
3 paragraph:

4 "The court's finding with respect to neglect, dependency, and delin-
5 quency shall be based upon clear and convincing evidence under the
6 rules applicable to the trial of civil cases, provided that relevant and
7 material information of any nature including that contained in re-
8 ports, studies, or examinations may be admitted and relied upon to the
9 extent of its probative value. When information contained in a report,

10 study, or examination is admitted in evidence, the person making such
 11 a report, study, or examination shall be subject to both direct and
 12 cross examination when reasonably available."

1 SEC. 6. Section two hundred thirty-two point thirty-two (232.32),
 2 Code 1966, is hereby amended by adding thereto the following:

3 "The juvenile shall not be considered as competent to make such
 4 waiver. However if the juvenile is represented by an attorney or
 5 guardian ad litem, the waiver may be made by the attorney or guard-
 6 ian. If the juvenile is not so represented, the waiver may be made by
 7 either of the parents or by the guardian of his person."

1 SEC. 7. Section two hundred thirty-two point thirty-three
 2 (232.33), Code 1966, is hereby amended as follows:

3 1. By inserting in line three (3) of subsection five (5) of such sec-
 4 tion after the word "institution" the words "or hospital".

5 2. By striking from lines five (5) and six (6) of subsection five (5)
 6 of such section the words "under the jurisdiction of the state board of
 7 control" and inserting in lieu thereof the words "named in subsection
 8 four (4) of this section and section two hundred thirty-two point
 9 thirty-four (232.34), subsection four (4), of the Code".

1 SEC. 8. Section two hundred thirty-two point thirty-four (232.34),
 2 Code 1966, is hereby amended as follows:

3 1. By inserting in line three (3) of subsection five (5) of such sec-
 4 tion after the word "institution" the words "or hospital".

5 2. By striking from lines four (4) and five (5) of subsection five
 6 (5) of such section the words "under the jurisdiction of the state
 7 board of control" and inserting in lieu thereof the words "named in
 8 subsection four (4) of this section and section two hundred thirty-two
 9 point thirty-three (232.33), subsection four (4), of the Code".

1 SEC. 9. Section two hundred thirty-two point forty-three (232.43),
 2 Code 1966, is hereby amended by striking from lines one (1) and two
 3 (2) the words ", except a parent of the child or children involved,".

1 SEC. 10. Section two hundred thirty-two point fifty-two (232.52),
 2 Code 1966, is hereby amended by adding thereto the following new
 3 subsection:

4 "The expense of treatment or care ordered by the court under au-
 5 thority of subsection six (6) of section two hundred thirty-two point
 6 thirty-three (232.33) or subsection six (6) of section two hundred
 7 thirty-two point thirty-four (232.34) of the Code."

1 SEC. 11. Section two hundred thirty-two point fifty-five (232.55),
 2 Code 1966, is hereby amended as follows:

3 1. By inserting in line four (4) after the word "officers" the words
 4 ", social workers, doctors, and psychologists".

5 2. By striking from line five (5) the word "on" and inserting in
 6 lieu thereof the word "of".

1 SEC. 12. Section two hundred thirty-two point sixty-one (232.61),
 2 Code 1966, is hereby repealed.

1 SEC. 13. Chapter two hundred thirty-two (232), Code 1966, is
2 hereby amended by adding thereto sections fourteen (14) through
3 twenty-four (24) of this Act.

1 SEC. 14. The juvenile court shall have exclusive original jurisdic-
2 tion, only, in proceedings concerning any child alleged to be delinquent,
3 neglected, or dependent, and in proceedings for termination of pa-
4 rental rights under sections two hundred thirty-two point forty-one
5 (232.41) through two hundred thirty-two point fifty (232.50) of the
6 Code, and in proceedings concerning any minor alleged to have been
7 a delinquent prior to having become eighteen (18) years of age except
8 as otherwise provided by law.

1 SEC. 15. All juveniles appearing in any court other than the juve-
2 nile court and charged with a public offense not exempted by law and
3 who are under eighteen (18) years of age or who were under eighteen
4 (18) years of age at the time of the commission of the alleged offense
5 shall immediately be transferred to the juvenile court of the county.

1 SEC. 16. Transfer of cases under section fifteen (15) of this Act
2 shall be made by filing with the clerk of the juvenile court a certificate
3 or order of the transferring court showing the name, age, and resi-
4 dence of the minor, the names and addresses of the parents or guard-
5 ian, if known, and the reasons for appearance of the minor in court,
6 together with all the papers, documents, and testimony connected
7 therewith. The case shall then be processed the same as all cases
8 where the court has been informed that a child may be within the
9 purview of this chapter.

1 SEC. 17. The jurisdiction of the juvenile court shall attach imme-
2 diately upon the signing of the certificate or order of transfer and
3 from the time of transfer any custody or detention of the minor shall
4 be in accordance with this chapter.

1 SEC. 18. Jurisdiction obtained by the court in the case of a minor
2 shall be retained by the court until the minor becomes twenty-one (21)
3 years of age unless terminated prior thereto by order of court or pro-
4 vision of law. When a minor eighteen (18) years of age or over under
5 the jurisdiction of the court is convicted of an indictable offense in a
6 criminal court, the conviction shall terminate the jurisdiction of the
7 juvenile court.

1 SEC. 19. Venue for neglect, dependency, and delinquent proceed-
2 ings shall be in the county where the minor is found or in the county
3 of the minor's residence. If a minor is alleged to be delinquent, the
4 county where the alleged delinquency occurred shall also have venue.

1 SEC. 20. The judge may transfer any proceedings brought under
2 this Act to the court of any county having venue at any stage of the
3 proceedings and in the following manner:

4 1. When it appears that the best interests of the minor, society, or
5 the convenience of the proceedings shall be served by a transfer, the
6 court may transfer the case to the court of the county of the minor's
7 residence.

8 2. With the consent of the receiving court, the court may transfer
9 the case to the court of the county where the minor is found.

10 3. With the consent of the receiving court, the court may transfer
 11 the case to the county where the alleged delinquency occurred if an
 12 alleged delinquency is based on the commission of a public offense.

1 SEC. 21. The court shall transfer the case by ordering the transfer
 2 and a continuance and by forwarding to the clerk of the receiving
 3 court a certified copy of all papers filed together with an order of
 4 transfer. The judge of the receiving court may accept the filings of
 5 the transferring court or may direct the filing of a new petition and
 6 hear the case anew.

1 SEC. 22. If it appears at any stage of the proceedings that a minor
 2 before the court is a resident of another state, the court may invoke
 3 the provisions of the interstate compact on juveniles or, when in the
 4 best interests of the minor, the court may place the minor in the cus-
 5 tody of the parents, guardian, or custodian, if the parents, guardian,
 6 or custodian agree to accept custody of the minor and to return the
 7 minor to the other state.

1 SEC. 23. When a petition alleging delinquency is based on an al-
 2 leged act committed after the minor's fourteenth (14th) birthday, and
 3 the court, after a hearing, deems it contrary to the best interest of the
 4 minor or the public to retain jurisdiction, the court may enter an order
 5 making such findings and referring the alleged violation to the appro-
 6 priate prosecuting authority for proper action under the criminal law.
 7 When such child pleads guilty or is found guilty of a public offense in
 8 another court that court may with the consent of the juvenile court
 9 refer the child back to juvenile court for further disposition. In any
 10 event the court before whom the plea was made or the conviction was
 11 had is expressly authorized to set aside such plea or conviction but
 12 only after the child has successfully completed a period of probation
 13 of not less than one (1) year.

1 SEC. 24. A child referred to juvenile court pursuant to section
 2 fifteen (15) of this Act, may also be transferred to criminal court and
 3 tried as an adult by the filing of a county attorney's information or
 4 grand jury indictment charging the child with an indictable offense.
 5 No such county attorney's information, grand jury indictment, or in-
 6 formation shall be filed or be valid to affect such a transfer after there
 7 has been an adjudication of delinquency in juvenile court.

1 SEC. 25. Section two hundred thirty-one point eight (231.8), Code
 2 1966, is hereby amended by inserting after line twenty-nine (29) the
 3 following paragraph:
 4 "All probation officers so appointed shall serve at the pleasure of the
 5 juvenile court judge or judges and shall be selected and appointed in
 6 accordance with such rules, standards, and qualifications as shall be
 7 established by the supreme court pursuant to section six hundred
 8 eighty-four point twenty-one (684.21) of the Code. The provision of
 9 this section of this Act shall not affect in any way the appointment or
 10 term of office of any probation officer presently serving in any county
 11 or counties."

1 SEC. 26. Section two hundred thirty-one point three (231.3), Code
 2 1966, is hereby amended by adding the following:

3 "The judge of the juvenile court may appoint a referee in juvenile
4 court proceedings. The referee shall be qualified for his duties by
5 training and experience and shall hold office at the pleasure of the
6 judge. The compensation of the referee shall be fixed by the judge.
7 The judge may direct that any case or class of cases arising under
8 chapter two hundred thirty-two (232) of the Code shall be heard in
9 the first instance by the referee in the manner provided for the hear-
10 ing of cases by the court.

11 "Upon the conclusion of a hearing held as provided herein, the
12 referee shall transmit to the judge findings of fact. Notice of the find-
13 ings of fact of the referee, together with a statement concerning the
14 right to a rehearing, shall be given to the parties to the proceeding
15 heard by the referee, including the parents, guardian or custodian of
16 a minor, and to any other interested person as the court may direct.
17 This notice may be given orally at the hearing, or by certified mail or
18 other service as directed by the court.

19 "The parties to a proceeding heard before the referee shall be en-
20 titled to a rehearing by the judge of the juvenile court if requested
21 within seven (7) days after receiving notice of the findings of fact of
22 the referee. In the interest of justice, the court may allow a rehearing
23 at any time. If a rehearing is not requested, the court may enter any
24 appropriate order based upon the referee's findings of fact."

1 SEC. 27. Section two hundred thirty-two point fifty-one (232.51),
2 Code 1966, is hereby amended by adding thereto the following:

3 "Any such sums ordered by the court shall be a judgment against
4 each of the parents and a lien as provided in section six hundred
5 twenty-four point twenty-three (624.23) of the Code. If juvenile
6 court jurisdiction has been lodged in the municipal court, all such
7 orders and judgments made by that court shall be transferred by the
8 clerk thereof to the district court as provided in section six hundred
9 two point forty-three (602.43) of the Code. If all or any part of the
10 sums that the parents are ordered to pay, is subsequently paid by the
11 county, the judgment and lien shall thereafter be against each of the
12 parents in favor of the county to the extent of such payments."

Approved June 12, 1967.

CHAPTER 204

FOSTER HOMES FOR CHILDREN

H. F. 152

AN ACT relating to the cost of foster home care for certain children of veterans.

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

- 1 SECTION 1. Section two hundred thirty-two point fifty-three
 2 (232.53), Code 1966, is hereby amended by adding the following:
 3 "The county charged with the cost of foster home care for a child
 4 may recover the cost of such care from the general fund of the state
 5 if the child would otherwise have been eligible for admission to the
 6 Iowa juvenile home or the Annie Wittenmyer home under the provi-
 7 sions of subsection one (1) of section two hundred forty-four point
 8 three (244.3) of the Code. The county shall make claim to the state
 9 treasurer who shall approve or disallow the claim."

Approved June 9, 1967.

CHAPTER 205

JUVENILE DELINQUENCY

H. F. 70

AN ACT relating to juvenile delinquency.

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

- 1 SECTION 1. Section two hundred thirty-three point one (233.1),
 2 Code 1966, is hereby amended as follows:
 3 1. By striking from line two (2) the word "to".
 4 2. By inserting before the word "Encourage" in line one (1) of sub-
 5 section one (1) the word "To".
 6 3. By inserting before the word "Send" in line one (1) of subsection
 7 two (2) the word "To".
 8 4. By inserting before the word "Knowingly" in line one (1) of sub-
 9 section three (3) the word "To".
 10 5. By inserting before the word "Knowingly" in line one (1) of sub-
 11 section four (4) the word "To".
- 1 SEC. 2. Section two hundred thirty-three point one (233.1), Code
 2 1966, is hereby further amended by striking all of subsection five (5)
 3 and inserting in lieu thereof the following:
 4 "5. For a parent willfully to fail to support his child under eighteen
 5 years of age whom he has a legal obligation to support."

Approved June 14, 1967.

CHAPTER 206

PLACEMENT OF CHILDREN COMPACT

S. F. 454

AN ACT enabling Iowa to enter into the interstate compact on the placement of children.

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

1 SECTION 1. Sections two hundred thirty-eight point thirty-three
2 (238.33) through section two hundred thirty-eight point thirty-nine
3 (238.39), Code 1966, are hereby repealed and the following enacted
4 in lieu thereof:

5 The interstate compact on the placement of children is hereby en-
6 acted into law and entered into with all other jurisdictions legally
7 joining therein in form substantially as follows:

8 ARTICLE I.—PURPOSE AND POLICY

9 It is the purpose and policy of the party states to cooperate with
10 each other in the interstate placement of children to the end that:

11 a. Each child requiring placement shall receive the maximum op-
12 portunity to be placed in a suitable environment and with persons or
13 institutions having appropriate qualifications and facilities to provide
14 a necessary and desirable degree and type of care.

15 b. The appropriate authorities in a state where a child is to be
16 placed may have full opportunity to ascertain the circumstances of
17 the proposed placement, thereby promoting full compliance with ap-
18 plicable requirements for the protection of the child.

19 c. The proper authorities of the state from which the placement is
20 made may obtain the most complete information on the basis of
21 which to evaluate a projected placement before it is made.

22 d. Appropriate jurisdictional arrangements for the care of chil-
23 dren will be promoted.

24 ARTICLE II.—DEFINITIONS

25 As used in this compact:

26 a. "Child" means a person who, by reason of minority, is legally
27 subject to parental, guardianship or similar control.

28 b. "Sending agency" means a party state, officer or employee there-
29 of; a subdivision of a party state, or officer or employee thereof; a
30 court of a party state; a person, corporation, association, charitable
31 agency or other entity which sends, brings, or causes to be sent or
32 brought any child to another party state.

33 c. "Receiving state" means the state to which a child is sent,
34 brought, or caused to be sent or brought, whether by public author-
35 ities or private persons or agencies, and whether for placement with
36 state or local public authorities or for placement with private agen-
37 cies or persons.

38 d. "Placement" means the arrangement for the care of a child in
39 a family free or boarding home or in a child-caring agency or insti-
40 tution.

41 ARTICLE III.—CONDITIONS FOR PLACEMENT

42 a. No sending state shall send, bring, or cause to be sent or brought
43 into any other party state any child for placement in foster care or

44 as a preliminary to a possible adoption unless the sending agency
45 shall comply with each and every requirement set forth in this article
46 and with the applicable laws of the receiving state governing the
47 placement of children therein.

48 *b.* Prior to sending, bringing or causing any child to be sent or
49 brought into a receiving state for placement in foster care or as a
50 preliminary to a possible adoption, the sending agency shall furnish
51 the appropriate public authorities in the receiving state written
52 notice of the intention to send, bring, or place the child in the receiv-
53 ing state. The notice shall contain:

54 1. The name, date and place of birth of the child.

55 2. The identity and address or addresses of the parents or legal
56 guardian.

57 3. The name and address of the person, agency or institution to or
58 with which the sending agency proposes to send, bring or place the
59 child.

60 4. A full statement of the reasons for such proposed action and
61 evidence of the authority pursuant to which the placement is pro-
62 posed to be made.

63 *c.* Any public officer or agency in a receiving state which is in re-
64 ceipt of a notice pursuant to paragraph *b.* of this article may request
65 of the sending agency, or any other appropriate officer or agency of or
66 in the sending agency's state, and shall be entitled to receive there-
67 from, such supporting or additional information as it may deem
68 necessary under the circumstances to carry out the purpose and
69 policy of this compact.

70 *d.* The child shall not be sent, brought, or caused to be sent or
71 brought into the receiving state until the appropriate public author-
72 ities in the receiving state shall notify the sending agency, in writing,
73 to the effect that the proposed placement does not appear to be con-
74 trary to the interests of the child.

75 ARTICLE IV.—PENALTY FOR ILLEGAL PLACEMENT

76 The sending, bringing, or causing to be sent or brought into any
77 receiving state of a child in violation of the terms of this compact
78 shall constitute a violation of the laws respecting the placement of
79 children of both the state in which the sending agency is located or
80 from which it sends or brings the child and of the receiving state.
81 Such violation may be punished or subjected to penalty in either
82 jurisdiction in accordance with its laws. In addition to liability for
83 any such punishment or penalty, any such violation shall constitute
84 full and sufficient grounds for the suspension or revocation of any
85 license, permit, or other legal authorization held by the sending
86 agency which empowers or allows it to place, or care for children.

87 ARTICLE V.—RETENTION OF JURISDICTION

88 *a.* The sending agency shall retain jurisdiction over the child suffi-
89 cient to determine all matters in relation to the custody, supervision,
90 care, treatment and disposition of the child which it would have had
91 if the child had remained in the sending agency's state, until the child
92 is adopted, reaches majority, becomes self-supporting or is dis-
93 charged with the concurrence of the appropriate authority in the
94 receiving state. Such jurisdiction shall also include the power to

95 effect or cause the return of the child or its transfer to another loca-
 96 tion and custody pursuant to law. The sending agency shall continue
 97 to have financial responsibility for support and maintenance of the
 98 child during the period of the placement. Nothing contained herein
 99 shall defeat a claim of jurisdiction by a receiving state sufficient to
 100 deal with an act of delinquency or crime committed therein.

101 *b.* When the sending agency is a public agency, it may enter into
 102 an agreement with an authorized public or private agency in the re-
 103 ceiving state providing for the performance of one or more services
 104 in respect of such case by the latter as agent for the sending agency.

105 *c.* Nothing in this compact shall be construed to prevent a private
 106 charitable agency authorized to place children in the receiving state
 107 from performing services or acting as agent in that state for a pri-
 108 vate charitable agency of the sending state; nor to prevent the agency
 109 in the receiving state from discharging financial responsibility for
 110 the support and maintenance of a child who has been placed on behalf
 111 of the sending agency without relieving the responsibility set forth in
 112 paragraph *a.* hereof.

113 ARTICLE VI.—INSTITUTIONAL CARE OF DELINQUENT CHILDREN

114 A child adjudicated delinquent may be placed in an institution in
 115 another party jurisdiction pursuant to this compact but no such
 116 placement shall be made unless the child is given a court hearing on
 117 notice to the parent or guardian with opportunity to be heard, prior
 118 to his being sent to such other party jurisdiction for institutional
 119 care and the court finds that:

120 1. Equivalent facilities for the child are not available in the send-
 121 ing agency's jurisdiction; and

122 2. Institutional care in the other jurisdiction is in the best interest
 123 of the child and will not produce undue hardship.

124 ARTICLE VII.—COMPACT ADMINISTRATOR

125 The executive head of each jurisdiction party to this compact shall
 126 designate an officer who shall be general coordinator of activities
 127 under this compact in his jurisdiction and who, acting jointly with
 128 like officers of other party jurisdictions, shall have power to promul-
 129 gate rules and regulations to carry out more effectively the terms and
 130 provisions of this compact.

131 ARTICLE VIII.—LIMITATIONS

132 This compact shall not apply to:

133 *a.* The sending or bringing of a child into a receiving state by his
 134 parent, relative, or his guardian and leaving the child with any such
 135 relative or non-agency guardian in the receiving state.

136 *b.* Any placement, sending or bringing of a child into a receiving
 137 state pursuant to any other interstate compact to which both the state
 138 from which the child is sent or brought and the receiving state are
 139 party, or to any other agreement between said states which has the
 140 force of law.

141 ARTICLE IX.—ENACTMENT AND WITHDRAWAL

142 This compact shall be open to joinder by any state, territory or pos-
 143 session of the United States, the District of Columbia, the Common-

144 wealth of Puerto Rico, and, with the consent of Congress, the Govern-
 145 ment of Canada or any province thereof. It shall become effective
 146 with respect to any such jurisdiction when such jurisdiction has en-
 147 acted the same into law. Withdrawal from this compact shall be by
 148 the enactment of a statute repealing the same, but shall not take
 149 effect until two years after the effective date of such statute and until
 150 written notice of the withdrawal has been given by the withdrawing
 151 state to the Governor of each other party jurisdiction. Withdrawal
 152 of a party state shall not affect the rights, duties and obligations
 153 under this compact of any sending agency therein with respect to a
 154 placement made prior to the effective date of withdrawal.

155 **ARTICLE X.—CONSTRUCTION AND SEVERABILITY**

156 The provisions of this compact shall be liberally construed to effec-
 157 tuate the purposes thereof. The provisions of this compact shall be
 158 severable and if any phrase, clause, sentence or provision of this com-
 159 pact is declared to be contrary to the constitution of any party state
 160 or of the United States or the applicability thereof to any govern-
 161 ment, agency, person or circumstance is held invalid, the validity of
 162 the remainder of this compact and the applicability thereof to any
 163 government, agency, person or circumstance shall not be affected
 164 thereby. If this compact shall be held contrary to the constitution of
 165 any state party thereto, the compact shall remain in full force and
 166 effect as to the remaining states and in full force and effect as to the
 167 state affected as to all severable matters.

1 SEC. 2. Financial responsibility for any child placed pursuant to
 2 the provisions of the interstate compact on the placement of children
 3 shall be determined in accordance with the provisions of article V
 4 thereof in the first instance. However, in the event of partial or com-
 5 plete default of performance thereunder, the provisions of chapters
 6 two hundred fifty-two (252) and two hundred fifty-two A (252A),
 7 Code 1966, fixing responsibility for the support of children also may
 8 be invoked.

1 SEC. 3. The "appropriate public authorities" as used in article III
 2 of the interstate compact on the placement of children shall, with
 3 reference to this state, mean the state department of social welfare
 4 and said department shall receive and act with reference to notices
 5 required by said article III.

1 SEC. 4. As used in paragraph *a.* of article V of the interstate
 2 compact on the placement of children, the phrase "appropriate au-
 3 thority in the receiving state" with reference to this state shall mean
 4 the state department of social welfare.

1 SEC. 5. The officers and agencies of this state and its subdivisions
 2 having authority to place children are hereby empowered to enter
 3 into agreements with appropriate officers or agencies of or in other
 4 party states pursuant to paragraph *b.* of article V of the interstate
 5 compact on the placement of children. Any such agreement which
 6 contains a financial commitment or imposes a financial obligation on
 7 this state or subdivision or agency thereof shall not be binding unless

8 it has the approval in writing of the director of family and children's
9 services in the case of the state and the overseer of the poor in the
10 case of a subdivision of the state.

1 SEC. 6. Any requirements for visitation, inspection or super-
2 vision of children, homes, institutions or other agencies in another
3 party state which may apply under the provisions of this chapter
4 shall be deemed to be met if performed pursuant to an agreement
5 entered into by appropriate officers or agencies of this state or a sub-
6 division thereof as contemplated by paragraph b. of article V of the
7 interstate compact on the placement of children.

1 SEC. 7. Any court having jurisdiction to place delinquent chil-
2 dren may place such a child in an institution of or in another state
3 pursuant to article VI of the interstate compact on the placement of
4 children and shall retain jurisdiction as provided in article V thereof.

1 SEC. 8. As used in article VII of the interstate compact on the
2 placement of children, the term "executive head" means the governor.
3 The governor is hereby authorized to appoint a compact adminis-
4 trator in accordance with the terms of said article VII.

1 SEC. 9. Nothing contained herein shall be deemed to affect or
2 modify the provisions of chapters two hundred thirty-two (232) and
3 six hundred (600) of the Code.

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 207

CHILD ASSISTANCE IN ANOTHER STATE

S. F. 551

AN ACT relating to the payment of assistance from aid to dependent children funds on behalf of a child removed from the state.

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

1 SECTION 1. Section two hundred thirty-nine point eight (239.8),
2 Code 1966, is hereby amended by striking from lines fourteen (14)
3 and fifteen (15) the words "assistance shall immediately cease" and
4 inserting in lieu thereof the following:

5 "assistance shall be continued as long as the child remains other-
6 wise eligible for assistance under this chapter or until he becomes
7 eligible for assistance from the state to which he has moved, but in no
8 case may assistance payments from this state be continued for more
9 than one (1) year beyond the date of the child's removal from this
10 state; provided, further, that during the period in which such assist-
11 ance may be paid, the county board shall, by regular contact with the
12 proper state or local welfare agency in the state to which such child
13 has been removed, review and determine such child's eligibility for

14 assistance other than with respect to the residence eligibility require-
15 ment.”

Approved June 16, 1967.

CHAPTER 208

JUVENILE HOME TAX LEVY

S. F. 65

AN ACT to authorize counties of over one hundred fifty thousand (150,000) population to levy a maximum three-fourths ($\frac{3}{4}$) mill levy for the maintenance of a juvenile home.

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

1 SECTION 1. Section two hundred thirty-two point twenty-two
2 (232.22), Code 1966, is hereby amended by inserting in line ten (10)
3 after the word “home.” the following sentence:
4 “In counties of over one hundred fifty thousand (150,000) popula-
5 tion, the board of supervisors is authorized to levy a tax not to exceed
6 three-fourths ($\frac{3}{4}$) mill for the maintenance of a juvenile home.”

Approved March 31, 1967.

CHAPTER 209

DEPARTMENT OF SOCIAL SERVICES

S. F. 739

AN ACT to establish a state department of social services, combining the present functions of the board of social welfare, department of social welfare, board of parole, board of control of state institutions and other state agencies and divisions.

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

1 SECTION 1. There is hereby established a department of social
2 services to administer programs designed to improve the well-being
3 and productivity of the people of the state of Iowa. The department
4 shall concern itself with the problems of human behavior, adjustment
5 and daily living through the administration of programs of family,
6 child and adult welfare, economic assistance (including costs of medi-
7 cal care), rehabilitation toward self-care and support, delinquency
8 prevention and control, treatment and rehabilitation of adult and
9 juvenile offenders, care and treatment of the mentally ill and mentally
10 retarded, and other related programs as provided by law.

1 SEC. 2. There is hereby created within the department of social
2 services a council on social services which shall act in a policy-making
3 and advisory capacity on matters within the jurisdiction of the de-
4 partment. The council shall consist of five members appointed by the
5 governor with the consent of two-thirds ($\frac{2}{3}$) of the senate. Appoint-
6 ments shall be made on the basis of interest in public affairs, good

7 judgment, and knowledge and ability in the field of social services.
8 Such appointments shall be made to provide a diversity of interest and
9 point of view in the membership and without regard to religious opin-
10 ions or affiliations. The term of each member of the council shall be
11 for six years, except that those initially appointed shall serve as fol-
12 lows:

13 One member shall serve until June 30, 1969.

14 Two members shall serve until June 30, 1971.

15 Two members shall serve until June 30, 1973.

16 Each term shall commence on July 1 of the year of appointment.

17 All members of the council shall be electors of the state of Iowa. No
18 more than three (3) such members shall belong to the same political
19 party and no two (2) such members shall, at the time of appointment,
20 reside in the same congressional district. Vacancies occurring* during
21 a term of office shall be filled in the same manner as the original ap-
22 pointment for the balance of the unexpired term subject to confirma-
23 tion by two-thirds ($\frac{2}{3}$) of the senate within sixty (60) days of con-
24 vening at its next regular session.

1 SEC. 3. The council of social services shall:

2 1. Organize annually and select a chairman and vice-chairman.

3 2. Adopt and establish policy for the operation and conduct of the
4 department of social services and the implementation of all services
5 and programs thereunder.

6 3. Report immediately to the governor any failure by the commis-
7 sioner or any director of the department of social services to carry out
8 any of the policy decisions or directives of the council.

9 4. Approve the budget of the department of social services prior to
10 submission to the governor.

11 5. Insure that all programs administered or services rendered by
12 the department directly to any citizen or through a local board of wel-
13 fare to any citizen are coordinated and integrated so that any citizen
14 does not receive a duplication of services from various departments or
15 local agencies that could be rendered by one (1) department or local
16 agency. If the council finds that such is not the case, it shall hear and
17 determine which department or local agency shall provide the needed
18 service or services and enter an order of their determination by reso-
19 lution of the council which must be concurred in by at least a majority
20 of the members. Thereafter such order or resolution of the council
21 shall be obeyed by all state departments and local agencies to which it
22 is directed.

23 6. Adopt all necessary rules and regulations recommended by the
24 commissioner or directors of divisions hereinafter established prior to
25 their promulgation pursuant to chapter seventeen A (17A) of the
26 Code.

27 7. Approve the establishment of any new division or reorganization,
28 consolidation or abolition of any established division prior to the same
29 becoming effective.

30 8. Recommend to the governor the names of individuals qualified
31 for the position of commissioner of social services when a vacancy
32 exists in the office.

*According to enrolled Act.

1 SEC. 4. The council shall meet at least four (4) times a year.
2 Special meetings shall be called by the chairman or upon written re-
3 quest of any three (3) members thereof. The chairman shall preside
4 at all meetings or in his absence the vice chairman shall preside. The
5 members of the council shall be paid a per diem of forty (40) dollars
6 per day while in session, ten (10) cents a mile for travel, and their
7 reasonable and necessary expenses while attending such meetings.
8 The amount of per diem any one member may receive in any fiscal
9 year beginning with the date of employment shall not exceed eight
10 hundred (800) dollars.

1 SEC. 5. All powers heretofore exercised by the board of control of
2 state institutions and the board of social welfare and department of
3 social welfare are hereby transferred to and shall hereafter be pos-
4 sessed by the department of social services or the council of social
5 services. All duties, functions and programs heretofore imposed upon
6 or charged to the board of control of state institutions, the board of
7 social welfare and department of social welfare are hereby transferred
8 to and shall hereafter be imposed upon or charged to the department
9 of social services.

1 SEC. 6. The governor shall appoint the council on social services
2 on or before January 1, 1968. The commissioner of the department of
3 social services shall be appointed at the earliest date thereafter in
4 accordance with the provisions of this Act. The governor by executive
5 order shall accomplish the transfer of functions, records, equipment,
6 appropriations, other property, and personnel provided in this Act no
7 later than July 1, 1968. Any such powers, duties, functions, responsi-
8 bilities and programs not so transferred, shall be transferred by oper-
9 ation of law on July 1, 1968.

10 The assignment of functions shall consist of a realigning of author-
11 ity and responsibility in accord with the terms of this Act and need
12 not necessarily involve the movement of personnel or equipment, the
13 establishment of any subdivision or bureau within any office or depart-
14 ment, the revision of any job description, or other detailed matter
15 relating to the internal operation of any new office or department.

16 The governor may also by executive order prior to July 1, 1968,
17 after he has determined that the board of control or the board of social
18 welfare no longer has any significant functions to perform, provide
19 that the offices of the members thereof be abolished. Thereafter such
20 offices shall stand abolished and the members thereof shall not be
21 entitled to any further compensation. In any event such offices shall
22 stand abolished as of July 1, 1968 and the members thereof shall not
23 be entitled to or receive any further compensation.

24 The governor may submit to the general assembly thirty (30) days
25 prior to the convening of the sixty-third general assembly, bills in the
26 form of amendments to the Code or subsequent session laws which
27 may be necessary to implement the terms of this Act and the applica-
28 tion of functions and duties among the subdivisions or bureaus within
29 the offices or departments. Where the transfer or assignment of any
30 particular function presents special administrative or legal difficul-
31 ties, the governor may delay the effective date of that particular trans-

32 fer and shall present the reasons therefor to the sixty-third general
33 assembly.

1 SEC. 7. There shall be a commissioner of social services who shall
2 be the chief administrative officer for the department of social serv-
3 ices. He shall be appointed by the governor with the approval and
4 confirmation of two-thirds ($\frac{2}{3}$) of the senate and shall serve at the
5 pleasure of the governor. The governor shall fill a vacancy in this
6 office in the same manner as the original appointment. If the vacancy
7 occurs while the general assembly is not in session, such appointment
8 shall be reported to the senate within thirty (30) days of its convening
9 at its next regular session for confirmation. Such commissioner shall
10 be selected primarily for his administrative ability.

11 He shall not be selected on the basis of his political affiliation and
12 shall not engage in political activity while he holds this position.

1 SEC. 8. The commissioner is hereby authorized to recommend to
2 the council for adoption such rules and regulations as are necessary to
3 carry into practice the programs of the various divisions and to estab-
4 lish such divisions and to assign or reassign duties, powers, and re-
5 sponsibilities within his department, all with the approval of the coun-
6 cil of social services, within his department as he deems necessary and
7 appropriate for the proper administration of the duties, functions and
8 programs with which the department is charged. Any action taken,
9 decision made, or administrative rule adopted by any director of a
10 division may be reviewed by the commissioner. The commissioner,
11 upon such review, may affirm, modify, or reverse any such action,
12 decision, or rule. The commissioner shall organize the department of
13 social services into divisions to carry out in efficient manner the intent
14 of this Act.

15 The department of social services may be initially divided into the
16 following divisions of responsibility: the division of child and family
17 services, the division of mental health, the division of administration,
18 the division of corrections and the division of planning, research and
19 statistics.

1 SEC. 9. The commissioner may appoint a director of each of the
2 aforementioned divisions. Such directors shall be selected on the basis
3 of their particular professional qualifications, education and back-
4 ground relative to the intended assigned responsibilities of their divi-
5 sion.

1 SEC. 10. The director of the division of child and family services
2 shall be qualified by training, experience and education in the field of
3 welfare and social problems. He shall be entrusted with the adminis-
4 tration of programs involving neglected, dependent and delinquent
5 children, child welfare, aid to dependent children, aid to disabled per-
6 sons and shall administer and be in control of the Iowa Juvenile Home,
7 The Iowa Annie Wittenmyer Home, the State Juvenile Home, the
8 State Training School for Boys and for Girls, the Iowa Soldiers Home
9 and such other related programs established for the general welfare
10 of families, adults and children as directed by the commissioner.

1 SEC. 11. The director of the division of child and family services
2 may have the additional following duties, powers and responsibilities:

3 1. Develop a program of basic education, recreation, vocational
4 training and guidance for social adjustment.

5 2. Administer programs and statutes involved with child placement,
6 employment and supervision of state boards.

7 3. Prepare a budget and such report or reports as required by law
8 or as directed by the commissioner.

9 4. Develop a program in corrective institutions for juveniles de-
10 signed to rehabilitate the inmates and patients and institute a pro-
11 gram of placement and parole supervision for all parolees of said cor-
12 rective institutions for juveniles.

1 SEC. 12. The director of the division of mental health shall be a
2 qualified psychiatrist. He shall be admitted to the practice of medicine
3 in this state and shall have at least five (5) years of actual experience
4 in the care and treatment of persons afflicted with mental disease and
5 three (3) years actual experience in institutional administration. He
6 shall hold a certificate of qualifications in psychiatry issued by the
7 American Board of Psychiatry and Neurology.

1 SEC. 13. The director of the division of mental health shall be re-
2 sponsible for and in control of the administration of institutions and
3 programs regarding the care, treatment and supervision of the men-
4 tally ill and the mentally retarded and in particular shall be in control
5 of and administer and supervise the following state institutions: the
6 Mount Pleasant * Health Institute, the Independence Mental Health
7 Institute, the Cherokee Mental Health Institute, the Clarinda Mental
8 Health Institute and the Glenwood and Woodward State Schools and
9 Hospitals. He shall also carry out such other functions and duties as
10 may be delegated to him by the commissioner of social services.

1 SEC. 14. The director of the division of mental health may also
2 have the following additional powers, duties and responsibilities:

3 1. Establish psychiatric services for all institutions under the con-
4 trol of the commissioner of the department of social services in order
5 that patients in such institutions shall receive the psychiatric services
6 that are necessary and proper.

7 2. Appoint professional consultants who shall furnish advice on all
8 matters pertaining to mental health. Such consultants shall be paid as
9 provided by an appropriation of the general assembly.

10 3. Act as compact administrator with power to effectuate the pur-
11 poses of and make necessary rules to implement interstate compacts
12 on mental health.

13 4. Examine or cause to be examined by an assistant all public and
14 private institutions receiving and caring for the mentally ill, mentally
15 retarded and epileptics to determine their efficiency for adequate care
16 and treatment of their patients.

17 5. Insure that the purposes of mental hospitals are carried into ef-
18 fect and to that end shall have all necessary powers not inconsistent
19 with law.

20 6. Establish and supervise suitable standards of treatment and care
21 of patients in all state hospitals for the mentally ill, mentally retarded
22 and epileptic.

*According to enrolled Act.

23 7. Establish the qualifications of all officers, physicians, nurses, at-
24 tendants and other employees responsible for the care and treatment
25 of patients.

26 8. Prepare a budget and such report or reports as required by law
27 or as directed by the commissioner.

1 SEC. 15. The director of the division of corrections shall be quali-
2 fied in reformatory and prison management with special training in
3 sociology and psychology. He shall also have practical experience in
4 the field of criminology and discipline and in the supervision of in-
5 mates in corrective penal institutions.

1 SEC. 16. The director of the division of corrections may have the
2 following powers, duties and responsibilities:

3 1. Administer and control the operation of the Men's Reformatory,
4 Women's Reformatory and State Penitentiary.

5 2. Supervision and control over all state agents whose duties relate
6 primarily to the division of corrections.

7 3. Establishment and maintenance of acceptable standards of treat-
8 ment, training, education and rehabilitation in the various state penal
9 and corrective institutions.

10 4. Examination of all state institutions which are penal, reforma-
11 tory or corrective to determine their efficiency for adequate care, cus-
12 tody and training of their inmates and report his findings and conclu-
13 sions to the commissioner of the department of social services. He
14 shall inquire into and determine the qualifications of wardens, matrons,
15 superintendents, officers, attendants, guards and other employees re-
16 sponsible for the care, custody, training, discipline and rehabilitation
17 of inmates and make recommendations to the commissioner regarding
18 same.

19 5. Preparation of a budget and such other reports as required by
20 law or as directed by the commissioner.

21 6. Supervise all persons placed on parole by the parole board and
22 develop and administer such additional programs of rehabilitation for
23 persons on parole as will insure their adjustment to society.

1 SEC. 17. The director of the division of administration shall be
2 qualified in the general field of governmental administration with spe-
3 cial training and experience in the areas of competitive bidding, con-
4 tract letting, accounting and budget preparation.

1 SEC. 18. The director of the division of administration shall co-
2 operate with the directors of the other divisions of the department of
3 social services, assist them and the commissioner of the department in
4 the preparation of their and his annual budgets and such other like
5 reports as may be requested by the commissioner or required by law.

1 SEC. 19. The director of the division of planning, research and
2 statistics shall be qualified in the general field of governmental plan-
3 ning with special training and experience in the areas of preparation
4 and development of plans for future efficient reorganization and ad-
5 ministration of government social functions. The director of the di-
6 vision of planning, research and statistics shall cooperate with the
7 directors of the other divisions of the department of social services
8 assisting them and the commissioner of the department in their plan-

9 ning, research and statistical problems. He shall assist the directors,
 10 commissioner and the council of social services by proposing admin-
 11 istrative and organizational changes at both the state and local level
 12 to provide more efficient and integrated social services to the citizens
 13 of this state. The planning, research and statistical operations now
 14 forming an integral part of the present state functions assigned to the
 15 directors of this department along with their future needs in this
 16 regard are hereby all assigned to and shall be administered by the
 17 director of this division.

1 SEC. 20. Section eight point five (8.5), Code 1966, is hereby
 2 amended by striking from lines five (5) and six (6) of paragraph c
 3 of subsection six (6) the words "board of control or employees in in-
 4 stitutions under the board of control" and by inserting in lieu thereof
 5 the words "institutions controlled by any director of a division of the
 6 department of social services".

1 SEC. 21. Section eight point six (8.6), subsection nineteen (19),
 2 Code 1966, is hereby amended as follows:

3 1. By striking from lines three (3) and four (4) the words "state
 4 board of control" and by inserting in lieu thereof the words "divisions
 5 of the department of social services controlling state institutions".

6 2. By striking from line six (6) the words "the state board of con-
 7 trol" and by inserting in lieu thereof the words "such directors".

8 3. By striking from line seven (7) the words "the board" and by
 9 inserting in lieu thereof the words "such directors".

10 4. By striking from line nine (9) the word "board" and by insert-
 11 ing in lieu thereof the word "directors".

12 5. By striking from line eleven (11) the word "board" and by in-
 13 sserting in lieu thereof the word "directors".

14 6. By striking from line twelve (12) the words "the board" and by
 15 inserting in lieu thereof the words "such directors".

16 7. By striking from line fourteen (14) the words "state board of
 17 control" and by inserting in lieu thereof the words "commissioner of
 18 the department of social services".

1 SEC. 22. Section twelve point ten (12.10), Code 1966, is hereby
 2 amended by striking from lines five (5) and six (6) the words "the
 3 board of control of state institutions" and by inserting in lieu thereof
 4 the words "the commissioner of the department of social services".

1 SEC. 23. Section thirteen point six (13.6), Code 1966, is hereby
 2 amended as follows:

3 1. By striking from line four (4) the words "state board of social
 4 welfare" and by inserting in lieu thereof the words "division of child
 5 and family services of the department of social services".

6 2. By striking from line eight (8) the words "state board of social
 7 welfare" and by inserting in lieu thereof the word "division".

8 3. By striking from lines nine (9) and ten (10) the words "state
 9 board of social welfare" and by inserting in lieu thereof the words
 10 "commissioner of the department of social services".

1 SEC. 24. Section sixteen point twenty-four (16.24), subsection
 2 nine (9), Code 1966, is hereby amended by striking from lines three

3 (3) and four (4) the words "state board of control" and by inserting
4 in lieu thereof the words "a director of a division of the state depart-
5 ment of social services".

1 SEC. 25. Section seventeen point three (17.3), Code 1966, is here-
2 by amended as follows:

- 3 1. By striking all of subsections five (5) and seven (7).
- 4 2. By adding as a new subsection the following:
5 "Commissioner of the department of social services."
- 6 3. By renumbering the remaining subsections.

1 SEC. 26. Chapter* seventeen point thirty (17.30), Code 1966, is
2 hereby amended by striking from line four (4) the words "board of
3 control and" and by inserting in lieu thereof the following: "control
4 of a director of the division of the department of social services and
5 the".

1 SEC. 27. Section nineteen point twenty-five (19.25), Code 1966, is
2 hereby amended by striking from subsection seventeen (17) the words
3 "Board of control of state institutions" and by inserting in lieu thereof
4 the words "Directors of divisions of the department of social serv-
5 ices".

1 SEC. 28. Section twenty point one (20.1), Code 1966, is hereby
2 amended by striking from lines four (4) and five (5) the words "a
3 member of the board of control of state institutions" and by inserting
4 in lieu thereof the words "the commissioner of the department of social
5 services or any division director assigned by him".

1 SEC. 29. Section twenty-two point three (22.3), Code 1966, is
2 hereby amended by striking from line seven (7) the words "the state
3 board of control" and by inserting in lieu thereof the words "the com-
4 missioner of the department of social services".

1 SEC. 30. Section twenty-eight C point one (28C.1), Code 1966, is
2 hereby amended by striking all of lines one (1) through four (4) in-
3 clusive and by inserting in lieu thereof the following:
4 "The commissioner of the department of social services, the board
5 of regents, the commissioner of health, the commissioner of the de-
6 partment of public instruction, voca-".

1 SEC. 31. Section sixty-four point six (64.6), Code 1966, is hereby
2 amended by striking all of subsection three (3) and by inserting in
3 lieu thereof the following:

4 "The commissioner and the directors of divisions of the department
5 of social services in control of state institutions, twenty-five thousand
6 (25,000) dollars."

1 SEC. 32. Section ninety-three A point three (93A.3), Code 1966, is
2 hereby amended as follows:

- 3 1. By striking subsections two (2) and nine (9).
- 4 2. By adding the following subsection thereto:
5 "The commissioner of the department of social services and any di-
6 rectors of his department so assigned by him."
- 7 3. By renumbering the remaining subsections.

*According to enrolled Act.

1 SEC. 33. Section one hundred ten point seventeen (110.17), Code
2 1966, is hereby amended by striking from line fourteen (14) the words
3 "board of control" and by inserting in lieu thereof the words "control
4 of a director of a division of the department of social services".

1 SEC. 34. Section one hundred twenty-two point five (122.5), Code
2 1966, is hereby amended by striking from lines eight (8) and nine (9)
3 the words "board of control of state institutions" and by inserting in
4 lieu thereof the words "commissioner of the department of social serv-
5 ices".

1 SEC. 35. Section one hundred twenty-three A point three
2 (123A.3), Code 1966, is hereby amended by striking all of lines six-
3 teen (16) and seventeen (17) and by inserting in lieu thereof the
4 words "tion, the directors of the divisions of child and family services
5 and mental health, both in the state department of social services,
6 the".

1 SEC. 36. Section one hundred twenty-three A point five (123A.5),
2 Code 1966, is hereby amended by adding at the end thereof the follow-
3 ing:

4 "The actual dissemination of information and the education of the
5 general public on the problems of alcoholism, and the prevention and
6 treatment of same shall be accomplished by the director of the division
7 of child and family services of the department of social services."

1 SEC. 37. Section one hundred thirty-five C point seventeen
2 (135C.17), Code 1966, is hereby amended by striking from lines two
3 (2) and three (3) the words "state department of social welfare" and
4 by inserting in lieu thereof the words "director of the division of child
5 and family services of the department of social services".

1 SEC. 38. Section one hundred thirty-five C point twenty-two
2 (135C.22), Code 1966, is hereby amended by striking all of lines three
3 (3) and four (4) and by inserting in lieu thereof the following:

4 "operated by or under the control of a director of a division of the
5 department of social services or by the state board of regents."

1 SEC. 39. Section one hundred fifty-eight point three (158.3), Code
2 1966, is hereby amended by striking from line eight (8) of subsection
3 two (2) the words "board of control" and by inserting in lieu thereof
4 the words "control of a director of a division of the department of
5 social services".

1 SEC. 40. Section two hundred eighteen point one (218.1), Code
2 1966, is hereby amended as follows:

3 1. By striking all of lines one (1) through nine (9) inclusive and
4 by inserting in lieu thereof the following:

5 "The commissioner of the state department of social services shall
6 have the general and full authority given under statute to control,
7 manage, direct and operate the following institutions under his juris-
8 diction and may at his discretion execute the powers and authorities
9 given him by statute to any one of his division directors or to any of
10 the officers or employees of the divisions of the department of social
11 services."

1 SEC. 41. Chapter two hundred eighteen (218), Code 1966, is here-
2 by amended by adding the following section thereto:

3 "The primary authority and responsibility to control, manage,
4 direct and operate the institutions set forth in section two hundred
5 eighteen point one (218.1) of the Code is hereby assigned to the direc-
6 tors of the various divisions of the state department of social services
7 as follows:

8 "1. The director of the division of child and family services of the
9 department of social services shall have primary authority and re-
10 sponsibility relative to the following said institutions: Soldiers Home,
11 Training School for Boys, Training School for Girls, Juvenile Home
12 and The Iowa Annie Wittenmyer Home.

13 "2. The director of the department* of mental health of the depart-
14 ment of social services shall have primary authority and responsibility
15 relative to the following institutions: Glenwood State Hospital-School,
16 Woodward State Hospital-School, Mental Health Institute, Cherokee,
17 Iowa, Mental Health Institute, Clarinda, Iowa, Mental Health Insti-
18 tute, Independence, Iowa and Mental Health Institute, Mount Pleas-
19 ant, Iowa.

20 "3. The director of the division of corrections of the department of
21 social services shall have primary authority and responsibility relative
22 to the following institutions: Women's Reformatory, Men's Reforma-
23 tory and State Penitentiary."

1 SEC. 42. Section two hundred eighteen point three (218.3), Code
2 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "board" and by inserting
4 in lieu thereof the following: "division director to whom primary
5 responsibility of a particular institution has been assigned shall make
6 such reports to the commissioner of the department of social services
7 as are requested by him and the commissioner".

1 SEC. 43. Section two hundred eighteen point four (218.4), Code
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "The directors of particular institutions shall recommend to the
4 council on social services for adoption such rules not inconsistent with
5 law as they may deem necessary for the discharge of their duties, the
6 management of each of such institutions, the admission of inmates
7 thereto and the treatment, care, custody, education and discharge of
8 inmates. It is made the duty of the particular directors to establish
9 rules by which danger to life and property from fire will be minimized.
10 In the discharge of their duties and in the enforcement of their rules,
11 they may require any of their appointees to perform duties in addition
12 to those required by statute.

13 "Such rules when prescribed or approved by the council shall be uni-
14 form and shall apply to all institutions under the particular director
15 and to all other institutions under his jurisdiction and the primary
16 rules of the director of the division of mental health for use in insti-
17 tutions where the mentally ill are kept shall, unless otherwise indi-
18 cated, uniformly apply to county or private hospitals wherein the
19 mentally ill are kept, but such rules shall not interfere with proper

*According to enrolled Act.

20 medical treatment administered patients by competent physicians.
 21 Annually, signed copies of such rules shall be sent to the chief execu-
 22 tive officer of each such institution or hospital under the control or
 23 supervision of a particular director and copies shall also be sent to the
 24 clerk of each district court, the chairman of the board of supervisors
 25 of each county and, as appropriate, to the officer in charge of institu-
 26 tions or hospitals caring for the mentally ill in each county who shall
 27 be responsible for seeing that the same is posted in each institution or
 28 hospital in a prominent place. Such rules shall be kept current to meet
 29 the public need and shall be revised and published annually.

30 "The state fire marshal shall cause to be made an annual inspection
 31 of all the institutions listed in section two hundred eighteen point one
 32 (218.1) of the Code and shall make written report thereof to the par-
 33 ticular director of the state department of social services in control of
 34 such institution."

1 SEC. 44. Section two hundred eighteen point five (218.5), Code
 2 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "board of
 4 control" and by inserting in lieu thereof the following: "directors of
 5 the divisions of the state department of social services".

6 2. By striking from line six (6) the words "the control of the
 7 board" and by inserting in lieu thereof the following: "such directors
 8 primary control".

1 SEC. 45. Section two hundred eighteen point six (218.6), Code
 2 1966, is hereby amended as follows:

3 1. By striking from line three (3) the words "board of control" and
 4 by inserting in lieu thereof the words "control of a particular director
 5 of the division of the department of social services".

6 2. By striking from line five (5) the word "board" and by inserting
 7 in lieu thereof the words "particular division director".

8 3. By striking all of lines fourteen (14) and fifteen (15) and by
 9 inserting in lieu thereof the following:
 10 "as ordered by the division director in charge of his particular in-
 11 stitution with the consent and approval of the commissioner of the
 12 department of social services and such employee shall hold office at
 13 the pleasure of the division director."

1 SEC. 46. Section two hundred eighteen point seven (218.7), Code
 2 1966, is hereby amended as follows:

3 1. By striking from lines two (2) and three (3) the words "board
 4 of control" and by inserting in lieu thereof the words "division direc-
 5 tor in control of his particular institution".

6 2. By striking from line six (6) the words "board of control" and
 7 by inserting in lieu thereof the words "particular division director".

1 SEC. 47. Section two hundred eighteen point eight (218.8), Code
 2 1966, is hereby amended as follows:

3 1. By striking lines two (2) through four (4) inclusive and by in-
 4 serting in lieu thereof the following:

5 "the orders and directions of the division director in control of his
 6 particular institution and to the written request of the auditor of state
 7 made to such division director, such business".

8 2. By striking from line two (2) of subsection three (3) the words
9 "board of control" and by inserting in lieu thereof the words "par-
10 ticular division director".

11 3. By striking from line five (5) of subsection three (3) the words
12 "board of control" and by inserting in lieu thereof the words "par-
13 ticular division director".

1 SEC. 48. Section two hundred eighteen point nine (218.9), Code
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "The director of the division of mental health of the department of
4 social services, subject to the approval of the commissioner of such
5 department, shall appoint the superintendents of the state hospital-
6 schools for the mentally retarded and the mental health institutes.

7 "The director of the division of corrections of the department of
8 social services, subject to the approval of the commissioner of such
9 department, shall appoint the wardens of the state penitentiary and
10 the Men's Reformatory and the superintendent of the Women's Re-
11 formatory.

12 "The director of the division of child and family services of the de-
13 partment of social services, subject to the approval of the commis-
14 sioner of such department shall appoint the superintendents of The
15 Iowa Annie Wittenmyer Home, the Juvenile Home, the Training
16 School for Boys, the Training School for Girls and the commandant
17 of the Soldiers Home.

18 "The superintendent, warden or other executive officer shall have
19 the immediate custody and control, subject to the orders and policies
20 of the director in charge of his institution, of all property used in con-
21 nection with the institution except as provided in this chapter. The
22 tenure of office of the officers shall be at the pleasure of the appointing
23 authority but they may be removed for inability or refusal to properly
24 perform the duties of the office. Such removal shall be had only after
25 an opportunity is given the person to be heard before the director of
26 the department of social services in charge of the particular institu-
27 tion involved and upon preferred written charges. The removal when
28 made shall be final."

1 SEC. 49. Section two hundred eighteen point ten (218.10), Code
2 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "board" and by inserting
4 in lieu thereof the following:

5 "division director in charge of a particular institution* ; with the
6 consent and approval of the commissioner of the department of social
7 services,".

8 2. By striking from lines fifteen (15) and sixteen (16) the words
9 "the board" and by inserting in lieu thereof the words "such division
10 director".

1 SEC. 50. Section two hundred eighteen point twelve (218.12),
2 Code 1966, is hereby repealed and the following enacted in lieu there-
3 of:

4 "The state director in charge of any particular institution shall re-
5 quire each officer and any employee of such director and of every insti-

*According to enrolled Act.

6 tution under his control who may be charged with the custody or con-
7 trol of any money or property belonging to the state to give an official
8 bond, properly conditioned, and signed by sufficient sureties, in a sum
9 to be fixed by the director, which bond shall be approved by the direc-
10 tor, and filed in the office of the secretary of state."

1 SEC. 51. Section two hundred eighteen point thirteen (218.13),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "board" and by inserting
4 in lieu thereof the words "division director having control of any state
5 institution".

6 2. By striking from line six (6) the word "board" and by inserting
7 in lieu thereof the following: "division director".

8 3. By adding the following at the end of such section:

9 "The authority given in this section is all subject to the consent and
10 approval of the commissioner of the department of social services."

1 SEC. 52. Section two hundred eighteen point fourteen (218.14),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the word "board" and by inserting
4 in lieu thereof the words "division director having control over any
5 state institution".

6 2. By striking from line eight (8) the word "board" and by insert-
7 ing in lieu thereof the words "particular division director".

1 SEC. 53. Section two hundred eighteen point eighteen (218.18),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "board" and by inserting
4 in lieu thereof the words "director of the department of social services
5 in control of a particular state institution".

6 2. By striking from line nine (9) the word "board" and by insert-
7 ing in lieu thereof the word "director".

1 SEC. 54. Section two hundred eighteen point nineteen (218.19),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "board" and by inserting
4 in lieu thereof the words "director having control over any state insti-
5 tution".

6 2. By striking from line four (4) the word "It" and by inserting in
7 lieu thereof the words "The particular division directors".

1 SEC. 55. Section two hundred eighteen point twenty (218.20),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the word "board" and by inserting
4 in lieu thereof the words "division director having control over any
5 state institution".

6 2. By striking from line four (4) the word "board" and by insert-
7 ing in lieu thereof the words "particular division directors".

1 SEC. 56. Section two hundred eighteen point twenty-one (218.21),
2 Code 1966, is hereby amended by striking from line one (1) the word
3 "board" and by inserting in lieu thereof the words "director of the
4 department of social services in control of a state institution".

1 SEC. 57. Section two hundred eighteen point twenty-two (218.22),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the word "board" and by inserting
4 in lieu thereof the words "director in charge of an institution".

5 2. By striking all after the word "accessible" in line four (4) and
6 all of lines five (5), six (6) and seven (7) inclusive and by inserting
7 in lieu thereof the following:

8 "only to the director of the division of the department of social serv-
9 ices in control of such institution, the commissioner of the department
10 of social services and to assistants and proper clerks authorized by
11 such director or his commissioner. The director of the division of such
12 institution is authorized to permit the".

1 SEC. 58. Section two hundred eighteen point twenty-three
2 (218.23), Code 1966, is hereby amended as follows:

3 1. By striking from line six (6) the word "board" and by inserting
4 in lieu thereof the words "director in control of such institution".

5 2. By striking all of lines ten (10) and eleven (11) and by inserting
6 in lieu thereof the following: "formation to the office of such director
7 on forms which the director prescribes."

1 SEC. 59. Section two hundred eighteen point twenty-four (218.24),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line three (3) the word "board" and by insert-
4 ing in lieu thereof the words "director in control of his particular
5 institution".

6 2. By striking from line six (6) the word "board" and by inserting
7 in lieu thereof the word "director".

1 SEC. 60. Section two hundred eighteen point twenty-eight
2 (218.28), Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "The
4 board or any employee thereof" and by inserting in lieu thereof the
5 words "The director of the department of social services in control of
6 a particular institution or his authorized officer or employee".

7 2. By striking from lines four (4) and five (5) the words "the
8 institutions named" and by inserting in lieu thereof the words "the
9 institutions under such director's control".

1 SEC. 61. Section two hundred eighteen point twenty-nine (218.29),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "The
4 board or such employees shall" and by inserting in lieu thereof the
5 words "The director of the department of social services in control of
6 a particular institution or his authorized officer or employee shall".

7 2. By striking from line seven (7) the word "them" and by insert-
8 ing in lieu thereof the words "such director or his authorized officer or
9 employee".

1 SEC. 62. Section two hundred eighteen point thirty (218.30), Code
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "The directors of the department of social services to whom control
4 of state institutions has been delegated, or their authorized officers
5 or employees, may investigate charges of abuse, neglect or misman-
6 agement on the part of any officer or employee of any private institu-
7 tion which is subject to such director's particular supervision or con-

8 trol. The director of the division of mental health, or his authorized
9 officer or employee, shall likewise investigate charges concerning coun-
10 ty homes in which mentally ill persons are kept."

1 SEC. 63. Section two hundred eighteen point thirty-one (218.31),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the word "board" and by inserting
4 in lieu thereof the word "director".

5 2. By striking from lines four (4) and five (5) the words "any
6 member thereof" and by inserting in lieu thereof the word "he".

1 SEC. 64. Section two hundred eighteen point thirty-two (218.32),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the word "board" and by inserting
4 in lieu thereof the word "director".

5 2. By striking from line five (5) the word "board" and by inserting
6 in lieu thereof the word "director".

1 SEC. 65. Section two hundred eighteen point thirty-three (218.33),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "board" and by inserting
4 in lieu thereof the words "particular director involved".

5 2. By striking from line three (3) the word "its" and by inserting
6 in lieu thereof the word "his".

1 SEC. 66. Section two hundred eighteen point thirty-four (218.34),
2 Code 1966, is hereby amended by striking all of lines one (1) through
3 three (3), inclusive, and by inserting in lieu thereof the words "a suffi-
4 cient number of persons shall be appointed as".

1 SEC. 67. Section two hundred eighteen point thirty-five (218.35),
2 Code 1966, is hereby amended by striking all of lines one (1) through
3 four (4) and by inserting in lieu thereof the following:

4 "Such agents shall be furnished with such office rooms and all neces-
5 sary supplies as are furnished other officers of the divisions of the
6 department of social services involved. Such".

1 SEC. 68. Section two hundred eighteen point thirty-six (218.36),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) of subsection one (1) the word
4 "board" and by inserting in lieu thereof the words "appointing direc-
5 tor".

6 2. By striking from line two (2) of subsection seven (7) the word
7 "board" and by inserting in lieu thereof the words "appointing direc-
8 tor".

1 SEC. 69. Section two hundred eighteen point thirty-seven (218.37),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "board of
4 control" and by inserting in lieu thereof the words "appointing direc-
5 tor".

6 2. By striking from line ten (10) the word "board" and by insert-
7 ing in lieu thereof the words "appointing director".

1 SEC. 70. Section two hundred eighteen point thirty-nine (218.39),
2 Code 1966, is hereby amended as follows:

- 3 1. By striking from line four (4) the word "board" and by insert-
 4 ing in lieu thereof the words "director of a division of the department
 5 of social services in control of the particular institution".
- 6 2. By striking from line three (3) of subsection two (2) the word
 7 "board" and by inserting in lieu thereof the words "particular director
 8 in control".
- 9 3. By striking from line one (1) of subsection three (3) the word
 10 "board" and by inserting in lieu thereof the words "particular director
 11 in control".
- 12 4. By striking from line five (5) of subsection five (5) the word
 13 "board" and by inserting in lieu thereof the words "particular director
 14 in control".
- 15 5. By striking from line one (1) of subsection six (6) the word
 16 "board" and by inserting in lieu thereof the words "particular director
 17 in control".
- 18 6. By striking from line two (2) of subsection seven (7) the word
 19 "board" and by inserting in lieu thereof the words "particular director
 20 in control".
- 21 7. By striking from line six (6) of subsection seven (7) the word
 22 "board" and by inserting in lieu thereof the words "particular director
 23 in control".

1 SEC. 71. Section two hundred eighteen point forty-two (218.42),
 2 Code 1966, is hereby amended by striking all of line three (3) and by
 3 inserting in lieu thereof the following: "tion, the director in control
 4 of such institution may, when he deems".

1 SEC. 72. Section two hundred eighteen point forty-three (218.43),
 2 Code 1966, is hereby amended by striking from line two (2) the word
 3 "board" and by inserting in lieu thereof the words "director in control
 4 of such institution".

1 SEC. 73. Section two hundred eighteen point forty-four (218.44),
 2 Code 1966, is hereby amended by striking from line one (1) the word
 3 "board" and by inserting in lieu thereof the words "director in control
 4 of such institution".

1 SEC. 74. Section two hundred eighteen point forty-five (218.45),
 2 Code 1966, is hereby amended as follows:

- 3 1. By striking from line three (3) the word "board" and by insert-
 4 ing in lieu thereof the words "director in control of such institution".
- 5 2. By striking from line four (4) the word "its" and by inserting in
 6 lieu thereof the word "his".
- 7 3. By striking from line eight (8) the word "board" and by insert-
 8 ing in lieu thereof the word "director".
- 9 4. By striking from line nine (9) the word "board" and by insert-
 10 ing in lieu thereof the words "director in control".

1 SEC. 75. Section two hundred eighteen point forty-six (218.46),
 2 Code 1966, is hereby amended as follows:

- 3 1. By striking from line one (1) of subsection one (1) the word
 4 "board" and by inserting in lieu thereof the words "directors of divi-
 5 sions of the department of social services who are in charge of insti-
 6 tutions".

7 2. By striking from line one (1) of subsection two (2) the words
8 "board of control is" and by inserting in lieu thereof the words "direc-
9 tors of such state institutions are".

10 3. By striking all of lines six (6) and seven (7) of subsection two
11 (2) and by inserting in lieu thereof the words "ices and facilities shall
12 be made to the director in charge of the particular institution involved
13 and shall be made on forms furnished by such director."

14 4. By striking from line fifteen (15) of subsection two (2) the
15 words "board of control" and by inserting in lieu thereof the words
16 "director in control of the particular institution involved".

1 SEC. 76. Section two hundred eighteen point forty-seven (218.47),
2 Code 1966, is hereby amended by striking from line five (5) the word
3 "board" and by inserting in lieu thereof the words "director in control
4 of his particular institution".

1 SEC. 77. Section two hundred eighteen point forty-eight (218.48),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line three (3) the word "board" and by insert-
4 ing in lieu thereof the words "director in control of his particular in-
5 stitution".

6 2. By striking from line fifteen (15) the word "board" and by in-
7 serting in lieu thereof the words "particular director involved".

1 SEC. 78. Section two hundred eighteen point forty-nine (218.49),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "board" and by inserting
4 in lieu thereof the words "director in control of a state institution".

5 2. By striking from line eight (8) the word "board" and by insert-
6 ing in lieu thereof the words "particular director involved".

1 SEC. 79. Section two hundred eighteen point fifty (218.50), Code
2 1966, is hereby amended by striking from line two (2) the word
3 "board" and by inserting in lieu thereof the words "commissioner of
4 the department of social services".

1 SEC. 80. Section two hundred eighteen point fifty-one (218.51),
2 Code 1966, is hereby amended by striking all of such section after the
3 word "the" in line three (3) and by inserting in lieu thereof the fol-
4 lowing: "director in control of the institution involved and such rules
5 as such director may establish."

1 SEC. 81. Section two hundred eighteen point fifty-two (218.52),
2 Code 1966, is hereby amended by striking from line one (1) the word
3 "board" and by inserting in lieu thereof the words "director in control
4 of a state institution".

1 SEC. 82. Section two hundred eighteen point fifty-three (218.53),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line three (3) the word "board" and by insert-
4 ing in lieu thereof the words "director in control of a state institu-
5 tion".

6 2. By striking from line six (6) the word "board" and by inserting
7 in lieu thereof the words "such director".

1 SEC. 83. Section two hundred eighteen point fifty-five (218.55),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the word "board" and by inserting
4 in lieu thereof the words "the director of a division of the department
5 of social services".

6 2. By striking from line three (3) the word "its" and by inserting
7 in lieu thereof the word "his".

1 SEC. 84. Section two hundred eighteen point fifty-six (218.56),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "board" and by inserting
4 in lieu thereof the word "directors".

5 2. By inserting in line five (5) after the word "institution" the
6 words "under their control".

1 SEC. 85. Section two hundred eighteen point fifty-seven (218.57),
2 Code 1966, is hereby amended by striking from line five (5) the words
3 "of the board of control" and by inserting in lieu thereof the words
4 "of a particular director of a division of the department of social serv-
5 ices".

1 SEC. 86. Section two hundred eighteen point fifty-eight (218.58),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the words "Said board" and by
4 inserting in lieu thereof the words "The commissioner of the depart-
5 ment of social services".

6 2. By striking from line seven (7) the words "the board" and by
7 inserting in lieu thereof the words "the commissioner".

1 SEC. 87. Section two hundred eighteen point fifty-nine (218.59),
2 Code 1966, is hereby amended by striking from line one (1) the word
3 "board" and by inserting in lieu thereof the word "commissioner".

1 SEC. 88. Section two hundred eighteen point sixty (218.60), Code
2 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "board" and by inserting
4 in lieu thereof the word "commissioner".

5 2. By striking from line five (5) the word "board" and by inserting
6 in lieu thereof the word "commissioner".

7 3. By striking from line six (6) the word "board" and by inserting
8 in lieu thereof the word "commissioner".

9 4. By striking from line twelve (12) the word "board" and by in-
10 serting in lieu thereof the word "commissioner".

11 5. By striking from line sixteen (16) the word "board" and by in-
12 serting in lieu thereof the word "commissioner".

1 SEC. 89. Section two hundred eighteen point sixty-one (218.61),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line three (3) the word "board" and by insert-
4 ing in lieu thereof the words "commissioner of the department of
5 social services".

6 2. By striking from line eight (8) the words "the board" and by in-
7 serting in lieu thereof the words "such commissioner".

1 SEC. 90. Section two hundred eighteen point sixty-two (218.62),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the word "board" and by inserting
4 in lieu thereof the words "director in control of a particular institu-
5 tion".

6 2. By striking from line six (6) the words "the board" and by in-
7 serting in lieu thereof the words "such director".

1 SEC. 91. Section two hundred eighteen point sixty-four (218.64),
2 Code 1966, is hereby amended by striking from line four (4) the
3 words "board of control" and by inserting in lieu thereof the words
4 "commissioner of the department of social services".

1 SEC. 92. Section two hundred eighteen point seventy-one
2 (218.71), Code 1966, is hereby amended by striking from line one (1)
3 the word "board" and by inserting in lieu thereof the words "director
4 of a division of the department of social services in control of a par-
5 ticular institution".

1 SEC. 93. Section two hundred eighteen point seventy-two
2 (218.72), Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the words "the board of control"
4 and by inserting in lieu thereof the words "a director of the division
5 of the department of social services".

6 2. By striking from line six (6) the word "board" and by inserting
7 in lieu thereof the word "director".

1 SEC. 94. Section two hundred eighteen point seventy-three
2 (218.73), Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "board" and by inserting
4 in lieu thereof the words "director of a division of the department of
5 social services in control of a state institution".

6 2. By striking from line two (2) the word "it" and by inserting in
7 lieu thereof the word "he".

8 3. By striking the period (.) in line four (4) and by inserting in
9 lieu thereof the following: "under his control."

1 SEC. 95. Sections two hundred eighteen point seventy-four
2 (218.74), two hundred eighteen point seventy-five (218.75), two
3 hundred eighteen point seventy-six (218.76), two hundred eighteen
4 point seventy-seven (218.77), two hundred eighteen point seventy-
5 eight (218.78),* two hundred eighteen point seventy-nine (218.79),
6 two hundred eighteen point eighty (218.80), two hundred eighteen
7 point eighty-one (218.81), and two hundred eighteen point eighty-
8 two (218.82), Code 1966, are hereby repealed.

1 SEC. 96. Section two hundred eighteen point eighty-three
2 (218.83), Code 1966, is hereby amended as follows:

3 1. By striking all of lines one (1) and two (2) and by inserting in
4 lieu thereof the following:

5 "The commissioner of the department of social services and the di-
6 rectors of the divisions therein are directed to cooperate with any
7 department or agency."

8 2. By striking from line six (6) the words "of the state board" and
9 by inserting in lieu thereof the words "under the control of the depart-
10 ment of social services".

*See chapter 192, §1.

- 1 SEC. 97. Section two hundred eighteen point eighty-four (218.84),
2 Code 1966, is hereby amended as follows:
3 1. By striking all of line three (3) and by inserting in lieu thereof
4 the following: "institutions under control of the directors of divisions
5 of the department of social services, in".
6 2. By striking from line seven (7) the word "board" and by insert-
7 ing in lieu thereof the word "directors".
- 1 SEC. 98. Section two hundred eighteen point eighty-five (218.85),
2 Code 1966, is hereby amended by striking all of lines one (1) through
3 three (3) inclusive and by inserting in lieu thereof the following:
4 "The commissioner of the department of social services through the
5 directors of the divisions in control of state institutions shall install in
6 all such state institutions under his control and supervision the most
7 mod-".
- 1 SEC. 99. Section two hundred eighteen point eighty-six (218.86),
2 Code 1966, is hereby amended as follows:
3 1. By striking from lines ten (10) and eleven (11) the words "the
4 board of control" and by inserting in lieu thereof the words "such com-
5 missioner".
6 2. By striking all beginning with the comma (,) in line twelve (12),
7 all of line thirteen (13) and in line fourteen (14) the words "of control"
8 and by inserting in lieu thereof the following: "then be certified
9 by the commissioner".
10 3. By striking from lines sixteen (16) and seventeen (17) the
11 words "the board of control" and by inserting in lieu thereof the
12 words "such commissioner".
- 1 SEC. 100. Section two hundred eighteen point eighty-seven
2 (218.87), Code 1966, is hereby amended by striking from line six (6)
3 the word "board" and by inserting in lieu thereof the word "commis-
4 sioner".
- 1 SEC. 101. Section two hundred eighteen point eighty-eight
2 (218.88), Code 1966, is hereby amended by striking from line five (5)
3 the word "board" and by inserting in lieu thereof the words "commis-
4 sioner of the department of social services".
- 1 SEC. 102. Section two hundred eighteen point ninety (218.90),
2 Code 1966, is hereby repealed and the following enacted in lieu there-
3 of:
4 "The directors of the divisions of the department of social services
5 in control of state institutions may transfer any prisoners under their
6 jurisdiction from any institution supervised by them to any other in-
7 stitution under their control or under the control of another director
8 of a division of the department of social services with the consent and
9 approval of such other director and they may likewise transfer any
10 prisoner to any other institution for medical or physical examination
11 or treatment retaining jurisdiction over such prisoner when so trans-
12 ferred."
- 1 SEC. 103. Section two hundred eighteen point ninety-one (218.91),
2 Code 1966, is hereby amended by striking all of lines one (1) and two
3 (2) and by inserting in lieu thereof the following:

4 "The director of the division of child and family services with the
5 consent and approval of the director of the division of corrections of
6 the department of social services may order".

1 SEC. 104. Section two hundred eighteen point ninety-two
2 (218.92), Code 1966, is hereby amended as follows:

3 1. By striking from lines four (4), five (5) and six (6) the words
4 "placed by the board of control under the director of mental health for
5 administration" and by inserting in lieu thereof the words "under the
6 administration of the director of the division of mental health of the
7 department of social services".

8 2. By striking from lines ten (10) and eleven (11) the words "the
9 board of control or director of mental health may order" and by in-
10 sserting in lieu thereof the words "the director of such institution with
11 the consent of the director of corrections of the department of social
12 services may order".

13 3. By striking from lines eighteen (18) and nineteen (19) the
14 words "board of control or director of mental health" and by insert-
15 ing in lieu thereof the words "director of the division of mental
16 health".

1 SEC. 105. Section two hundred eighteen point ninety-three
2 (218.93), Code 1966, is hereby repealed and the following enacted in
3 lieu thereof:

4 "The commissioner of the department of social services or the direc-
5 tors of divisions in control of state institutions are authorized to se-
6 cure the services of consultants to furnish advice on administrative,
7 professional or technical problems to the commissioner or such direc-
8 tors, their employees or employees of institutions under their juris-
9 diction or to provide in-service training and instruction for such
10 employees. The commissioner and directors are authorized to pay the
11 consultants at a rate to be determined by them from funds appropri-
12 ated to their division or to any institution under their jurisdiction as
13 such commissioner or director may determine."

1 SEC. 106. Section two hundred eighteen point ninety-four
2 (218.94), Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the words "board of control" and
4 by inserting in lieu thereof the words "commissioner of the depart-
5 ment of social services".

6 2. By striking from line seven (7) the word "board" and by insert-
7 ing in lieu thereof the word "commissioner".

8 3. By striking from line fifteen (15) the words "state board of con-
9 trol" and by inserting in lieu thereof the words "department of social
10 services".

11 4. By striking from line nineteen (19) the word "its" and by insert-
12 ing in lieu thereof the words "such commissioner's".

1 SEC. 107. Section two hundred eighteen point ninety-six (218.96),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "board of
4 control" and by inserting in lieu thereof the words "commissioner of
5 the department of social services".

6 2. By striking from line five (5) the word "board" and by inserting
7 in lieu thereof the word "commissioner".

1 SEC. 108. Section two hundred eighteen point ninety-seven
2 (218.97), Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the words "board of control is"
4 and by inserting in lieu thereof the words "commissioner of the de-
5 partment of social services and the directors of divisions directly in-
6 volved are".

7 2. By striking all of line thirteen (13) and by inserting in lieu
8 thereof the following: "by the commissioner or the directors of divi-
9 sions directly involved, furnish the commissioner or such director with
10 such in-".

1 SEC. 109. Section two hundred eighteen point ninety-eight
2 (218.98), Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "board of
4 control" and by inserting in lieu thereof the words "directors of divi-
5 sions in the department of social services in control of state institu-
6 tions".

7 2. By striking from line three (3) the word "its" and by inserting
8 in lieu thereof the word "their".

9 3. By striking from line eight (8) the words "The board" and by
10 inserting in lieu thereof the words "Such directors".

11 4. By striking from line eleven (11) the words "the board of con-
12 trol" and by inserting in lieu thereof the words "such directors".

1 SEC. 110. Section two hundred eighteen point ninety-nine
2 (218.99), Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the words "board of control" and
4 by inserting in lieu thereof the words "director of a division of the
5 department of social services in control of a state institution".

6 2. By striking from line three (3) the word "its" and by inserting
7 in lieu thereof the word "his".

8 3. By striking from line nine (9) the words "The board" and by
9 inserting in lieu thereof the words "Such directors".

10 4. By striking from line seventeen (17) the words "board of con-
11 trol" and by inserting in lieu thereof the words "commissioner of the
12 department of social services and the director of a division of such
13 department in control of the particular institution involved".

1 SEC. 111. Section two hundred eighteen A point two (218A.2),
2 Code 1966, is amended by striking from lines two (2) and three (3)
3 the words "mental health of the board of control" and by inserting in
4 lieu thereof the words "the division of mental health of the depart-
5 ment of social services".

1 SEC. 112. Section two hundred eighteen A point four (218A.4),
2 Code 1966, is amended by striking from lines two (2) and three (3)
3 the words "board of control of state institutions" and by inserting in
4 lieu thereof the words "commissioner of the department of social
5 services".

1 SEC. 113. Chapter two hundred nineteen (219), Code 1966, is
2 amended by adding the following section thereto:

3 "The term 'director' or 'state director' means the director of the
4 division of child and family services of the department of social serv-
5 ices."

1 SEC. 114. Section two hundred nineteen point two (219.2), Code
2 1966, is amended as follows:

3 1. By striking from line thirteen (13) the words "board of control"
4 and inserting in lieu thereof the word "director".

1 SEC. 115. Section two hundred nineteen point three (219.3), Code
2 1966, is amended as follows:

3 1. By striking from line one (1) the words "board of control" and
4 inserting in lieu thereof the word "director".

1 SEC. 116. Section two hundred nineteen point seven (219.7), Code
2 1966, is amended as follows:

3 1. By striking the words "board of control" from line one (1) and
4 inserting in lieu thereof the word "director".

5 2. By striking from line five (5) the word "board" and by inserting
6 in lieu thereof the word "director".

1 SEC. 117. Section two hundred nineteen point nine (219.9), Code
2 1966, is amended as follows:

3 1. By striking from lines two (2) and three (3) the words "board
4 of control" and inserting in lieu thereof the word "director".

5 2. By striking from line four (4) the words "board of control" and
6 inserting in lieu thereof the word "director".

1 SEC. 118. Section two hundred nineteen point eleven (219.11),
2 Code 1966, is amended as follows:

3 1. By striking from line one (1) the word "board's" and inserting
4 in lieu thereof the word "director's".

5 2. By striking from lines eleven (11) and twelve (12) the words
6 "board of control" and inserting in lieu thereof the word "director".

1 SEC. 119. Section two hundred nineteen point fourteen (219.14),
2 Code 1966, is amended as follows:

3 1. By striking from line eighteen (18) the words "board of control"
4 and inserting in lieu thereof the word "director".

5 2. By striking from line twenty-one (21) the word "board" and in-
6 serting in lieu thereof the word "director".

7 3. By striking from line twenty-two (22) the words "board by reso-
8 lution" and inserting in lieu thereof the word "director".

1 SEC. 120. Section two hundred nineteen point sixteen (219.16),
2 Code 1966, is amended as follows:

3 1. By striking from line one (1) the word "board" and inserting in
4 lieu thereof the word "director".

5 2. By striking from line nine (9) the words "board of control" and
6 inserting in lieu thereof the word "director".

1 SEC. 121. Section two hundred nineteen point eighteen (219.18),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line three (3) the words "board of control" and
4 inserting in lieu thereof the word "director".

5 2. By striking from line seven (7) the word "board" and by insert-
6 ing in lieu thereof the word "director".

1 SEC. 122. Section two hundred nineteen point nineteen (219.19),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line fifteen (15) the words "board of control"
4 and inserting in lieu thereof the word "director".

5 2. By striking from line eighteen (18) the words "board of control"
6 and inserting in lieu thereof the word "director".

1 SEC. 123. Section two hundred nineteen point twenty-one
2 (219.21), Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the words "board of control" and
4 inserting in lieu thereof the word "director".

1 SEC. 124. Section two hundred twenty-one point one (221.1),
2 Code 1966, is hereby amended by striking from lines one (1) and two
3 (2) the words "board of control of state institutions" and by inserting
4 in lieu thereof the words "director of mental health of the state de-
5 partment of social services".

1 SEC. 125. Section two hundred twenty-one point two (221.2),
2 Code 1966, is hereby amended by striking from line one (1) the word
3 "board" and by inserting in lieu thereof the words "division of mental
4 health of the state department of social services".

1 SEC. 126. Section two hundred twenty-two point two (222.2),
2 Code 1966, is hereby amended as follows:

3 1. By striking all of subsections two (2) and three (3) and by in-
4 serting in lieu thereof the following:

5 "2. 'Director' or 'state director' means the director of the division
6 of mental health of the department of social services."

7 2. By renumbering the remaining subsections.

1 SEC. 127. Section two hundred twenty-two point three (222.3),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "The
4 board or the director with the approval of the board" and by inserting
5 in lieu thereof the words "The state director".

6 2. By striking from line five (5) the word "board" and by inserting
7 in lieu thereof the words "state director".

1 SEC. 128. Section two hundred twenty-two point four (222.4),
2 Code 1966, is amended as follows:

3 1. By striking all of lines two (2) and three (3) of subsection one
4 (1) and by inserting in lieu thereof the following: "the state director
5 not inconsistent with law."

6 2. By striking all of lines three (3) and four (4) of subsection four
7 (4) and by inserting in lieu thereof the following: "subject to the
8 regulations of the state director."

1 SEC. 129. Section two hundred twenty-two point six (222.6), Code
2 1966, is amended as follows:

3 1. By striking all of lines one (1) and two (2) and by inserting in
4 lieu thereof the following: "The state director shall".

5 2. By striking from lines eleven (11) and twelve (12) the words

6 "board or director with approval of the board" and by inserting in
7 lieu thereof the words "state director".

1 SEC. 130. Section two hundred twenty-two point seven (222.7),
2 Code 1966, is hereby amended by striking all of lines one (1) and two
3 (2) and by inserting in lieu thereof the words "The state director may
4 transfer".

1 SEC. 131. Section two hundred twenty-two point eight (222.8),
2 Code 1966, is hereby amended by striking from line eight (8) the
3 words "any member of the board" and by inserting in lieu thereof the
4 words "the state director".

1 SEC. 132. Section two hundred twenty-two point ten (222.10),
2 Code 1966, is hereby amended as follows:

3 1. By striking all of line eight (8) after the word "to" and by in-
4 serting in lieu thereof the words "the state director. The state direc-
5 tor shall".

6 2. By striking from line fourteen (14) the word "board" and by
7 inserting in lieu thereof the words "state director or by the director
8 of the division of child and family services of the department of social
9 services".

10 3. By striking from line fifteen (15) the word "board" and by in-
11 serting in lieu thereof the words "state director".

1 SEC. 133. Section two hundred twenty-two point eleven (222.11),
2 Code 1966, is hereby amended by striking from line seven (7) the
3 word "board" and by inserting in lieu thereof the words "state direc-
4 tor".

1 SEC. 134. Section two hundred twenty-two point thirteen
2 (222.13), Code 1966, is hereby amended by striking from line thirteen
3 (13) the word "board" and by inserting in lieu thereof the words
4 "state director".

1 SEC. 135. Section two hundred twenty-two point thirty-one
2 (222.31), Code 1966, is hereby amended by striking from line three
3 (3) of subsection two (2) the word "board" and by inserting in lieu
4 thereof the words "state director".

1 SEC. 136. Section two hundred twenty-two point thirty-five
2 (222.35), Code 1966, is hereby amended by striking from line seven
3 (7) the word "board" and by inserting in lieu thereof the words "state
4 director".

1 SEC. 137. Section two hundred twenty-two point fifty (222.50),
2 Code 1966, is hereby amended by striking all of lines fifteen (15) and
3 sixteen (16) and by inserting in lieu thereof the words "proved by the
4 state director."

1 SEC. 138. Section two hundred twenty-two point fifty-eight
2 (222.58), Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "board" and by inserting
4 in lieu thereof the words "state director".

5 2. By striking from line seven (7) the word "board's" and by in-
6 serting in lieu thereof the words "state director's".

1 SEC. 139. Section two hundred twenty-two point fifty-nine
2 (222.59), Code 1966, is hereby amended by striking from line nine (9)
3 the words "board or the" and by inserting in lieu thereof the word
4 "state".

1 SEC. 140. Section two hundred twenty-two point sixty-four
2 (222.64), Code 1966, is hereby amended as follows:

3 1. By striking from line six (6) the words "board of control" and
4 by inserting in lieu thereof the words "state director".

5 2. By striking from lines seven (7) and eight (8) the words "board
6 of control" and by inserting in lieu thereof the words "state director".

7 3. By striking from line fourteen (14) the words "board of control"
8 and by inserting in lieu thereof the words "state director".

1 SEC. 141. Section two hundred twenty-two point sixty-five
2 (222.65), Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the words "board of control" and
4 by inserting in lieu thereof the words "state director".

5 2. By striking from line one (1) of subsection one (1) the word
6 "board" and by inserting in lieu thereof the words "state director".

7 3. By striking from lines three (3) and four (4) of subsection one
8 (1) the words "board of control" and by inserting in lieu thereof the
9 words "state director".

10 4. By striking from line one (1) of subsection two (2) the word
11 "board" and by inserting in lieu thereof the words "state director".

12 5. By striking from line three (3) of subsection two (2) the words
13 "board of control" and by inserting in lieu thereof the words "state
14 director".

1 SEC. 142. Section two hundred twenty-two point sixty-six
2 (222.66), Code 1966, is hereby amended as follows:

3 1. By striking from line seven (7) the words "board of control" and
4 by inserting in lieu thereof the words "state director".

5 2. By striking from line twelve (12) the words "board of control"
6 and by inserting in lieu thereof the words "state director".

1 SEC. 143. Section two hundred twenty-two point sixty-seven
2 (222.67), Code 1966, is hereby amended as follows:

3 1. By striking from line four (4) the word "board" and by inserting
4 in lieu thereof the words "state director".

5 2. By striking from line seven (7) the word "board" and by insert-
6 ing in lieu thereof the words "state director".

1 SEC. 144. Section two hundred twenty-two point sixty-nine
2 (222.69), Code 1966, is hereby amended by striking from line ten (10)
3 the words "board or the" and by inserting in lieu thereof the word
4 "state".

1 SEC. 145. Section two hundred twenty-two point seventy (222.70),
2 Code 1966, is amended as follows:

3 1. By striking from line three (3) the word "board" and by insert-
4 ing in lieu thereof the words "state director".

5 2. By striking from line six (6) the word "board" and by inserting
6 in lieu thereof the words "state director".

1 SEC. 146. Section two hundred twenty-two point seventy-three
 2 (222.73), Code 1966, is hereby amended by striking from line twenty-
 3 nine (29) the word "board" and by inserting in lieu thereof the words
 4 "state director".

1 SEC. 147. Section two hundred twenty-two point seventy-eight
 2 (222.78), Code 1966, is hereby amended as follows:

3 1. By striking from line eighteen (18) the word "board" and by in-
 4 serting in lieu thereof the words "state director".

5 2. By striking from line twenty-two (22) the words "department of
 6 social welfare" and by inserting in lieu thereof the word "division".

7 3. By striking from line [thirty-seven]* (37) the word "board" and
 8 by inserting in lieu thereof the words "state director".

1 SEC. 148. Section two hundred twenty-four point one (224.1),
 2 Code 1966, is amended by striking from line six (6) the words "board
 3 of control" and by inserting in lieu thereof the words "commissioner
 4 of the state department of social services".

1 SEC. 149. Section two hundred twenty-four point three (224.3),
 2 Code 1966, is amended by striking from lines five (5) and six (6) the
 3 words "board of control" and by inserting in lieu thereof the words
 4 "commissioner of the state department of social services".

1 SEC. 150. Section two hundred twenty-four point four (224.4),
 2 Code 1966, is amended by striking from lines one (1) and two (2) the
 3 words "board of control" and by inserting in lieu thereof the words
 4 "commissioner of the state department of social services".

1 SEC. 151. Section two hundred twenty-four point five (224.5),
 2 Code 1966, is amended by striking from lines three (3) and four (4)
 3 the words "board of control" and by inserting in lieu thereof the words
 4 "commissioner of the state department of social services".

1 SEC. 152. Section two hundred twenty-five point six (225.6), Code
 2 1966, is amended by striking from lines seven (7) and eight (8) the
 3 words "board of control of state institutions" and by inserting in lieu
 4 thereof the words "director of the division of mental health of the
 5 state department of social services or of the commissioner of such
 6 state department".

7 Section two hundred twenty-five point six (225.6), Code 1966, is
 8 further amended by striking from line ten (10) the words "board of
 9 control" and inserting in lieu thereof the word "director".

1 SEC. 153. Chapter two hundred twenty-six (226), Code 1966, is
 2 amended by adding the following section thereto:

3 "For the purpose of this chapter 'director' or 'state director' shall
 4 mean the director of the division of mental health of the department
 5 of social services."

1 SEC. 154. Section two hundred twenty-six point four (226.4),
 2 Code 1966, is amended by striking from line three (3) the words
 3 "board of control" and by inserting in lieu thereof the words "state
 4 director".

*Word supplied by editor, see §3.1(3) of the Code.

1 SEC. 155. Section two hundred twenty-six point six (226.6), Code
2 1966, is amended by striking from line four (4) of subsection one (1)
3 the words "board of control" and by inserting in lieu thereof the words
4 "state director".

1 SEC. 156. Section two hundred twenty-six point nine (226.9),
2 Code 1966, is amended by striking from lines seven (7) and eight (8)
3 the words "board of control" and by inserting in lieu thereof the words
4 "state director".

1 SEC. 157. Section two hundred twenty-six point twelve (226.12),
2 Code 1966, is amended as follows:

3 1. By striking from line one (1) the words "board or its secretary"
4 and by inserting in lieu thereof the words "state director".

5 2. By striking from line three (3) the word "It" and by inserting
6 in lieu thereof the word "He".

7 3. By striking from line five (5) the word "board" and by inserting
8 in lieu thereof the words "state director".

1 SEC. 158. Section two hundred twenty-six point thirteen (226.13),
2 Code 1966, is amended as follows:

3 1. By striking all of lines one (1) through three (3) inclusive, and
4 by inserting in lieu thereof the words "The name and address of the
5 state director shall be kept posted in every".

6 2. By striking from line six (6) the word "board" and by inserting
7 in lieu thereof the words "state director".

8 3. By striking from line eight (8) the words "board of control" and
9 by inserting in lieu thereof the words "state director".

1 SEC. 159. Section two hundred twenty-six point fifteen (226.15),
2 Code 1966, is amended by striking from lines four (4) and five (5) the
3 words "members of the board" and by inserting in lieu thereof the
4 words "the state director".

1 SEC. 160. Section two hundred twenty-six point seventeen
2 (226.17), Code 1966, is amended by striking from line seven (7) the
3 words "board of control" and by inserting in lieu thereof the words
4 "state director".

1 SEC. 161. Section two hundred twenty-six point eighteen
2 (226.18), Code 1966, is amended as follows:

3 1. By striking from line one (1) the word "board" and by inserting
4 in lieu thereof the words "state director".

5 2. By striking from line three (3) the word "its" and by inserting
6 in lieu thereof the word "his".

1 SEC. 162. Section two hundred twenty-six point twenty-three
2 (226.23), Code 1966, is amended as follows:

3 1. By striking from line five (5) the words "board of control" and
4 by inserting in lieu thereof the words "state director".

5 2. By striking from line eight (8) the word "board" and by insert-
6 ing in lieu thereof the words "state director".

1 SEC. 163. Section two hundred twenty-six point twenty-four
2 (226.24), Code 1966, is amended by striking from line four (4) the

3 words "board of control" and by inserting in lieu thereof the words
4 "state director".

1 SEC. 164. Section two hundred twenty-six point twenty-six
2 (226.26), Code 1966, is amended by striking from lines one (1) and
3 two (2) the words "board of control" and by inserting in lieu thereof
4 the words "state director".

1 SEC. 165. Section two hundred twenty-six point thirty (226.30),
2 Code 1966, is amended as follows:

3 1. By striking from line four (4) the word "board" and by inserting
4 in lieu thereof the words "state director".

5 2. By striking from line thirteen (13) the word "board" and by in-
6 serting in lieu thereof the words "state director".

1 SEC. 166. Section two hundred twenty-six point thirty-two
2 (226.32), Code 1966, is amended by striking from line one (1) the
3 word "board" and by inserting in lieu thereof the words "state direc-
4 tor".

1 SEC. 167. Section two hundred twenty-six point thirty-five
2 (226.35), Code 1966, is amended as follows:

3 1. By striking from line ten (10) the words "board of control" and
4 by inserting in lieu thereof the words "state director".

5 2. By striking from line eleven (11) the word "board" and insert-
6 ing in lieu thereof the word "director".

1 SEC. 168. Section two hundred twenty-six point thirty-six
2 (226.36), Code 1966, is amended by striking from line one (1) the
3 words "board of control" and by inserting in lieu thereof the words
4 "state director".

1 SEC. 169. Section two hundred twenty-six point thirty-nine
2 (226.39), Code 1966, is amended by striking from lines sixteen (16)
3 and seventeen (17) the words "board of control" and by inserting in
4 lieu thereof the words "state director".

1 SEC. 170. Chapter two hundred twenty-seven (227), Code 1966,
2 is amended by adding the following section thereto:

3 "For the purpose of this chapter 'director' or 'state director' shall
4 mean the director of the division of mental health of the department
5 of social services."

1 SEC. 171. Section two hundred twenty-seven point one (227.1),
2 Code 1966, is amended by striking from line four (4) the words
3 "board of control of state institutions" and by inserting in lieu there-
4 of the words "state director".

1 SEC. 172. Section two hundred twenty-seven point two (227.2),
2 Code 1966, is amended as follows:

3 1. By striking from line one (1) the word "board" and by inserting
4 in lieu thereof the words "state director".

5 2. By striking from lines five (5) and six (6) the words "members
6 of the board" and by inserting in lieu thereof the words "state direc-
7 tor".

- 8 3. By striking from line seven (7) the word "it" and by inserting
9 in lieu thereof the word "him".
- 10 4. By striking from line fourteen (14) the word "board" and by in-
11 serting in lieu thereof the words "state director".
- 12 5. By striking from line sixteen (16) the word "board" and by in-
13 serting in lieu thereof the words "state director".
- 14 6. By striking from line twenty (20) the word "board" and by in-
15 serting in lieu thereof the words "state director".
- 16 7. By striking from line forty-three (43) the words "board of con-
17 trol" and by inserting in lieu thereof the words "state director".
- 18 8. By striking from line forty-six (46) the word "board" and by in-
19 serting in lieu thereof the words "state director".
- 20 9. By striking from line fifty-eight (58) the word "board" and by
21 inserting in lieu thereof the words "state director".

1 SEC. 173. Section two hundred twenty-seven point three (227.3),
2 Code 1966, is amended as follows:

- 3 1. By striking from line six (6) the word "board" and by inserting
4 in lieu thereof the words "state director".
- 5 2. By striking from line seven (7) the word "board" and by insert-
6 ing in lieu thereof the words "state director".

1 SEC. 174. Section two hundred twenty-seven point six (227.6),
2 Code 1966, is amended as follows:

- 3 1. By striking from line one (1) the word "board" and by inserting
4 in lieu thereof the words "state director".
- 5 2. By striking from line two (2) the word "its" and by inserting in
6 lieu thereof the word "his".
- 7 3. By striking from line eight (8) the word "board" and by insert-
8 ing in lieu thereof the words "state director".

1 SEC. 175. Section two hundred twenty-seven point eight (227.8),
2 Code 1966, is amended as follows:

- 3 1. By striking from lines one (1) and two (2) the words "board of
4 control" and by inserting in lieu thereof the words "state director".
- 5 2. By striking from line six (6) the word "board" and by inserting
6 in lieu thereof the words "state director".

1 SEC. 176. Section two hundred twenty-seven point nine (227.9),
2 Code 1966, is amended by striking from line two (2) the word "board"
3 and by inserting in lieu thereof the words "state director".

4 Section two hundred twenty-seven point nine (227.9), Code 1966, is
5 further amended by striking from line [four]* (4) the word "it" and
6 inserting in lieu thereof the word "he".

1 SEC. 177. Section two hundred twenty-seven point ten (227.10),
2 Code 1966, is amended as follows:

- 3 1. By striking from line four (4) the words "board of control" and
4 by inserting in lieu thereof the words "state director".
- 5 2. By striking from line seven (7) the word "board" and by insert-
6 ing in lieu thereof the words "state director".

1 SEC. 178. Section two hundred twenty-seven point eleven
2 (227.11), Code 1966, is amended by striking from line seven (7) the

*Word supplied by editor, see §3.1(3) of the Code.

3 word "board" and by inserting in lieu thereof the words "state direc-
4 tor".

1 SEC. 179. Section two hundred twenty-seven point twelve
2 (227.12), Code 1966, is amended by striking from lines two (2) and
3 three (3) the words "board of control" and by inserting in lieu thereof
4 the words "state director".

1 SEC. 180. Section two hundred twenty-seven point thirteen
2 (227.13), Code 1966, is amended by striking from line four (4) the
3 words "board of control" and by inserting in lieu thereof the words
4 "state director".

1 SEC. 181. Section two hundred twenty-seven point fourteen
2 (227.14), Code 1966, is amended by striking from lines three (3) and
3 four (4) the words "board of control" and by inserting in lieu thereof
4 the words "state director".

1 SEC. 182. Section two hundred twenty-seven point eighteen
2 (227.18), Code 1966, is amended by striking from line four (4) the
3 words "board of control" and by inserting in lieu thereof the words
4 "state director".

5 Section two hundred twenty-seven point eighteen (227.18), Code
6 1966, is further amended by striking from lines eight (8) and nine
7 (9) the words "board of control" and inserting in lieu thereof the
8 words "state director".

1 SEC. 183. Chapter two hundred twenty-nine (229), Code 1966, is
2 amended by adding the following new section thereto:

3 "As used in this chapter, 'director' or 'state director' means the
4 director of the division of mental health of the department of social
5 services."

1 SEC. 184. Section two hundred twenty-nine point one (229.1),
2 Code 1966, is amended as follows:

3 1. By striking from lines fifty-three (53) and fifty-four (54) the
4 words "board of control" and by inserting in lieu thereof the words
5 "state director".

6 2. By striking from line fifty-five (55) the words "board of control"
7 and inserting in lieu thereof the words "state director".

1 SEC. 185. Section two hundred twenty-nine point twenty-one
2 (229.21), Code 1966, is amended by striking from lines three (3) and
3 four (4) the words "board of control" and by inserting in lieu thereof
4 the words "state director".

1 SEC. 186. Section two hundred twenty-nine point twenty-two
2 (229.22), Code 1966, is amended by striking from lines five (5) and
3 six (6) the words "board of control" and by inserting in lieu thereof
4 the words "state director".

1 SEC. 187. Section two hundred twenty-nine point twenty-three
2 (229.23), Code 1966, is amended by striking from line one (1) the
3 words "board of control" and by inserting in lieu thereof the words
4 "state director".

1 SEC. 188. Section two hundred twenty-nine point twenty-seven
2 (229.27), Code 1966, is amended by striking from line nine (9) the
3 words "board of control" and inserting in lieu thereof the words "state
4 director".

1 SEC. 189. Section two hundred twenty-nine point thirty (229.30),
2 Code 1966, is amended by striking from line six (6) the words "board
3 of control" and by inserting in lieu thereof the words "state director".

1 SEC. 190. Section two hundred twenty-nine point forty-one
2 (229.41), Code 1966, is amended as follows:
3 1. By striking from line eight (8) the words "board of control" and
4 by inserting in lieu thereof the words "state director".
5 2. By striking from line twenty-seven (27) the words "board of
6 control" and by inserting in lieu thereof the words "state director".

1 SEC. 191. Section two hundred twenty-nine point forty-two
2 (229.42), Code 1966, is amended by striking from line ten (10) the
3 words "board of control" and by inserting in lieu thereof the words
4 "state director".

1 SEC. 192. Section two hundred twenty-nine point forty-three
2 (229.43), Code 1966, is amended as follows:
3 1. By striking from line one (1) the words "board of control" and
4 by inserting in lieu thereof the words "state director".
5 2. By striking from line seven (7) the word "board" and by insert-
6 ing in lieu thereof the words "state director".

1 SEC. 193. Chapter two hundred thirty (230), Code 1966, is amend-
2 ed by adding the following new section thereto:
3 "As used in this chapter, 'director' or 'state director' means the
4 director of the division of mental health of the department of social
5 services."

1 SEC. 194. Section two hundred thirty point five (230.5), Code
2 1966, is amended as follows:
3 1. By striking from line six (6) the words "board of control" and
4 by inserting in lieu thereof the words "state director".
5 2. By striking from line seven (7) the words "board of control" and
6 by inserting in lieu thereof the words "state director".
7 3. By striking from line ten (10) the words "board of control" and
8 by inserting in lieu thereof the words "state director".

1 SEC. 195. Section two hundred thirty point six (230.6), Code
2 1966, is amended as follows:
3 1. By striking from lines one (1) and two (2) the words "board of
4 control" and inserting in lieu thereof the words "state director".
5 2. By striking from line one (1) of subsection one (1) the words
6 "board of control" and by inserting in lieu thereof the words "state
7 director".
8 3. By striking from lines three (3) and four (4) of subsection one
9 (1) the words "board of control" and by inserting in lieu thereof the
10 words "state director".
11 4. By striking from line one (1) of subsection two (2) the words
12 "board of control" and by inserting in lieu thereof the words "state
13 director".

14 5. By striking from line three (3) of subsection two (2) the words
15 "board of control" and by inserting in lieu thereof the words "state
16 director".

1 SEC. 196. Section two hundred thirty point seven (230.7), Code
2 1966, is amended as follows:

3 1. By striking from line two (2) the words "board of control" and
4 by inserting in lieu thereof the words "state director".

5 2. By striking from line five (5) the word "it" and by inserting in
6 lieu thereof the word "he".

1 SEC. 197. Section two hundred thirty point eight (230.8), Code
2 1966, is amended as follows:

3 1. By striking from line six (6) the words "board of control" and
4 by inserting in lieu thereof the words "state director".

5 2. By striking from lines ten (10) and eleven (11) the words
6 "board of control" and by inserting in lieu thereof the words "state
7 director".

1 SEC. 198. Section two hundred thirty point nine (230.9), Code
2 1966, is amended as follows:

3 1. By striking from lines four (4) and five (5) the words "board of
4 control" and by inserting in lieu thereof the words "state director".

5 2. By striking from line seven (7) the word "board" and by insert-
6 ing in lieu thereof the words "state director".

1 SEC. 199. Section two hundred thirty point eleven (230.11), Code
2 1966, is amended by striking all of lines fourteen (14) and fifteen (15)
3 and by inserting in lieu thereof the words "by the state director."

1 SEC. 200. Section two hundred thirty point twelve (230.12), Code
2 1966, is amended as follows:

3 1. By striking from line two (2) the words "board of control" and
4 by inserting in lieu thereof the words "state director".

5 2. By striking from line six (6) the words "board of control" and
6 by inserting in lieu thereof the words "state director".

1 SEC. 201. Section two hundred thirty point thirty-one (230.31),
2 Code 1966, is amended as follows:

3 1. By striking from lines seven (7) and eight (8) the words "board
4 of control" and by inserting in lieu thereof the words "state director".

5 2. By striking from line thirteen (13) the words "board of control"
6 and by inserting in lieu thereof the words "state director or any other
7 director of the state department of social services".

1 SEC. 202. Section two hundred thirty point thirty-three (230.33),
2 Code 1966, is amended by striking all of lines one (1) through three
3 (3) and that part of line four (4) preceding the word "is" and insert-
4 ing in lieu thereof the following: "The state director".

1 SEC. 203. Section two hundred thirty-two point two (232.2), Code
2 1966, is hereby amended by adding the following subsection thereto:

3 "The terms 'director' or 'state director' means the director of the
4 division of child and family services of the department of social serv-
5 ices."

1 SEC. 204. Section two hundred thirty-two point twenty-four
2 (232.24), Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "state
4 board of social welfare" and by inserting in lieu thereof the words
5 "state director".

6 2. By striking from line six (6) the word "board" and by inserting
7 in lieu thereof the words "state director".

1 SEC. 205. Section two hundred thirty-two point twenty-five
2 (232.25), Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the words "state board of social
4 welfare" and by inserting in lieu thereof the words "state director".

5 2. By striking from line eight (8) the word "board" and by insert-
6 ing in lieu thereof the words "state director".

1 SEC. 206. Section two hundred thirty-two point twenty-six
2 (232.26), Code 1966, is hereby amended by striking from lines five
3 (5) and six (6) the words "state board of social welfare" and by
4 inserting in lieu thereof the words "state director".

1 SEC. 207. Section two hundred thirty-two point thirty-three
2 (232.33), Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) of subsection four
4 (4) the words "state board of control" and by inserting in lieu thereof
5 the words "state director".

6 2. By striking from line six (6) of subsection five (5) the words
7 "state board of control" and by inserting in lieu thereof the words
8 "state director".

1 SEC. 208. Section two hundred thirty-two point thirty-four
2 (232.34), Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) of subsection four
4 (4) the words "state board of control" and by inserting in lieu thereof
5 the words "state director".

6 2. By striking from line five (5) of subsection five (5) the words
7 "state board of control" and by inserting in lieu thereof the words
8 "state director".

1 SEC. 209. Section two hundred thirty-two point thirty-five
2 (232.35), Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the words "state board of control"
4 and by inserting in lieu thereof the words "state director".

5 2. By striking from line three (3) the word "board" and by insert-
6 ing in lieu thereof the words "state director".

1 SEC. 210. Section two hundred thirty-two point forty-eight
2 (232.48), Code 1966, is hereby amended as follows:

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

5 "1. The county department of social welfare or the state director."

6 2. By striking from line one (1) of subsection four (4) the words
7 "state board of control" and by inserting in lieu thereof the words
8 "state director".

1 SEC. 211. Section two hundred thirty-two point forty-nine
2 (232.49), Code 1966, is hereby amended by inserting the word "direc-
3 tor," before the word "agency" in line six (6).

1 SEC. 212. Section two hundred thirty-two point fifty-nine
2 (232.59), Code 1966, is hereby amended by striking from line four
3 (4) the words "state board of social welfare" and by inserting in lieu
4 thereof the words "state director".

1 SEC. 213. Section two hundred thirty-four point one (234.1), Code
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "As used in this chapter: 'division' or 'state division' means the
4 division of child and family services of the department of social serv-
5 ices; 'director' or 'state director' means the director of the division of
6 child and family services of the department of social services; 'county
7 board' means the county board of social welfare."

1 SEC. 214. Section two hundred thirty-four point two (234.2),
2 Code 1966, is hereby repealed and the following enacted in lieu there-
3 of:

4 "Within the state department of social services, there is hereby
5 created a division of child and family services which shall be admin-
6 istered by the director of said division and such other officers and
7 employees as may be hereafter provided."

1 SEC. 215. Sections two hundred thirty-four point three (234.3),
2 two hundred thirty-four point four (234.4), two hundred thirty-four
3 point five (234.5) and two hundred thirty-four point seven (234.7),
4 Code 1966, are hereby repealed.

1 SEC. 216. Section two hundred thirty-four point six (234.6), Code
2 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "board" and by inserting
4 in lieu thereof the word "director".

5 2. By inserting after the word "assistance" in line five (5) the
6 words "and institutions".

7 3. By striking from line six (6) the word "its" and by inserting in
8 lieu thereof the word "his".

9 4. By striking from line six (6) the word "It" and by inserting in
10 lieu thereof the word "He".

11 5. By striking from line twelve (12) the word "It" and by inserting
12 in lieu thereof the following:

13 "Subject to restrictions that may be imposed upon him by the com-
14 missioner of the department of social services and the council of social
15 services, he".

16 6. By striking from line thirteen (13) the word "divisions" and by
17 inserting in lieu thereof the word "subdivisions".

18 7. By striking from line fifteen (15) the word "It" and by inserting
19 in lieu thereof the word "He".

20 8. By striking from line sixteen (16) the word "It" and by inserting
21 in lieu thereof the word "He".

22 9. By striking from line eighteen (18) the word "divisions" and by
23 inserting in lieu thereof the word "subdivisions".

- 24 10. By striking from line nineteen (19) the words "by the state
25 board".
- 26 11. By striking from line nineteen (19) the word "It" and by in-
27 serting in lieu thereof the word "He".
- 28 12. By striking from line twenty-three (23) the word "divisions"
29 and by inserting in lieu thereof the word "subdivisions".
- 30 13. By striking from line twenty-five (25) the word "board" and by
31 inserting in lieu thereof the word "director".
- 32 14. By striking from line three (3) of subsection one (1) the word
33 "governor" and by inserting in lieu thereof the words: "commissioner
34 of the department of social services who in turn shall submit to the
35 governor a report".
- 36 15. By striking from line five (5) of subsection one (1) the word
37 "its" and by inserting in lieu thereof the words "such state director's".
- 38 16. By striking from line eight (8) of subsection one (1) the word
39 "its" and by inserting in lieu thereof the words "such state director's".
- 40 17. By striking from line ten (10) of subsection one (1) the word
41 "governor" and by inserting in lieu thereof the words "commissioner
42 of the department of social services or by the governor".
- 43 18. By striking from line three (3) of subsection four (4) the word
44 "board" and by inserting in lieu thereof the word "director".
- 45 19. By inserting after the second word "the" in line one (1) of
46 subsection five (5) the words "commissioner of the department of
47 social services, the".
- 48 20. By striking from line two (2) of subsection five (5) the word
49 "their" and by inserting in lieu thereof the word "his".
- 50 21. By striking from lines five (5) and six (6) of subsection five
51 (5) the word "department" and by inserting in lieu thereof the word
52 "division".
- 53 22. By striking from lines four (4) and five (5) of subsection six
54 (6) the words "state board" and by inserting in lieu thereof the words
55 "state director, with the consent and approval of the commissioner of
56 the department of social services and the council of social services,".
- 57 23. By striking from line eight (8) of subsection six (6) the word
58 "board" and by inserting in lieu thereof the words "state director".
- 1 SEC. 217. Section two hundred thirty-four point eight (234.8),
2 Code 1966, is hereby amended as follows:
3 1. By striking all of lines one (1) and two (2) and by inserting in
4 lieu thereof the following:
5 "Under employment procedures set up and provided for by the com-
6 missioner of the department of social services and the state council of
7 social services, all employees of the state division shall be selected
8 from".
9 2. By striking from line four (4) the words "board or" and by in-
10 serting in lieu thereof the word "director".
11 3. By striking from line five (5) the words "under its direction"
12 and by inserting in lieu thereof the words "under and pursuant to
13 rules promulgated by the commissioner".
14 4. By striking all of such section after the word "of" in line twelve
15 (12) and by inserting in lieu thereof the following: "the commis-
16 sioner of the department of social services."

1 SEC. 218. Section two hundred thirty-four point nine (234.9),
2 Code 1966, is hereby amended by striking from line thirty-four (34)
3 the words "secretary of the state board" and by inserting in lieu
4 thereof the words "state director".

1 SEC. 219. Section two hundred thirty-four point twelve (234.12),
2 Code 1966, is hereby amended by striking from line six (6) the word
3 "board" and by inserting in lieu thereof the word "director".

1 SEC. 220. Section two hundred thirty-four point thirteen
2 (234.13), Code 1966, is hereby amended as follows:

3 1. By striking from lines three (3) and four (4) the words "state
4 board" and by inserting in lieu thereof the words "state director".

5 2. By striking from line seven (7) the words "state board" and by
6 inserting in lieu thereof the words "state director".

1 SEC. 221. Section two hundred thirty-four point fourteen
2 (234.14), Code 1966, is hereby amended as follows:

3 1. By striking from line five (5) the words "state department" and
4 by inserting in lieu thereof the words "state division".

5 2. By striking from line seven (7) the word "board" and by insert-
6 ing in lieu thereof the word "director".

1 SEC. 222. Section two hundred thirty-four point fifteen (234.15),
2 Code 1966, is hereby amended by striking all of lines one (1) and two
3 (2) and the word "agency" in line three (3) and by inserting in lieu
4 thereof the words "The state director is hereby designated as the state
5 agent".

1 SEC. 223. Section two hundred thirty-four point sixteen (234.16),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "state
4 department of social welfare" and by inserting in lieu thereof the
5 words "state director".

6 2. By striking from line two (2) the word "its" and by inserting in
7 lieu thereof the word "his".

1 SEC. 224. Section two hundred thirty-four point seventeen
2 (234.17), Code 1966, is hereby amended as follows:

3 1. By striking from line seven (7) the words "department of social
4 welfare" and by inserting in lieu thereof the words "state director".

5 2. By striking from line eight (8) the word "it" and by inserting in
6 lieu thereof the word "him".

7 3. By striking from line thirteen (13) the words "department of
8 social welfare" and by inserting in lieu thereof the word "director".

9 4. By striking from line eighteen (18) the words "department of
10 social welfare" and by inserting in lieu thereof the word "director".

1 SEC. 225. Section two hundred thirty-four point eighteen
2 (234.18), Code 1966, is hereby amended by striking from line seven
3 (7) the words "department of social welfare" and by inserting in lieu
4 thereof the word "director".

1 SEC. 226. Section two hundred thirty-four point nineteen
2 (234.19), Code 1966, is hereby amended by striking from lines two

3 (2) and three (3) the words "department of social welfare" and by
4 inserting in lieu thereof the word "director".

1 SEC. 227. Section two hundred thirty-four point twenty (234.20),
2 Code 1966, is hereby amended by striking from lines four (4) and five
3 (5) the words "department of social welfare of the state of Iowa" and
4 by inserting in lieu thereof the words "director of the division of child
5 and family services of the department of social services of the state of
6 Iowa".

1 SEC. 228. Section two hundred thirty-four point twenty-one
2 (234.21), Code 1966, is hereby amended by striking from lines one
3 (1) and two (2) the words "department of social welfare" and by
4 inserting in lieu thereof the word "division".

1 SEC. 229. Section two hundred thirty-four point twenty-three
2 (234.23), Code 1966, is hereby amended as follows:

3 1. By striking from lines two (2) and three (3) the word "depart-
4 ment" and by inserting in lieu thereof the words "state division".

5 2. By striking from lines five (5) and six (6) the word "depart-
6 ment" and by inserting in lieu thereof the words "state division".

1 SEC. 230. Section two hundred thirty-five point one (235.1), Code
2 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the word "depart-
4 ment" and inserting in lieu thereof the word "division".

5 2. By striking from line two (2) the word "board" and by inserting
6 in lieu thereof the word "director".

1 SEC. 231. Section two hundred thirty-five point two (235.2), Code
2 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "department" and insert-
4 ing in lieu thereof the word "division".

5 2. By striking from line two (2) of subsection three (3) the word
6 "board" and inserting in lieu thereof the word "director".

7 3. By striking all of subsection eight (8) and inserting in lieu there-
8 of the following:

9 "8. Cooperate with the juvenile courts of the state and with the
10 other directors and divisions of the department of social services re-
11 garding the management and control of state institutions and the in-
12 mates thereof."

1 SEC. 232. Section two hundred thirty-five point three (235.3),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the word "board" and inserting in
4 lieu thereof the word "director".

5 2. By striking from line four (4) of subsection two (2) the word
6 "department" and inserting in lieu thereof the word "division".

7 3. By striking from line four (4) of subsection three (3) the word
8 "board" and inserting in lieu thereof the word "director".

1 SEC. 233. Section two hundred thirty-five point four (235.4), Code
2 1966, is hereby amended as follows:

3 1. By striking from lines three (3) and four (4) the word "depart-
4 ment" and inserting in lieu thereof the word "division".

5 2. By striking from line six (6) the word "department" and insert-
6 ing in lieu thereof the word "division".

7 3. By striking from line nine (9) the word "department" and in-
8 sserting in lieu thereof the word "division".

9 4. By striking from line seventeen (17) the word "department" and
10 inserting in lieu thereof the word "division".

1 SEC. 234. Section two hundred thirty-five point five (235.5), Code
2 1966, is hereby amended as follows:

3 1. By striking from line four (4) the words "board of control of
4 state institutions" and inserting in lieu thereof the word "director".

5 2. By striking from lines eight (8) and nine (9) the words "board
6 of social welfare" and inserting in lieu thereof the word "director".

7 3. By striking from line eleven (11) the word "board" and insert-
8 ing in lieu thereof the word "director".

1 SEC. 235. Section two hundred thirty-six point one (236.1), Code
2 1966, is hereby amended by adding the following thereto:

3 "When used in this chapter the word 'commissioner' or 'state com-
4 missioner' means the commissioner of public health.

5 "When used in this chapter the word 'department' or 'state depart-
6 ment' means the state department of health.

7 "When used in this chapter the word 'division' or 'state division'
8 means the division of child and family services of the department of
9 social services."

1 SEC. 236. Section two hundred thirty-six point two (236.2), Code
2 1966, is hereby amended as follows:

3 1. By striking from line twelve (12) the words "state board of con-
4 trol" and inserting in lieu thereof the words "any division of the de-
5 partment of social services".

1 SEC. 237. Section two hundred thirty-six point four (236.4), Code
2 1966, is hereby amended by striking from line five (5) the words

3 "board of social welfare" and inserting in lieu thereof the word "com-
4 missioner".

1 SEC. 238. Section two hundred thirty-six point five (236.5), Code
2 1966, is hereby amended by striking from lines one (1) and two (2)

3 the words "board of social welfare" and inserting in lieu thereof the
4 word "commissioner".

1 SEC. 239. Section two hundred thirty-six point eight (236.8),
2 Code 1966, is hereby amended by striking from line four (4) the

3 words "board of social welfare" and inserting in lieu thereof the word
4 "commissioner".

1 SEC. 240. Section two hundred thirty-six point eleven (236.11),
2 Code 1966, is hereby amended by striking from lines one (1) and two

3 (2) the words "board of social welfare" and inserting in lieu thereof
4 the word "commissioner".

1 SEC. 241. Section two hundred thirty-six point fifteen (236.15),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the words "board of social wel-
4 fare" and inserting in lieu thereof the word "commissioner".

5 2. By striking from line three (3) the word "itself" and inserting
6 in lieu thereof the word "himself".

1 SEC. 242. Section two hundred thirty-six point nineteen (236.19),
2 Code 1966, is hereby amended by striking from line three (3) the
3 words "board of social welfare" and inserting in lieu thereof the word
4 "commissioner".

1 SEC. 243. Section two hundred thirty-six point twenty (236.20),
2 Code 1966, is hereby amended by striking from lines one (1) and two
3 (2) the words "board of social welfare" and inserting in lieu thereof
4 the word "commissioner".

1 SEC. 244. Section two hundred thirty-six point twenty-one
2 (236.21), Code 1966, is hereby amended by striking from line two (2)
3 the words "board of social welfare" and inserting in lieu thereof the
4 word "commissioner".

1 SEC. 245. Section two hundred thirty-six point twenty-four
2 (236.24), Code 1966, is hereby amended as follows:

3 1. By striking from lines six (6) and seven (7) the words "board of
4 social welfare" and inserting in lieu thereof the word "commissioner".

5 2. By striking from line eleven (11) the word "board" and insert-
6 ing in lieu thereof the word "commissioner".

1 SEC. 246. Section two hundred thirty-six point twenty-five
2 (236.25), Code 1966, is hereby amended as follows:

3 1. By striking from line six (6) the words "board of social welfare"
4 and inserting in lieu thereof the word "commissioner".

5 2. By striking from line seven (7) the word "board" and inserting
6 in lieu thereof the word "commissioner".

1 SEC. 247. Section two hundred thirty-six point twenty-six
2 (236.26), Code 1966, is hereby amended as follows:

3 1. By striking from lines four (4), five (5) and six (6) the words
4 "board of social welfare and authorized employees thereof" and in-
5 serting in lieu thereof the words "commissioner and his authorized
6 employes or agents".

1 SEC. 248. Section two hundred thirty-six point twenty-seven
2 (236.27), Code 1966, is hereby amended by striking from line two (2)
3 the words "board of social welfare" and inserting in lieu thereof the
4 word "commissioner".

1 SEC. 249. Section two hundred thirty-six point twenty-nine
2 (236.29), Code 1966, is hereby amended by striking from lines one (1)
3 and two (2) the words "Officers and authorized agents of the state
4 board of social welfare" and inserting in lieu thereof the words
5 "Authorized officers and agents of the state commissioner".

1 SEC. 250. Section two hundred thirty-six point thirty (236.30),
2 Code 1966, is hereby amended by striking from lines one (1), two (2),
3 and three (3) the words "Said officers or authorized agents of the state
4 board of social welfare" and inserting in lieu thereof the words
5 "Authorized officers and agents of the state commissioner".

1 SEC. 251. Section two hundred thirty-six point thirty-four
2 (236.34), Code 1966, is hereby amended by striking from line four (4)
3 the words "board of social welfare" and inserting in lieu thereof the
4 word "commissioner".

1 SEC. 252. Section two hundred thirty-seven point one (237.1),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines six (6) and seven (7) the words "the
4 state board of control or its officers or agents" and inserting in lieu
5 thereof the words "any division of the department of social services
6 or any director thereof".

7 2. By adding at the end of said section the following:

8 "As used in this chapter the word 'director' or 'state director' means
9 the director of the division of child and family services of the depart-
10 ment of social services."

1 SEC. 253. Section two hundred thirty-seven point three (237.3),
2 Code 1966, is hereby amended by striking from lines one (1) and two
3 (2) the words "board of social welfare" and inserting in lieu thereof
4 the word "director".

1 SEC. 254. Section two hundred thirty-seven point six (237.6),
2 Code 1966, is hereby amended by striking from line three (3) the
3 words "board of social welfare" and inserting in lieu thereof the word
4 "director".

1 SEC. 255. Section two hundred thirty-seven point seven (237.7),
2 Code 1966, is hereby amended by striking from lines one (1) and two
3 (2) the words "board of social welfare" and inserting in lieu thereof
4 the word "director".

1 SEC. 256. Section two hundred thirty-seven point eight (237.8),
2 Code 1966, is hereby amended by striking from line five (5) the words
3 "board of social welfare" and inserting in lieu thereof the word
4 "director".

1 SEC. 257. Section two hundred thirty-seven point eleven (237.11),
2 Code 1966, is hereby amended by striking from line two (2) the words
3 "board of social welfare" and inserting in lieu thereof the word
4 "director".

1 SEC. 258. Section two hundred thirty-seven point thirteen
2 (237.13), Code 1966, is hereby amended by striking from line two (2)
3 the words "board of social welfare" and inserting in lieu thereof the
4 word "director".

1 SEC. 259. Section two hundred thirty-seven point fourteen
2 (237.14), Code 1966, is hereby amended by striking from line two (2)
3 the words "board of social welfare" and inserting in lieu thereof the
4 word "director".

1 SEC. 260. Section two hundred thirty-seven point sixteen
2 (237.16), Code 1966, is hereby amended by striking from lines four
3 (4) and five (5) the words "board of social welfare" and inserting in
4 lieu thereof the word "director".

1 SEC. 261. Section two hundred thirty-eight point one (238.1),
2 Code 1966, is amended as follows:

3 1. By striking from lines six (6) and seven (7) the words "of the
4 board of control or its officers or agents" and inserting in lieu thereof
5 the words "or control of any division of the department of social serv-
6 ices or any director thereof".

7 2. By adding the following at the end of said section:

8 "For the purpose of this chapter the word 'director' or 'state direc-
9 tor' means director of the division of child and family services of the
10 department of social services."

1 SEC. 262. Section two hundred thirty-eight point three (238.3),
2 Code 1966, is amended by striking from lines one (1) and two (2)
3 the words "board of social welfare" and inserting in lieu thereof the
4 word "director".

1 SEC. 263. Section two hundred thirty-eight point five (238.5),
2 Code 1966, is amended by striking from lines four (4) and five (5)
3 the words "board of social welfare" and inserting in lieu thereof the
4 word "director".

1 SEC. 264. Section two hundred thirty-eight point eight (238.8),
2 Code 1966, is amended by striking from line three (3) the words
3 "board of social welfare" and inserting in lieu thereof the word
4 "director".

1 SEC. 265. Section two hundred thirty-eight point ten (238.10),
2 Code 1966, is amended as follows:

3 1. By striking from line two (2) the words "board of social wel-
4 fare" and inserting in lieu thereof the word "director".

5 2. By striking from line one (1), subsection two (2) the word
6 "board" and inserting in lieu thereof the word "director".

7 3. By striking from line three (3) of subsection five (5) the word
8 "board" and inserting in lieu thereof the word "director".

1 SEC. 266. Section two hundred thirty-eight point eleven (238.11),
2 Code 1966, is amended by striking from lines four (4) and five (5) the
3 words "board of social welfare" and inserting in lieu thereof the word
4 "director".

1 SEC. 267. Section two hundred thirty-eight point twelve (238.12),
2 Code 1966, is amended by striking all of lines one (1) through five (5)
3 inclusive and by inserting in lieu thereof the following:

4 "Any licensee feeling himself aggrieved by any decision of the state
5 director revoking his license may appeal to the council of social serv-
6 ices in the manner of form prescribed by such council. The council
7 shall, upon receipt of such an appeal give the licensee reasonable notice
8 and opportunity for a fair hearing before such council or its duly
9 authorized representative or representatives. Following such hearing
10 the council of social services shall take its final action and notify the
11 licensee in writing.

12 "A licensee after a review hearing hereinabove provided, within
13 thirty (30) days after notice of such action is given, may appeal from
14 the decision of the council of social services to the district court by

15 serving on the commissioner of the department of social services and
16 filing with the clerk of the".

1 SEC. 268. Section two hundred thirty-eight point fourteen
2 (238.14), Code 1966, is amended by striking from line five (5) the
3 words "board of social welfare" and inserting in lieu thereof the
4 words "council of social services".

1 SEC. 269. Section two hundred thirty-eight point sixteen (238.16),
2 Code 1966, is amended by striking from line two (2) the words "board
3 of social welfare" and inserting in lieu thereof the word "director".

1 SEC. 270. Section two hundred thirty-eight point seventeen
2 (238.17), Code 1966, is amended as follows:

3 1. By striking from line one (1) the words "board of social wel-
4 fare" and by inserting in lieu thereof the word "director".

5 2. By striking from line five (5) the word "board" and inserting in
6 lieu thereof the word "director".

7 3. By striking from line twelve (12) the words "board of social wel-
8 fare" and inserting in lieu thereof the word "director".

9 4. By striking from line fourteen (14) the words "board of social
10 welfare" and inserting in lieu thereof the word "director".

1 SEC. 271. Section two hundred thirty-eight point eighteen
2 (238.18), Code 1966, is amended by striking from line three (3) the
3 word "board" and inserting in lieu thereof the word "director".

1 SEC. 272. Section two hundred thirty-eight point nineteen
2 (238.19), Code 1966, is amended by striking from lines one (1)
3 through three (3) the words "Officers and authorized agents of the
4 state board of social welfare" and inserting in lieu thereof the words
5 "Authorized officers and agents of the state director".

1 SEC. 273. Section two hundred thirty-eight point twenty (238.20),
2 Code 1966, is amended by striking from lines one (1) through three
3 (3) the words "Said officers and authorized agents of the state board
4 of social welfare" and inserting in lieu thereof the words "Authorized
5 officers and agents of the state director".

1 SEC. 274. Section two hundred thirty-eight point twenty-three
2 (238.23), Code 1966, is amended as follows:

3 1. By striking from line two (2) the words "board of social wel-
4 fare" and inserting in lieu thereof the word "director".

5 2. By striking from line one (1) of subsection eleven (11) the word
6 "board" and inserting in lieu thereof the word "director".

1 SEC. 275. Section two hundred thirty-eight point twenty-four
2 (238.24), Code 1966, is amended as follows:

3 1. By striking from lines twelve (12) and thirteen (13) the words
4 "board of social welfare" and inserting in lieu thereof the word
5 "director".

6 2. By striking from line sixteen (16) the word "board" and insert-
7 ing in lieu thereof the word "director".

1 SEC. 276. Section two hundred thirty-eight point twenty-six
2 (238.26), Code 1966, is amended as follows:

3 1. By striking from line ten (10) the words "board of social wel-
4 fare" and inserting in lieu thereof the word "director".

1 SEC. 277. Section two hundred thirty-eight point thirty (238.30),
2 Code 1966, is amended as follows:

3 1. By striking from line three (3) the words "board of social wel-
4 fare" and inserting in lieu thereof the word "director".

5 2. By striking from line four (4) the word "board" and inserting in
6 lieu thereof the word "director".

7 3. By striking from line ten (10) the word "board" and inserting in
8 lieu thereof the word "director".

1 SEC. 278. Section two hundred thirty-eight point thirty-one
2 (238.31), Code 1966, is amended as follows:

3 1. By striking all of line two (2) and inserting in lieu thereof the
4 following:

5 "state director shall satisfy himself".

6 2. By striking from line five (5) the word "board" and inserting in
7 lieu thereof the word "director".

8 3. By striking from line seven (7) the word "its" and inserting in
9 lieu thereof the word "his".

1 SEC. 279. Section two hundred thirty-eight point thirty-three
2 (238.33), Code 1966, is amended as follows:

3 1. By striking from line five (5) the words "board of social wel-
4 fare" and inserting in lieu thereof the word "director".

5 2. By striking from line six (6) the word "board" and inserting in
6 lieu thereof the word "director".

1 SEC. 280. Section two hundred thirty-eight point thirty-four
2 (238.34), Code 1966, is amended as follows:

3 1. By striking from line two (2) the words "board of social wel-
4 fare" and inserting in lieu thereof the word "director".

5 2. By striking from line three (3) the word "board" and inserting
6 in lieu thereof the word "director".

7 3. By striking from line ten (10) the word "board" and inserting
8 in lieu thereof the word "director".

9 4. By striking from line eleven (11) the word "board" and insert-
10 ing in lieu thereof the word "director".

11 5. By striking from line fifteen (15) the word "board" and insert-
12 ing in lieu thereof the word "director".

13 6. By striking from line seventeen (17) the word "board" and in-
14 serting in lieu thereof the word "director".

1 SEC. 281. Section two hundred thirty-eight point thirty-six
2 (238.36), Code 1966, is amended as follows:

3 1. By striking from lines four (4) and five (5) the words "board of
4 social welfare" and inserting in lieu thereof the word "director".

5 2. By striking from line ten (10) the word "board" and inserting in
6 lieu thereof the word "director".

1 SEC. 282. Section two hundred thirty-eight point thirty-seven
2 (238.37), Code 1966, is amended by striking from lines four (4) and
3 five (5) the words "board of social welfare" and inserting in lieu
4 thereof the word "director".

1 SEC. 283. Section two hundred thirty-eight point thirty-nine
2 (238.39), Code 1966, is amended as follows:

3 1. By striking from line six (6) the words "board of social wel-
4 fare" and inserting in lieu thereof the word "director".

5 2. By striking from line nine (9) the word "board" and inserting in
6 lieu thereof the word "director".

7 3. By striking from line eleven (11) the word "board" and insert-
8 ing in lieu thereof the word "director".

1 SEC. 284. Section two hundred thirty-eight point forty (238.40),
2 Code 1966, is amended by striking from line ten (10) the words
3 "board of social welfare" and inserting in lieu thereof the word
4 "director".

1 SEC. 285. Section two hundred thirty-eight point forty-three
2 (238.43), Code 1966, is amended by striking from line four (4) the
3 words "board of social welfare" and inserting in lieu thereof the word
4 "director".

1 SEC. 286. Section two hundred thirty-nine point one (239.1), Code
2 1966, is amended as follows:

3 1. By striking all of subsections one (1) and two (2) and inserting
4 in lieu thereof the following:

5 "As used in this chapter: 'division' or 'state division' means the
6 division of child and family services of the department of social serv-
7 ices; 'director' or 'state director' means the director of the division of
8 child and family services of the department of social services."

9 2. By renumbering the remaining subsections of said section.

10 3. Subsection four (4) is amended by striking all of line twenty
11 (20) and by inserting in lieu thereof the following: "by the state
12 division or by the county department of social".

1 SEC. 287. Section two hundred thirty-nine point three (239.3),
2 Code 1966, is amended by striking from line eight (8) the word
3 "board" and by inserting in lieu thereof the word "director".

1 SEC. 288. Section two hundred thirty-nine point five (239.5), Code
2 1966, is amended as follows:

3 1. By striking from line thirty-one (31) the word "department"
4 and inserting in lieu thereof the word "division".

5 2. By striking from line fifty (50) the word "department" and in-
6 serting in lieu thereof the word "division".

1 SEC. 289. Section two hundred thirty-nine point six (239.6), Code
2 1966, is amended by striking from line eight (8) the word "depart-
3 ment" and inserting in lieu thereof the word "director".

1 SEC. 290. Section two hundred thirty-nine point seven (239.7),
2 Code 1966, is amended as follows:

3 1. By striking from lines two (2) and three (3) the word "depart-
4 ment" and inserting in lieu thereof the word "division".

5 2. By striking from line eight (8) the words "state board" and in-
6 serting in lieu thereof the words "council of social services".

7 3. By striking from line nine (9) the words "state board" and in-
8 serting in lieu thereof the word "council".

9 4. By striking from line eleven (11) the words "state board" and
10 inserting in lieu thereof the word "council".

11 5. By striking from line twenty (20) the words "state board" and
12 inserting in lieu thereof the words "council of social services".

13 6. By striking from lines twenty-three (23) and twenty-four (24)
14 the words "any member of the state board" and inserting in lieu there-
15 of the words "the commissioner of social services or his designated
16 representative".

17 7. By striking from line twenty-six (26) the words "state board"
18 and inserting in lieu thereof the words "council of social services".

19 8. By striking from line thirty-two (32) the words "state board"
20 and inserting in lieu thereof the words "council of social services".

1 SEC. 291. Section two hundred thirty-nine point nine (239.9),
2 Code 1966, is amended as follows:

3 1. By striking from lines five (5) and six (6) the word "depart-
4 ment" and inserting in lieu thereof the word "division".

5 2. By striking from line twenty-two (22) the word "board" and in-
6 serting in lieu thereof the word "director".

1 SEC. 292. Section two hundred thirty-nine point eleven (239.11),
2 Code 1966, is amended as follows:

3 1. By striking from line fifteen (15) the word "department" and
4 inserting in lieu thereof the word "division".

5 2. By striking from line twenty-one (21) the word "department"
6 and inserting in lieu thereof the word "division".

1 SEC. 293. Section two hundred thirty-nine point twelve (239.12),
2 Code 1966, is amended as follows:

3 1. By striking from line nine (9) the word "department" and in-
4 serting in lieu thereof the word "division".

5 2. By striking from line fourteen (14) the word "department" and
6 by inserting in lieu thereof the word "division".

1 SEC. 294. Section two hundred thirty-nine point sixteen (239.16),
2 Code 1966, is amended by striking from line three (3) the word
3 "board" and inserting in lieu thereof the word "director".

1 SEC. 295. Section two hundred thirty-nine point eighteen
2 (239.18), Code 1966, is amended as follows:

3 1. By striking from line four (4) the words "agency of the state of
4 Iowa" and inserting in lieu thereof the words "division of child and
5 family services of the department of social services of the state of
6 Iowa and the state director of said division".

7 2. By striking from line eight (8) the word "board" and inserting
8 in lieu thereof the word "director".

1 SEC. 296. Chapter two hundred forty (240), Code 1966, is amend-
2 ed by adding the following section thereto:

3 "For the purpose of this chapter the word 'director' or 'state direc-
4 tor' shall mean the director of the division of child and family services
5 of the department of social services."

1 SEC. 297. Section two hundred forty point four (240.4), Code
2 1966, is amended by striking from line four (4) the words "board of
3 social welfare" and inserting in lieu thereof the word "director".

1 SEC. 298. Section two hundred forty point twelve (240.12), Code
2 1966, is amended by striking from line four (4) the words "board of
3 social welfare" and inserting in lieu thereof the word "director".

1 SEC. 299. Section two hundred forty-one point one (241.1), Code
2 1966, is amended by striking all of lines one (1) through four (4) and
3 by inserting in lieu thereof the following:

4 "As used in this chapter: 'division' or 'state division' means the
5 division of child and family services of the department of social serv-
6 ices; 'director' or 'state director' means the director of the division of
7 child and family services of the department of social services; 'county
8 board' means the county board of social welfare; and as used in this
9 chapter:."

1 SEC. 300. Section two hundred forty-one point three (241.3), Code
2 1966, is amended as follows:

3 1. By striking from line nine (9) the word "board" and inserting
4 in lieu thereof the word "director".

5 2. By striking from line twenty-one (21) the word "board" and in-
6 serting in lieu thereof the word "director".

1 SEC. 301. Section two hundred forty-one point four (241.4), Code
2 1966, is amended as follows:

3 1. By striking from line one (1) the word "board" and inserting in
4 lieu thereof the word "director".

5 2. By striking from line three (3) of subsection one (1) the word
6 "board" and inserting in lieu thereof the word "director".

1 SEC. 302. Section two hundred forty-one point five (241.5), Code
2 1966, is amended as follows:

3 1. By striking from line three (3) of subsection one (1) the word
4 "board" and inserting in lieu thereof the word "director".

5 2. By striking from line one (1) of subsection two (2) the word
6 "board" and inserting in lieu thereof the word "director" and by strik-
7 ing from line two (2) of subsection two (2) the word "board" and in-
8 serting in lieu thereof the word "director".

9 3. By striking from line two (2) of subsection three (3) the word
10 "board" and inserting in lieu thereof the word "director".

1 SEC. 303. Section two hundred forty-one point six (241.6), Code
2 1966, is amended as follows:

3 1. By striking from line six (6) the word "board" and inserting in
4 lieu thereof the word "director".

5 2. By striking from line thirteen (13) the word "board" and insert-
6 ing in lieu thereof the word "director".

1 SEC. 304. Section two hundred forty-one point seven (241.7),
2 Code 1966, is amended by striking from line nine (9) the word
3 "board" and inserting in lieu thereof the word "director".

1 SEC. 305. Section two hundred forty-one point eight (241.8), Code
2 1966, is amended as follows:

3 1. By striking from line four (4) the word "board" and inserting in
4 lieu thereof the word "director".

5 2. By striking from line eight (8) the word "board" and inserting
6 in lieu thereof the word "director".

7 3. By striking from line ten (10) the word "board" and inserting in
8 lieu thereof the word "director".

1 SEC. 306. Section two hundred forty-one point nine (241.9), Code
2 1966, is amended as follows:

3 1. By striking from line seven (7) the word "board" and inserting
4 in lieu thereof the word "director".

5 2. By striking from line eleven (11) the word "board" which ap-
6 pears on two (2) occasions and by inserting in lieu thereof on both
7 occasions the word "director".

8 3. By striking from line eighteen (18) the word "board" and insert-
9 ing in lieu thereof the word "director".

10 4. By striking from line twenty-three (23) the word "board" and
11 inserting in lieu thereof the word "director".

1 SEC. 307. Section two hundred forty-one point eleven (241.11),
2 Code 1966, is amended as follows:

3 1. By striking from line seven (7) the words "state board" and in-
4 serting in lieu thereof the words "council of social services".

5 2. By striking from line eight (8) the words "state board" and in-
6 serting in lieu thereof the word "council".

7 3. By striking from lines eight (8) and nine (9) the words "state
8 board" and inserting in lieu thereof the word "council".

9 4. By striking from line twelve (12) the words "state board" and
10 inserting in lieu thereof the word "council".

11 5. By striking from line fourteen (14) the words "state board" and
12 inserting in lieu thereof the word "council".

13 6. By striking from line nineteen (19) the words "state board" and
14 inserting in lieu thereof the words "council of social services".

15 7. By striking from lines twenty-two (22) and twenty-three (23)
16 the words "any member of the state board" and inserting in lieu there-
17 of the words "the commissioner of social services or his authorized
18 representative".

19 8. By striking from lines twenty-five (25) and twenty-six (26) the
20 words "state board" and inserting in lieu thereof the words "council
21 of social services".

22 9. By striking from line thirty-one (31) the words "state board"
23 and inserting in lieu thereof the word "council".

1 SEC. 308. Section two hundred forty-one point twelve (241.12),
2 Code 1966, is amended as follows:

3 1. By striking from line four (4) the word "board" and inserting in
4 lieu thereof the word "director".

5 2. By striking from line six (6) the word "board" and inserting in
6 lieu thereof the word "director".

7 3. By striking from line eight (8) the word "board" and inserting
8 in lieu thereof the word "director".

9 4. By striking from line ten (10) the word "board" and inserting in
10 lieu thereof the word "director".

1 SEC. 309. Section two hundred forty-one point thirteen (241.13),
2 Code 1966, is amended as follows:

3 1. By striking from line four (4) the second word "board" and in-
4 serting in lieu thereof the word "director".

5 2. By striking from line six (6) the second word "board" and in-
6 serting in lieu thereof the word "director".

1 SEC. 310. Section two hundred forty-one point fourteen (241.14),
2 Code 1966, is amended as follows:

3 1. By striking from line four (4) the word "board" and inserting in
4 lieu thereof the word "director".

5 2. By striking from line eighteen (18) the word "board" and in-
6 serting in lieu thereof the word "director".

1 SEC. 311. Section two hundred forty-one point sixteen (241.16),
2 Code 1966, is amended as follows:

3 1. By striking from line eleven (11) the word "board" and insert-
4 ing in lieu thereof the word "director".

5 2. By striking from line thirteen (13) the word "board" and insert-
6 ing in lieu thereof the word "director".

1 SEC. 312. Section two hundred forty-one point seventeen (241.17),
2 Code 1966, is amended as follows:

3 1. By striking from line five (5) the word "board" and inserting in
4 lieu thereof the word "director".

5 2. By striking from line twenty (20) the word "board" and insert-
6 ing in lieu thereof the word "director".

1 SEC. 313. Section two hundred forty-one point twenty (241.20),
2 Code 1966, is amended as follows:

3 1. By striking from line fifteen (15) the word "department" and
4 inserting in lieu thereof the word "division".

5 2. By striking from line twenty-one (21) the word "department"
6 and inserting in lieu thereof the word "division".

1 SEC. 314. Section two hundred forty-one point twenty-one
2 (241.21), Code 1966, is amended as follows:

3 1. By striking from line nine (9) the word "board" and inserting in
4 lieu thereof the word "director".

5 2. By striking from line thirteen (13) the word "board" and insert-
6 ing in lieu thereof the word "director".

7 3. By striking from line fourteen (14) the word "board" and insert-
8 ing in lieu thereof the word "director".

1 SEC. 315. Section two hundred forty-one A point one (241A.1),
2 Code 1966, is amended by striking all of subsection one (1) and by in-
3 serting in lieu thereof the following:

4 "The words 'director' or 'state director' means the director of the
5 division of child and family services of the department of social serv-
6 ices and the words 'division' or 'state division' means the division of
7 child and family services of the department of social services."

1 SEC. 316. Section two hundred forty-one A point three (241A.3),
2 Code 1966, is amended by striking the word "board" in line seven (7)
3 and by inserting in lieu thereof the word "director".

1 SEC. 317. Section two hundred forty-one A point four (241A.4),
2 Code 1966, is amended by striking from line one (1) the word "board"
3 and by inserting in lieu thereof the word "director".

1 SEC. 318. Section two hundred forty-one A point five (241A.5),
2 Code 1966, is amended as follows:

3 1. By striking from line eleven (11) the word "board" which occurs
4 on two (2) occasions and by inserting in lieu thereof on each occasion
5 the word "director".

6 2. By striking from line fourteen (14) the word "board" and insert-
7 ing in lieu thereof the word "director".

1 SEC. 319. Section two hundred forty-one A point six (241A.6),
2 Code 1966, is amended as follows:

3 1. By striking from line five (5) the word "board" and inserting in
4 lieu thereof the word "director".

5 2. By striking from line seven (7) the word "board" and by insert-
6 ing in lieu thereof the word "director".

7 3. By striking from line fourteen (14) the word "board" and insert-
8 ing in lieu thereof the word "director".

1 SEC. 320. Section two hundred forty-one A point eight (241A.8),
2 Code 1966, is amended as follows:

3 1. By striking from line three (3) the words "department of social
4 welfare" and by inserting in lieu thereof the word "division".

5 2. By striking from lines seven (7) and eight (8) the words "state
6 board" and inserting in lieu thereof the words "council of social serv-
7 ices".

8 3. By striking from line nine (9) the words "state board" which
9 occur on two (2) occasions and by inserting in lieu thereof on each
10 occasion the word "council".

11 4. By striking from line twelve (12) the words "state board" and
12 inserting in lieu thereof the words "council of social services".

13 5. By striking from line twenty (20) the words "state board" and
14 inserting in lieu thereof the words "council of social services".

15 6. By striking from lines twenty-three (23) and twenty-four (24)
16 the words "any member of the state board" and by inserting in lieu
17 thereof the words "the commissioner of social services or his author-
18 ized representative".

19 7. By striking from line twenty-six (26) the words "state board"
20 and inserting in lieu thereof the words "council of social services".

21 8. By striking from line thirty-two (32) the words "state board"
22 and by inserting in lieu thereof the word "council".

1 SEC. 321. Section two hundred forty-one A point thirteen
2 (241A.13), Code 1966, is amended by striking from lines fourteen
3 (14) and fifteen (15) the word "department" and by inserting in lieu
4 thereof the word "division".

1 SEC. 322. Section two hundred forty-one A point fourteen
2 (241A.14), Code 1966, is amended as follows:

3 1. By striking from line ten (10) the word "board" and inserting in
4 lieu thereof the word "director".

5 2. By striking from line twelve (12) the word "board" and insert-
6 ing in lieu thereof the word "director".

7 3. By striking from line thirteen (13) the word "department" and
8 inserting in lieu thereof the word "division".

9 4. By striking from line twenty (20) the word "board" and by in-
10 sserting in lieu thereof the word "director".

1 SEC. 323. Section two hundred forty-two point one (242.1), Code
2 1966, is amended by adding the following to the end of said section:

3 "For the purpose of this chapter the word 'director' or 'state direc-
4 tor' shall mean the director of the division of child and family services
5 of the department of social services."

1 SEC. 324. Section two hundred forty-two point three (242.3),
2 Code 1966, is amended by striking from line three (3) the words
3 "board of control" and by inserting in lieu thereof the words "state
4 director".

1 SEC. 325. Section two hundred forty-two point four (242.4), Code
2 1966, is amended by striking from line two (2) the words "board of
3 control" and by inserting in lieu thereof the words "state director".

1 SEC. 326. Section two hundred forty-two point seven (242.7), Code
2 1966, is amended by striking from lines three (3) and four (4) the
3 words "board of control" and by inserting in lieu thereof the words
4 "state director".

1 SEC. 327. Section two hundred forty-two point eight (242.8), Code
2 1966, is amended by striking from line three (3) the words "board of
3 control" and by inserting in lieu thereof the words "state director".

1 SEC. 328. Section two hundred forty-two point nine (242.9), Code
2 1966, is amended by striking from line four (4) the words "board of
3 control" and by inserting in lieu thereof the words "state director".

1 SEC. 329. Section two hundred forty-two point eleven (242.11),
2 Code 1966, is amended by striking from lines six (6) and seven (7)
3 the words "board of control" and by inserting in lieu thereof the words
4 "state director".

1 SEC. 330. Section two hundred forty-two point twelve (242.12),
2 Code 1966, is amended as follows:

3 1. By striking from lines one (1) and two (2) the words "board of
4 control" and by inserting in lieu thereof the words "state director".

5 2. By striking from line eleven (11) the word "board" and by in-
6 sserting in lieu thereof the words "state director".

1 SEC. 331. Section two hundred forty-two point fourteen (242.14),
2 Code 1966, is amended as follows:

3 1. By striking from line two (2) the words "board of control" and
4 inserting in lieu thereof the words "state director".

5 2. By striking from line eight (8) the word "board" and inserting
6 in lieu thereof the word "director".

7 3. By striking from line four (4) the word "its" and inserting in
8 lieu thereof the word "his".

1 SEC. 332. Section two hundred forty-two point fifteen (242.15),
2 Code 1966, is amended as follows:

- 3 1. By striking from line two (2) the words "board of control of
4 state institutions" and by inserting in lieu thereof the words "state
5 director".
- 6 2. By striking from lines twelve (12) and thirteen (13) the words
7 "board of control of state institutions" and by inserting in lieu thereof
8 the words "division of child and family services of the department of
9 social services".
- 10 3. By striking from line eighteen (18) the words "board of control"
11 and by inserting in lieu thereof the words "state director".

1 SEC. 333. Chapter two hundred forty-four (244), Code 1966, is
2 amended by adding the following new section thereto:

3 "For the purpose of this chapter the words 'director' or 'state direc-
4 tor' shall mean the director of the division of child and family serv-
5 ices of the department of social services."

1 SEC. 334. Section two hundred forty-four point one (244.1), Code
2 1966, is amended by striking from line eleven (11) the words "board
3 of control" and by inserting in lieu thereof the words "state director".

1 SEC. 335. Section two hundred forty-four point two (244.2), Code
2 1966, is amended by striking from line three (3) the words "board of
3 control" and by inserting in lieu thereof the words "state director".

1 SEC. 336. Section two hundred forty-four point four (244.4), Code
2 1966, is amended as follows:

3 1. By striking from line nine (9) the words "board of control" and
4 by inserting in lieu thereof the words "state director".

5 2. By striking from line ten (10) the word "it" and by inserting in
6 lieu thereof the word "he".

1 SEC. 337. Section two hundred forty-four point five (244.5), Code
2 1966, is amended by striking all of lines one (1) through three (3)
3 inclusive and inserting in lieu thereof the following:

4 "The state director may transfer to the homes minor wards of the
5 state from any institution under his charge or under the charge of
6 any other director of the department of social services;".

1 SEC. 338. Section two hundred forty-four point seven (244.7),
2 Code 1966, is amended by striking from line four (4) the word
3 "board" and by inserting in lieu thereof the words "state director".

1 SEC. 339. Section two hundred forty-four point ten (244.10), Code
2 1966, is amended by striking from line four (4) the word "board" and
3 by inserting in lieu thereof the words "state director".

1 SEC. 340. Section two hundred forty-four point eleven (244.11),
2 Code 1966, is amended by striking from line three (3) the word
3 "board" and by inserting in lieu thereof the words "state director".

1 SEC. 341. Chapter two hundred forty-five (245), Code 1966, is
2 amended by adding the following new section thereto:

3 "For the purpose of this chapter 'director' or 'state director' shall
4 mean the director of the division of corrections of the department of
5 social services."

1 SEC. 342. Section two hundred forty-five point two (245.2), Code
2 1966, is amended by striking from line four (4) the words "board of
3 control" and by inserting in lieu thereof the words "state director".

1 SEC. 343. Section two hundred forty-five point three (245.3), Code
2 1966, is amended by striking from lines two (2) and three (3) the
3 words "board of control" and by inserting in lieu thereof the words
4 "state director".

1 SEC. 344. Section two hundred forty-five point ten (245.10), Code
2 1966, is amended by striking from line two (2) the words "board of
3 control" and by inserting in lieu thereof the following: "state director
4 in cooperation with the commissioner of the department of social serv-
5 ices and the directors of the other divisions of the department of social
6 services".

1 SEC. 345. Section two hundred forty-five point twelve (245.12),
2 Code 1966, is amended as follows:

3 1. By striking from line two (2) the word "board" and by inserting
4 in lieu thereof the words "state director".

5 2. By striking from line seven (7) the word "board" and by insert-
6 ing in lieu thereof the words "state director".

1 SEC. 346. Section two hundred forty-five point fourteen (245.14),
2 Code 1966, is amended by striking from line two (2) the word "board"
3 and by inserting in lieu thereof the words "state director".

1 SEC. 347. Section two hundred forty-five point fifteen (245.15),
2 Code 1966, is amended by striking from lines seven (7) and eight (8)
3 the words "board of control" and by inserting in lieu thereof the words
4 "the state director".

1 SEC. 348. Chapter two hundred forty-six (246), Code 1966, is
2 amended by adding the following new section thereto:

3 "For the purpose of this chapter 'director' or 'state director' shall
4 mean the director of the division of corrections of the department of
5 social services."

1 SEC. 349. Section two hundred forty-six point two (246.2), Code
2 1966, is amended by striking from line seven (7) the words "board of
3 control" and by inserting in lieu thereof the words "state director".

1 SEC. 350. Section two hundred forty-six point three (246.3), Code
2 1966, is amended as follows:

3 1. By striking from line five (5) the words "board of control" and
4 by inserting in lieu thereof the words "state director".

5 2. By striking from line seven (7) the words "board of control" and
6 by inserting in lieu thereof the words "state director".

7 3. By striking from line nine (9) the word "board" and by insert-
8 ing in lieu thereof the words "state director".

9 4. By striking from line fifteen (15) the words "board of control"
10 and by inserting in lieu thereof the words "state director".

11 5. By striking from line sixteen (16) the word "board" and by in-
12 serting in lieu thereof the words "state director".

1 SEC. 351. Section two hundred forty-six point seven (246.7), Code
2 1966, is amended by striking from line three (3) the words "board of
3 control" and by inserting in lieu thereof the words "state director".

1 SEC. 352. Section two hundred forty-six point twelve (246.12),
2 Code 1966, is amended as follows:

3 1. By striking from line two (2) the words "board of control" and
4 by inserting in lieu thereof the words "state director".

5 2. By striking from line seven (7) the word "It" and inserting in
6 lieu thereof the word "He".

1 SEC. 353. Section two hundred forty-six point thirteen (246.13),
2 Code 1966, is amended by striking from lines one (1) and two (2) the
3 words "board of control" and by inserting in lieu thereof the words
4 "state director".

1 SEC. 354. Section two hundred forty-six point fourteen (246.14),
2 Code 1966, is amended by striking from line one (1) the word "board"
3 and inserting in lieu thereof the words "state director".

1 SEC. 355. Section two hundred forty-six point sixteen (246.16),
2 Code 1966, is amended as follows:

3 1. By striking from line two (2) the word "board" and inserting in
4 lieu thereof the words "state director".

5 2. By striking from line three (3) the word "it" and by inserting in
6 lieu thereof the word "he".

7 3. By striking from line seven (7) the word "board" and by insert-
8 ing in lieu thereof the words "state director".

1 SEC. 356. Section two hundred forty-six point seventeen (246.17),
2 Code 1966, is amended as follows:

3 1. By striking from line two (2) the word "board" and by inserting
4 in lieu thereof the words "state director".

5 2. By striking from line seven (7) the word "board" and by insert-
6 ing in lieu thereof the words "state director".

7 3. By striking from line eight (8) the word "board" and by insert-
8 ing in lieu thereof the words "state director".

9 4. By striking from line ten (10) the word "it" and by inserting in
10 lieu thereof the word "he".

1 SEC. 357. Section two hundred forty-six point eighteen (246.18),
2 Code 1966, is amended as follows:

3 1. By striking from line eight (8) the words "board of control" and
4 by inserting in lieu thereof the words "state director".

5 2. By striking from line nine (9) the words "board of control" and
6 by inserting in lieu thereof the words "state director".

7 3. By striking from line seventeen (17) the words "board of con-
8 trol" and by inserting in lieu thereof the words "state director".

1 SEC. 358. Section two hundred forty-six point nineteen (246.19),
2 Code 1966, is amended as follows:

3 1. By striking from line one (1) the word "board" and by inserting
4 in lieu thereof the words "state director".

5 2. By striking from line four (4) the word "board" and by insert-
6 ing in lieu thereof the words "state director".

7 3. By striking from line five (5) the word "their" and by inserting
8 in lieu thereof the word "his".

1 SEC. 359. Section two hundred forty-six point twenty-one
2 (246.21), Code 1966, is amended as follows:

3 1. By striking from line two (2) the words "board of control" and
4 by inserting in lieu thereof the words "state director".

5 2. By striking from line five (5) the word "it" and by inserting in
6 lieu thereof the word "him".

1 SEC. 360. Section two hundred forty-six point twenty-three
2 (246.23), Code 1966, is amended by striking from lines five (5) and
3 six (6) the words "board of control" and by inserting in lieu thereof
4 the words "state director".

1 SEC. 361. Section two hundred forty-six point twenty-four
2 (246.24), Code 1966, is amended by striking from line four (4) the
3 words "board of control" and by inserting in lieu thereof the words
4 "state director".

1 SEC. 362. Section two hundred forty-six point twenty-five
2 (246.25), Code 1966, is amended by striking from lines one (1) and
3 two (2) the words "board of control" and by inserting in lieu thereof
4 the words "state director".

1 SEC. 363. Section two hundred forty-six point twenty-seven
2 (246.27), Code 1966, is amended as follows:

3 1. By striking from line seven (7) the words "board of control" and
4 by inserting in lieu thereof the words "state director".

5 2. By striking from line fourteen (14) the words "board of control"
6 and by inserting in lieu thereof the words "state director".

7 3. By striking from lines sixteen (16) and seventeen (17) the
8 words "board of control" and by inserting in lieu thereof the words
9 "state director".

1 SEC. 364. Section two hundred forty-six point forty (246.40),
2 Code 1966, is amended by striking from lines one (1) and two (2) the
3 words "board of control" and by inserting in lieu thereof the words
4 "state director".

1 SEC. 365. Section two hundred forty-six point forty-one (246.41),
2 Code 1966, is amended by striking from line four (4) of subsection
3 five (5) the words "board of control" and by inserting in lieu thereof
4 the words "state director".

1 SEC. 366. Section two hundred forty-six point forty-three
2 (246.43), Code 1966, is amended by striking from line five (5) the
3 words "board of control" and by inserting in lieu thereof the words
4 "state director".

1 SEC. 367. Section two hundred forty-six point forty-seven
2 (246.47), Code 1966, is amended by striking from line two (2) the
3 words "board of control" and by inserting in lieu thereof the words
4 "state director".

1 SEC. 368. Chapter two hundred forty-seven (247), Code 1966, is
 2 hereby amended by adding the following new section thereto:
 3 "The board of parole shall determine which of the inmates of the
 4 state penal institutions qualify and thereafter shall be placed upon
 5 parole. Once an inmate is placed on parole he shall be under the super-
 6 vision of the director of the division of corrections of the department
 7 of social services. There shall be a sufficient number of parole agents
 8 to insure proper supervision of all persons placed on parole. Parole
 9 agents shall not revoke the parole of any person but may recommend
 10 that the board of parole revoke such parole."

1 SEC. 369. Chapter two hundred forty-seven (247), Code 1966, is
 2 further amended by adding the following new section thereto:
 3 "The board of parole shall be in the department of social services
 4 for administrative purposes, only. The commissioner shall provide the
 5 board with the necessary personnel, supplies and office space."

1 SEC. 370. Section two hundred forty-seven point six (247.6), Code
 2 1966, is hereby amended as follows:
 3 1. By striking from line two (2) the words "and enforce the".
 4 2. By adding the following at the end thereof:
 5 "The director of the division of corrections of the department of
 6 social services shall also establish rules and conditions which shall be
 7 enforced by the chief parole officer and his staff regarding the super-
 8 vision of parolees and probationers."

1 SEC. 371. Section two hundred forty-seven point eight (247.8),
 2 Code 1966, is hereby amended as follows:
 3 1. By striking from line five (5) the words "Said board" and by
 4 inserting in lieu thereof the words "The chief parole officer".
 5 2. By striking from line nine (9) the words "board are paid" and
 6 by inserting in lieu thereof the words "chief parole officer are paid".

1 SEC. 372. Section two hundred forty-seven point nine (247.9),
 2 Code 1966, is hereby amended as follows:
 3 1. By striking from lines three (3) and four (4) the words "said
 4 board" and by inserting in lieu thereof the words "the chief parole
 5 officer".
 6 2. By striking from line eight (8) the words "board of parole" and
 7 by inserting in lieu thereof the words "chief parole officer".

1 SEC. 373. Section two hundred forty-seven point thirteen
 2 (247.13), Code 1966, is hereby amended as follows:
 3 1. By striking from line two (2) the word "make" and by inserting
 4 in lieu thereof the words "direct the chief parole officer to make".
 5 2. By striking from line two (2) the word "it" and by inserting in
 6 lieu thereof the words "such board".
 7 3. By inserting in line ten (10) after the word "parole" the words
 8 "or the chief parole officer".
 9 4. By inserting in line eleven (11) after the word "board" the
 10 words "or parole officer".

1 SEC. 374. Section two hundred forty-seven point fourteen
 2 (247.14), Code 1966, is hereby amended by inserting in line four (4)
 3 after the word "parole" the words "and the chief parole officer".

1 SEC. 375. Section two hundred forty-seven point fifteen (247.15),
 2 Code 1966, is hereby amended by striking all of line two (2) and by
 3 inserting in lieu thereof the following: "shall, when requested by the
 4 board or chief parole officer, furnish them".

1 SEC. 376. Section two hundred forty-seven point eighteen
 2 (247.18), Code 1966, is hereby amended by striking from line nine
 3 (9) the word "board" and by inserting in lieu thereof the words "chief
 4 parole officer".

1 SEC. 377. Section two hundred forty-seven point nineteen
 2 (247.19), Code 1966, is hereby repealed and the following enacted in
 3 lieu thereof:

4 "Such fund shall be drawn on vouchers executed by the chief parole
 5 officer in favor of said needy person. Each voucher shall show that the
 6 advancement was ordered by the chief parole officer."

1 SEC. 378. Section two hundred forty-seven point twenty (247.20),
 2 Code 1966, is hereby amended by striking all of lines eighteen (18)
 3 through twenty (20) inclusive and by inserting in lieu thereof the
 4 following:

5 "is ordered placed under the supervision of the chief parole officer,
 6 in which case the term of probation shall be determined by the board
 7 of parole and the probation of the convicted party shall be supervised
 8 by the chief parole officer."

1 SEC. 379. Section two hundred forty-seven point twenty-one
 2 (247.21), Code 1966, is hereby amended as follows:

3 1. By striking all of line one (1) of subsection two (2) and the
 4 word "parole" in line two (2) of subsection two (2) and by inserting
 5 in lieu thereof the following: "2. Of the chief parole officer. The chief
 6 parole officer".

7 2. By striking from line six (6) of subsection two (2) the words
 8 "board of parole" and by inserting in lieu thereof the words "chief
 9 parole officer".

10 3. By striking from line fifteen (15) the words "board of parole"
 11 and by inserting in lieu thereof the words "chief parole officer".

12 4. By striking from line seventeen (17) the words "board of parole"
 13 and by inserting in lieu thereof the words "chief parole officer".

14 5. By striking from line twenty-one (21) the words "board of
 15 parole" and by inserting in lieu thereof the words "chief parole offi-
 16 cer".

17 6. By striking all of line twenty-three (23) and by inserting in lieu
 18 thereof the following: "the chief parole officer's supervision and give
 19 to the chief parole officer".

20 7. By striking from line thirty (30) the words "board of parole"
 21 and by inserting in lieu thereof the words "chief parole officer".

1 SEC. 380. Section two hundred forty-seven point twenty-two
 2 (247.22), Code 1966, is hereby amended by striking the period (.) at
 3 the end of line four (4) and by inserting in lieu thereof the following:

4 "and the chief parole officer shall supervise the probation of the con-
 5 victed party in the same manner that he supervises prisoners paroled
 6 by the board of parole."

1 SEC. 381. Section two hundred forty-seven point twenty-three
2 (247.23), Code 1966, is hereby amended by striking the period (.) in
3 line eight (8) and by inserting in lieu thereof the following:
4 "and the expenses of the chief parole officer shall be a part of and
5 paid from the budget of the division of corrections of the department
6 of social services."

1 SEC. 382. Section two hundred forty-seven point twenty-four
2 (247.24), Code 1966, is hereby amended as follows:

3 1. By striking from lines two (2) and three (3) the words "by the
4 board of parole" and by inserting in lieu thereof the words "or em-
5 ployed by the chief parole agent".

6 2. By striking from line six (6) the word "board" and by inserting
7 in lieu thereof the words "chief parole agent".

1 SEC. 383. Section two hundred forty-seven point twenty-nine
2 (247.29), Code 1966, is hereby amended by inserting after the word
3 "parole" in line three (3) the following: "and the director of the divi-
4 sion of corrections of the department of social services".

1 SEC. 384. Section two hundred forty-seven point thirty-one
2 (247.31), Code 1966, is hereby amended by inserting in line eleven
3 (11) after the word "parole" the words "and the director of the divi-
4 sion of corrections of the department of social services".

1 SEC. 385. Section two hundred forty-seven point thirty-two
2 (247.32), Code 1966, is hereby amended as follows:

3 1. By striking all of lines one (1) and two (2) and by inserting in
4 lieu thereof the following:

5 "The board of parole and the chief parole officer shall make such
6 detailed reports to the director of the division of corrections of the
7 department of social services as are requested by him and he shall
8 forward such reports along with his personal recommendations to the
9 commissioner of the department of social services. The commissioner
10 in turn shall, biannually, at the time provided by law,"

11 2. By striking from line seven (7) the word "its" and by inserting
12 in lieu thereof the words "this departmental".

1 SEC. 386. Section two hundred forty-seven point thirty-three
2 (247.33), Code 1966, is hereby amended by inserting after the word
3 "board" in line five (5) the words "or chief parole officer".

1 SEC. 387. Section two hundred forty-nine point one (249.1), Code
2 1966, is hereby amended as follows:

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

5 "The term 'director' or 'state director' shall mean the director of
6 child and family services of the department of social services."

7 2. By striking subsection two (2) and by inserting in lieu thereof
8 the following:

9 "The term 'division' or 'state division' shall mean the division of
10 child and family services of the department of social services."

1 SEC. 388. Section two hundred forty-nine point two (249.2), Code
2 1966, is hereby amended as follows:

- 3 1. By striking from line one (1) the word "board" and by inserting
4 in lieu thereof the word "director".
5 2. By striking from line four (4) the word "board" and by insert-
6 ing in lieu thereof the word "director".
7 3. By striking from line nine (9) the word "board" and by insert-
8 ing in lieu thereof the word "director".
9 4. By striking from line two (2) of subsection three (3) the word
10 "department" and by inserting in lieu thereof the word "division".

1 SEC. 389. Section two hundred forty-nine point four (249.4), Code
2 1966, is hereby amended as follows:

- 3 1. By striking from line seven (7) the word "department" and by
4 inserting in lieu thereof the word "division".
5 2. By striking from line nine (9) the word "board" and by inserting
6 in lieu thereof the word "director".
7 3. By striking from lines nine (9) and ten (10) the word "depart-
8 ment" and by inserting in lieu thereof the word "division".

1 SEC. 390. Section two hundred forty-nine point six (249.6), Code
2 1966, is hereby amended as follows:

- 3 1. By striking from lines four (4) and five (5) of subsection seven
4 (7) the word "department" and by inserting in lieu thereof the word
5 "division".
6 2. By striking from line one (1) of subsection eight (8) the word
7 "department" and by inserting in lieu thereof the word "division".

1 SEC. 391. Section two hundred forty-nine point seven (249.7),
2 Code 1966, is hereby amended by striking from line nine (9) the word
3 "board" and by inserting in lieu thereof the word "director".

1 SEC. 392. Section two hundred forty-nine point eight (249.8),
2 Code 1966, is hereby amended by striking from line five (5) the word
3 "department's" and by inserting in lieu thereof the word "division's".

1 SEC. 393. Section two hundred forty-nine point nine (249.9), Code
2 1966, is hereby amended as follows:

- 3 1. By striking from line seven (7) of subsection four (4) the word
4 "department" and by inserting in lieu thereof the word "division".
5 2. By striking from line thirteen (13) of subsection four (4) the
6 word "board" and by inserting in lieu thereof the word "director".
7 3. By striking from line six (6) of subsection five (5) the word
8 "department" and by inserting in lieu thereof the word "division".
9 4. By striking from line eleven (11) of subsection five (5) the word
10 "department" and by inserting in lieu thereof the word "division".

1 SEC. 394. Section two hundred forty-nine point ten (249.10), Code
2 1966, is hereby amended by striking from line four (4) the word
3 "board" and by inserting in lieu thereof the word "director".

1 SEC. 395. Section two hundred forty-nine point eleven (249.11),
2 Code 1966, is hereby amended as follows:

- 3 1. By striking from line four (4) the word "department" and by
4 inserting in lieu thereof the word "division".
5 2. By striking from line seventeen (17) the word "department"
6 and by inserting in lieu thereof the word "division".

- 7 3. By striking from line eighteen (18) the word "board" and by
8 inserting in lieu thereof the word "director".
- 9 4. By striking from line twenty-two (22) the word "department"
10 and by inserting in lieu thereof the word "division".
- 11 5. By striking from line twenty-four (24) the word "department"
12 and by inserting in lieu thereof the word "division".
- 13 6. By striking from lines thirty (30) and thirty-one (31) the word
14 "department" which appears on two (2) occasions and by inserting in
15 lieu thereof on each occasion the word "division".
- 16 7. By striking from line forty-three (43) the words "state board"
17 and by inserting in lieu thereof the words "council of social services".
- 18 8. By striking from line forty-four (44) the words "state board"
19 which occur on two (2) occasions and by inserting in lieu thereof on
20 each occasion the word "council".
- 21 9. By striking from lines forty-seven (47) and forty-eight (48) the
22 words "state board" and by inserting in lieu thereof the words "coun-
23 cil of social services".
- 24 10. By striking from line fifty (50) the words "state board" and by
25 inserting in lieu thereof the word "council".
- 26 11. By striking from line fifty-eight (58) the words "state board"
27 and by inserting in lieu thereof the words "council of social services".
- 28 12. By striking from lines sixty-one (61) and sixty-two (62) the
29 words "state department or upon any member of the state board" and
30 by inserting in lieu thereof the words "commissioner of social services
31 or his authorized representative".
- 32 13. By striking from line sixty-five (65) the words "state board"
33 and by inserting in lieu thereof the words "council of social services".
- 34 14. By striking from line seventy (70) the words "state board" and
35 by inserting in lieu thereof the words "council of social services".

1 SEC. 396. Section two hundred forty-nine point twelve (249.12),
2 Code 1966, is hereby amended as follows:

- 3 1. By striking from line two (2) the word "board" and by inserting
4 in lieu thereof the word "director".
- 5 2. By striking from line seven (7) the words "and any member of
6 the state board" and by inserting in lieu thereof the words "and the
7 state director or his authorized employee".
- 8 3. By striking from line eleven (11) the word "board" and by in-
9 serting in lieu thereof the word "director".

1 SEC. 397. Section two hundred forty-nine point thirteen (249.13),
2 Code 1966, is hereby amended as follows:

- 3 1. By striking from lines one (1) and two (2) the word "depart-
4 ment" and by inserting in lieu thereof the word "division".
- 5 2. By striking from line five (5) the word "department" and by in-
6 serting in lieu thereof the word "division".
- 7 3. By striking from line seven (7) the word "department" and by
8 inserting in lieu thereof the word "division".
- 9 4. By striking from line nine (9) the word "department" and by in-
10 serting in lieu thereof the word "division".
- 11 5. By striking from line thirteen (13) the word "department" and
12 by inserting in lieu thereof the word "division".

1 SEC. 398. Section two hundred forty-nine point fifteen (249.15),
 2 Code 1966, is hereby amended by striking from line ten (10) the word
 3 "department" and by inserting in lieu thereof the word "division".

1 SEC. 399. Section two hundred forty-nine point sixteen (249.16),
 2 Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "department" and by in-
 4 serting in lieu thereof the word "division".

5 2. By striking from lines fifteen (15) and sixteen (16) the word
 6 "department" and by inserting in lieu thereof the word "division".

1 SEC. 400. Section two hundred forty-nine point seventeen
 2 (249.17), Code 1966, is hereby amended as follows:

3 1. By striking from line four (4) the word "board" and by insert-
 4 ing in lieu thereof the word "director".

5 2. By striking from line eight (8) the word "department" and by
 6 inserting in lieu thereof the word "division".

1 SEC. 401. Section two hundred forty-nine point eighteen (249.18),
 2 Code 1966, is hereby amended as follows:

3 1. By striking from line eight (8) of subsection three (3) the word
 4 "department's" and by inserting in lieu thereof the word "division's".

5 2. By striking from line two (2) of subsection four (4) the word
 6 "department's" and by inserting in lieu thereof the word "division's".

7 3. By striking from line forty-nine (49) the word "department"
 8 and by inserting in lieu thereof the word "division".

1 SEC. 402. Section two hundred forty-nine point nineteen (249.19),
 2 Code 1966, is hereby amended by striking from line seventeen (17) the
 3 word "board" and by inserting in lieu thereof the word "director".

1 SEC. 403. Section two hundred forty-nine point twenty (249.20),
 2 Code 1966, is hereby amended as follows:

3 1. By striking from line thirty-two (32) the word "board" and by
 4 inserting in lieu thereof the word "director".

5 2. By striking from line thirty-eight (38) the word "board" and by
 6 inserting in lieu thereof the word "director".

7 3. By striking from line forty-three (43) the word "board" and by
 8 inserting in lieu thereof the word "director".

9 4. By striking from lines forty-eight (48) and forty-nine (49) the
 10 words "secretary of the state board of social welfare" and by inserting
 11 in lieu thereof the words "state director or his authorized employee".

12 5. By striking from line fifty-three (53) the word "board" and by
 13 inserting in lieu thereof the word "director".

14 6. By striking from line fifty-eight (58) the word "board" and by
 15 inserting in lieu thereof the word "director".

16 7. By striking from lines fifty-nine (59) and sixty (60) the word
 17 "department" and by inserting in lieu thereof the word "division".

18 8. By striking from line seventy-one (71) the words "board of
 19 social welfare" and by inserting in lieu thereof the words "director of
 20 the division of child and family services of the department of social
 21 services".

22 9. By striking from line seventy-three (73) the word "department"
 23 and by inserting in lieu thereof the word "division".

24 10. By striking from line seventy-five (75) the word "board" and
25 by inserting in lieu thereof the word "director".

26 11. By striking from line ninety-nine (99) the words "state board
27 and state department" and by inserting in lieu thereof the words
28 "state director and state division".

29 12. By striking from line one hundred six (106) the words "board
30 and state department" and by inserting in lieu thereof the words
31 "director and state division".

32 13. By striking from line one hundred twelve (112) the word
33 "board" and by inserting in lieu thereof the word "director".

34 14. By striking from line one hundred thirteen (113) the word
35 "board" and by inserting in lieu thereof the word "director".

1 SEC. 404. Section two hundred forty-nine point twenty-two
2 (249.22), Code 1966, is hereby amended by striking from line two (2)
3 the words "board and state department" and by inserting in lieu there-
4 of the words "director and state division".

1 SEC. 405. Section two hundred forty-nine point twenty-three
2 (249.23), Code 1966, is hereby amended as follows:

3 1. By striking from line five (5) the word "board" and by inserting
4 in lieu thereof the word "director".

5 2. By striking from line twelve (12) the word "board" and by in-
6 serting in lieu thereof the word "director".

7 3. By striking from line sixteen (16) the word "department" and
8 by inserting in lieu thereof the word "division".

9 4. By striking from line twenty (20) the word "department" and
10 by inserting in lieu thereof the word "division".

11 5. By striking from line thirty-three (33) the words "board and
12 state department" and by inserting in lieu thereof the words "director
13 and state division".

14 6. By striking from lines thirty-seven (37) and thirty-eight (38)
15 the words "board and state department" and by inserting in lieu there-
16 of the words "director and state division".

17 7. By striking from line forty-four (44) the word "board" and by
18 inserting in lieu thereof the word "director".

1 SEC. 406. Section two hundred forty-nine point twenty-four
2 (249.24), Code 1966, is hereby amended as follows:

3 1. By striking from line eleven (11) the word "department" and
4 by inserting in lieu thereof the word "division".

5 2. By striking from lines thirteen (13) and fourteen (14) the word
6 "department" which appears on two (2) occasions and by inserting in
7 lieu thereof on each occasion the word "division".

1 SEC. 407. Section two hundred forty-nine point twenty-five
2 (249.25), Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the words "board and state de-
4 partment" and by inserting in lieu thereof the words "director and
5 state division".

6 2. By striking from line seventeen (17) the words "board and state
7 department" and by inserting in lieu thereof the words "director and
8 state division".

1 SEC. 408. Section two hundred forty-nine point twenty-six
2 (249.26), Code 1966, is hereby amended by striking from line two (2)
3 the word "board" and by inserting in lieu thereof the word "director".

1 SEC. 409. Section two hundred forty-nine point twenty-seven
2 (249.27), Code 1966, is hereby amended by striking from line three
3 (3) the words "board of social welfare" and by inserting in lieu there-
4 of the word "director".

1 SEC. 410. Section two hundred forty-nine point twenty-eight
2 (249.28), Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "board" and by inserting
4 in lieu thereof the word "director".

5 2. By striking from line three (3) the word "board" and by insert-
6 ing in lieu thereof the word "director".

7 3. By striking from line six (6) the word "board" and by inserting
8 in lieu thereof the word "director".

1 SEC. 411. Section two hundred forty-nine point thirty-two
2 (249.32), Code 1966, is hereby amended as follows:

3 1. By striking from lines eight (8) and nine (9) the word "depart-
4 ment" which appears on two (2) occasions and by inserting in lieu
5 thereof on each occasion the word "division".

6 2. By striking from line fifteen (15) the word "department" and by
7 inserting in lieu thereof the word "division".

1 SEC. 412. Section two hundred forty-nine point thirty-six
2 (249.36), Code 1966, is hereby amended by striking from line four
3 (4) the words "board and state department" and by inserting in lieu
4 thereof the words "director and state division".

1 SEC. 413. Section two hundred forty-nine point thirty-nine
2 (249.39), Code 1966, is hereby amended as follows:

3 1. By striking from line sixteen (16) the words "board and state
4 department" and by inserting in lieu thereof the words "director and
5 state division".

6 2. By striking from line seventeen (17) the words "board or state
7 department" and by inserting in lieu thereof the words "director or
8 state division".

9 3. By striking from line twenty-two (22) the words "board and
10 state department" and by inserting in lieu thereof the words "director
11 and state division".

12 4. By striking from line thirty-three (33) the word "board" and by
13 inserting in lieu thereof the word "director".

14 5. By striking from line thirty-eight (38) the word "department"
15 and by inserting in lieu thereof the word "director".

1 SEC. 414. Section two hundred forty-nine point forty (249.40),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the words "board and state depart-
4 ment" and by inserting in lieu thereof the words "director and state
5 division".

6 2. By striking from line ten (10) the word "department" and by
7 inserting in lieu thereof the word "division".

8 3. By striking from line twelve (12) the word "board" and by in-
9 sserting in lieu thereof the word "director".

1 SEC. 415. Section two hundred forty-nine point forty-one
2 (249.41), Code 1966, is hereby amended by striking from line fifteen
3 (15) the word "department" and by inserting in lieu thereof the word
4 "division".

1 SEC. 416. Section two hundred forty-nine point forty-two
2 (249.42), Code 1966, is hereby amended by striking from line five (5)
3 the words "board and state department" and by inserting in lieu there-
4 of the words "director and state division".

1 SEC. 417. Section two hundred forty-nine point forty-seven
2 (249.47), Code 1966, is hereby amended by striking from line ten (10)
3 the word "department" and by inserting in lieu thereof the word
4 "division".

1 SEC. 418.* Section three (3) of House File 93, Acts of the Sixty-
2 second General Assembly is hereby amended by striking all of sub-
3 section one (1) and by inserting in lieu thereof the following:

4 "1. The terms 'director' or 'state director' mean the director of the
5 division of child and family services of the department of social
6 services."**

1 SEC. 419*. Section five (5) of House File 93, Acts of the Sixty-
2 second General Assembly is hereby amended as follows:**

3 1. By striking all of line one (1) and by inserting in lieu thereof
4 the following:

5 "Duties of state director. The state director:".

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

8 3. By striking from line six (6) of subsection one (1) the word
9 "board" and by inserting in lieu thereof the word "director".

10 4. By striking from line four (4), paragraph *d* of subsection one
11 (1) the word "board" and by inserting in lieu thereof the word "direc-
12 tor".

13 5. By striking from line five (5) of subsection two (2) the words
14 "said board" and by inserting in lieu thereof the words "such direc-
15 tor".

16 6. By striking from line five (5) of subsection two (2) the second
17 word "board" and by inserting in lieu thereof the word "director".

18 7. By striking from line two (2) of subsection seven (7) the words
19 "state board" and by inserting in lieu thereof the words "commission-
20 er of social services".

21 8. By striking from line nine (9) of subsection seven (7) the words
22 "state board" and by inserting in lieu thereof the words "commission-
23 er of social services".

24 9. By striking from lines eleven (11) and twelve (12) of subsection
25 seven (7) the words "state department of social welfare or upon any
26 member of the state board" and by inserting in lieu thereof the words
27 "commissioner of social services or his authorized representative".

*See chapter 223 hereof.

**Repealed by chapter 12, §5.

28 10. By striking from line fourteen (14) of subsection seven (7) the
29 words "state board" and by inserting in lieu thereof the words "com-
30 missioner of social services".

31 11. By striking from lines seventeen (17) and eighteen (18) of
32 subsection seven (7) the words "state board" and by inserting in lieu
33 thereof the words "commissioner of social services".

1 SEC. 420.* Section nine (9) of House File 93, Acts of the Sixty-
2 second General Assembly is hereby amended by striking from line
3 forty-seven (47) the word "board" and by inserting in lieu thereof the
4 word "director".**

1 SEC. 421. Chapter two hundred fifty-one (251), Code 1966, is
2 amended by adding the following section thereto:

3 "As used in this chapter: 'division' or 'state division' means the
4 division of child and family services of the department of social serv-
5 ices; 'director' or 'state director' means the director of the division
6 of child and family services of the department of social services."

1 SEC. 422. Section two hundred fifty-one point one (251.1), Code
2 1966, is hereby amended by striking from line one (1) the words
3 "department of social welfare" and inserting in lieu thereof the word
4 "division".

1 SEC. 423. Section two hundred fifty-one point two (251.2), Code
2 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "board" and inserting in
4 lieu thereof the word "director".

5 2. By striking from line seven (7) of subsection four (4) the word
6 "board" and inserting in lieu thereof the word "director".

1 SEC. 424. Section two hundred fifty-one point three (251.3), Code
2 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "department" and insert-
4 ing in lieu thereof the word "division".

5 2. By striking from line eight (8) the word "department" and in-
6 serting in lieu thereof the word "division".

1 SEC. 425. Section two hundred fifty-one point four (251.4), Code
2 1966, is hereby amended by striking from line two (2) of subsection
3 five (5) the word "board" and inserting in lieu thereof the word
4 "director".

1 SEC. 426. Section two hundred fifty-two point six (252.6), Code
2 1966, is hereby amended by striking from lines five (5) and six (6)
3 the words "state division of old age assistance" and by inserting in
4 lieu thereof the words "state division of child and family services of
5 the department of social services".

1 SEC. 427. Section two hundred fifty-two point forty-three
2 (252.43), Code 1966, is hereby amended as follows:

3 1. By striking from lines twenty-five (25) and twenty-six (26) the
4 words "department of social welfare" and by inserting in lieu thereof

*See chapter 223 hereof.

**Repealed by chapter 12, §5.

5 the words "division of child and family services of the department of
6 social services".

7 2. By striking from line twenty-eight (28) the words "the state
8 department of social welfare" and by inserting in lieu thereof the
9 words "such state division".

10 3. By striking from line thirty (30) the word "department" and by
11 inserting in lieu thereof the words "state division or director of same".

1 SEC. 428. Section two hundred fifty-two A point twelve (252A.12),
2 Code 1966, is amended by striking from line two (2) the words "de-
3 partment of social welfare" and inserting in lieu thereof the words
4 "division of child and family services of the department of social serv-
5 ices".

1 SEC. 429. Section two hundred fifty-five point twenty-eight
2 (255.28), Code 1966, is amended as follows:

3 1. By striking all of lines one (1) through four (4) inclusive, and
4 all of line five (5) up to the word "may" and by inserting in lieu there-
5 of the words "The commissioner of the department of social services
6 and the director of any of the divisions of such department,".

7 2. By striking from line twelve (12) the word "boards" and by
8 inserting in lieu thereof the words "state department of social serv-
9 ices".

1 SEC. 430. Section two hundred fifty-five point twenty-nine
2 (255.29), Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "board of
4 parole" and by inserting in lieu thereof the words "director of the
5 division of corrections of the department of social services".

6 2. By striking from line eight (8) the word "board" and by insert-
7 ing in lieu thereof the word "director".

8 3. By striking from line thirteen (13) the words "the board of
9 parole" and by inserting in lieu thereof the words "such division".

1 SEC. 431. Section two hundred fifty-seven point seventeen
2 (257.17), Code 1966, is amended by striking from lines six (6) and
3 seven (7) of subsection one (1) the words "the state board of control"
4 and by inserting in lieu thereof the words "a director of a division of
5 the department of social services".

1 SEC. 432. Section two hundred sixty-three point ten (263.10),
2 Code 1966, is amended as follows:

3 1. By striking from lines sixteen (16) and seventeen (17) the
4 words "the board of control" and by inserting in lieu thereof the
5 words "a director of a division of the department of social services".

6 2. By striking from lines twenty (20) and twenty-one (21) the
7 words "the state board of control" and by inserting in lieu thereof
8 the words "such director".

1 SEC. 433. Section two hundred eighty-two point eighteen (282.18),
2 Code 1966, is amended by striking from lines four (4) and five (5)
3 the words "the board of control" and by inserting in lieu thereof the
4 words "a director of a division of the department of social services".

1 SEC. 434. Section three hundred seven point five (307.5), Code
2 1966, is amended as follows:

3 1. By inserting after the word "board" in line three (3) of subsec-
4 tion seven (7) the words "or department".

5 2. By striking from line five (5) of subsection twelve (12) the word
6 "or" and by inserting in lieu thereof the words ", department or".

7 3. By inserting after the word "board" in line eight (8) of subsec-
8 tion twelve (12) the word ", department".

1 SEC. 435. Section three hundred twenty-one point one hundred
2 forty-nine (321.149), Code 1966, is amended by striking from line
3 twenty (20) the words "board of control" and by inserting in lieu
4 thereof the words "director of the division of corrections of the de-
5 partment of social services".

1 SEC. 436. Section three hundred twenty-one point one hundred
2 sixty-five (321.165), Code 1966, is amended by striking from line four
3 (4) the words "board of control" and by inserting in lieu thereof the
4 words "director of the division of corrections of the department of
5 social services".

1 SEC. 437. Section three hundred twenty-one point two hundred
2 fifty-three (321.253), Code 1966, is amended by striking from lines
3 eight (8) and nine (9) the words "board of control" and by inserting
4 in lieu thereof the words "director of the division of corrections of
5 the department of social services".

1 SEC. 438. Section three hundred fifty-six point forty-three
2 (356.43), Code 1966, is amended by striking from lines three (3) and
3 four (4) the words "state board of control" and by inserting in lieu
4 thereof the words "director of the division of corrections of the de-
5 partment of social services".

1 SEC. 439. Section four hundred twenty-seven point nine (427.9),
2 Code 1966, is amended by striking from line seven (7) the words
3 "state board of social welfare" and by inserting in lieu thereof the
4 words "director of the division of child and family services of the
5 department of social services".

1 SEC. 440. Section six hundred point one (600.1), Code 1966, is
2 amended as follows:

3 1. By striking from lines thirty-six (36) and thirty-seven (37) the
4 words "state department of social welfare" and by inserting in lieu
5 thereof the words "director of the division of child and family services
6 of the department of social services".

7 2. By striking from lines forty (40) and forty-one (41) the words
8 "of the board of control of state institutions" and by inserting in lieu
9 thereof the words "and control of a director of a division of the de-
10 partment of social services".

11 3. By striking from line forty-four (44) the words "state depart-
12 ment" and by inserting in lieu thereof the words "the director of the
13 division of child and family services".

14 4. By striking from lines forty-six (46) and forty-seven (47) the
15 word "department" and by inserting in lieu thereof the words "such
16 director".

1 SEC. 441. Section six hundred point three (600.3), Code 1966, is
 2 amended by striking from lines twenty-five (25) and twenty-six (26)
 3 the words "board of control of state institutions" and by inserting in
 4 lieu thereof the words "director of a division of the department of
 5 social services in control of such institution".

1 SEC. 442. Section six hundred point eight (600.8), Code 1966, is
 2 amended by striking all of lines six (6) through nine (9) inclusive and
 3 by inserting in lieu thereof the following:

4 "two (2) copies thereof to be sent to the director of the division of
 5 child and family services of the department of social services and also
 6 to the appropriate director of the division of the department of social
 7 services in control of the institution from which such child was ob-
 8 tained if the child for adoption is a ward of the state".

1 SEC. 443. Rule of Civil Procedure 56, paragraph *d* is amended by
 2 striking from lines six (6) and seven (7) the words "charge of the
 3 Iowa board of control" and by inserting in lieu thereof the words "the
 4 control of a director of a division of the department of social services".

1 SEC. 444. Section six hundred twenty-two point fifteen (622.15),
 2 Code 1966, is amended by striking all of subsection fourteen (14) and
 3 by inserting in lieu thereof the following:

4 "14. In examinations by the commissioner of the department of
 5 social services, or by any division director designated by him concern-
 6 ing the affairs of any institution under the general control of such
 7 commissioner."

1 SEC. 445. Section two hundred twenty-one point three (221.3),
 2 Code 1966, is amended by striking from line one (1) the word "board"
 3 and inserting in lieu thereof the words "director of mental health of
 4 the state department of social services".

Approved July 10, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 210

FUNERAL BENEFITS

H. F. 167

AN ACT relating to funeral benefits and to amend various Code sections relating there-
 to.

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

1 SECTION 1. Section two hundred thirty-nine point nine (239.9),
 2 Code 1966, is amended by striking from line seven (7) the words "one
 3 hundred seventy-five" and inserting in lieu thereof the words "two
 4 hundred fifty".

1 SEC. 2. Section two hundred forty-one point seventeen (241.17),
 2 Code 1966, is amended by striking from line six (6) the words "one

3 hundred seventy-five" and inserting in lieu thereof the words "two
4 hundred fifty".

1 SEC. 3. Section two hundred forty-one A point eleven (241A.11),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line seven (7) the words "one hundred seventy-
4 five" and inserting in lieu thereof the words "two hundred fifty".

5 2. By striking from line nine (9) the words "three hundred fifty"
6 and inserting in lieu thereof the words "five hundred".

7 3. By striking from line twelve (12) the words "three hundred
8 fifty" and inserting in lieu thereof the words "five hundred".

9 4. By striking from line twenty-one (21) the words "one hundred
10 seventy-five" and inserting in lieu thereof the words "two hundred
11 fifty".

12 5. By striking from lines twenty-three (23) and twenty-four (24)
13 the words "one hundred seventy-five" and inserting in lieu thereof the
14 words "two hundred fifty".

15 6. By striking from line thirty-five (35) the word "fifty" and in-
16 serting in lieu thereof the words "one hundred".

17 7. By striking from lines thirty-eight (38) and thirty-nine (39) the
18 words "one hundred seventy-five" and inserting in lieu thereof the
19 words "two hundred fifty".

1 SEC. 4. Section two hundred forty-nine point eighteen (249.18),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line seven (7) the words "one hundred seventy-
4 five" and inserting in lieu thereof the words "two hundred fifty".

5 2. By striking from line ten (10) the words "three hundred fifty"
6 and inserting in lieu thereof the words "five hundred".

7 3. By striking from lines fourteen (14) and fifteen (15) the words
8 "three hundred fifty" and inserting in lieu thereof the words "five
9 hundred".

10 4. By striking from line twenty-four (24) the words "one hundred
11 seventy-five" and inserting in lieu thereof the words "two hundred
12 fifty".

13 5. By striking from lines twenty-six (26) and twenty-seven (27)
14 the words "one hundred seventy-five" and inserting in lieu thereof the
15 words "two hundred fifty".

16 6. By striking from line thirty-eight (38) the word "fifty" and in-
17 serting in lieu thereof the words "one hundred".

18 7. By striking from line forty-one (41) the words "one hundred
19 seventy-five" and inserting in lieu thereof the words "two hundred
20 fifty".

21 8. By striking from line sixty-three (63) the words "three hundred
22 fifty" and inserting in lieu thereof the words "five hundred".

23 9. By striking from line sixty-one (61) the figures "635" and in-
24 serting in lieu thereof the figures "633".

Approved June 26, 1967.

CHAPTER 211

AID FOR THE BLIND

H. F. 173

AN ACT relating to the requirement of United States citizenship in determining eligibility for 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 two (241.2),
- 2 Code 1966, is hereby amended by striking all of subsection two (2)
- 3 of such section.

Approved April 17, 1967.

CHAPTER 212

ASSISTANCE GRANTS TO BLIND

H. F. 171

AN ACT relating to the determination of assistance grants under the aid for the blind program.

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 1966, is hereby amended by inserting in line thirteen (13) after
- 3 the word "aid," the words "five (5) dollars per month of any income
- 4 shall be disregarded and".

Approved May 25, 1967.

CHAPTER 213

ASSISTANCE PAYMENTS TO NURSING AND CUSTODIAL HOMES

S. F. 510

AN ACT relating to payments to nursing homes and custodial homes.

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

- 1 SECTION 1. Chapter two hundred forty-one (241), Code 1966, is
- 2 hereby amended by adding thereto the following section:
- 3 "If the state board is making direct assistance payments to persons
- 4 providing a recipient with custodial and nursing home service in
- 5 amounts less than the usual and reasonable charge for such service,
- 6 the state board shall permit the recipient or someone on his behalf to
- 7 pay the person rendering the service the difference between the amount
- 8 of assistance and the reasonable value of such service, without deduct-
- 9 ing such additional payment from the direct assistance payment to be
- 10 made by the state board."

1 SEC. 2. Chapter two hundred forty-one A (241A), Code 1966, is
2 hereby amended by adding thereto the following section:
3 "If the state board is making direct assistance payments to persons
4 providing a recipient with custodial and nursing home service in
5 amounts less than the usual and reasonable charge for such service,
6 the state board shall permit the recipient or someone on his behalf to
7 pay the person rendering the service the difference between the amount
8 of assistance and the reasonable value of such service, without deduct-
9 ing such additional payment from the direct assistance payment to be
10 made by the state board."

1 SEC. 3. Chapter two hundred forty-nine (249), Code 1966, is
2 hereby amended by adding thereto the following section:
3 "If the state board is making direct assistance payments to persons
4 providing a recipient with custodial and nursing home service in
5 amounts less than the usual and reasonable charge for such service,
6 the state board shall permit the recipient or someone on his behalf to
7 pay the person rendering the service the difference between the amount
8 of assistance and the reasonable value of such service, without deduct-
9 ing such additional payment from the direct assistance payment to be
10 made by the state board."

1 SEC. 4. Chapter two hundred forty-nine A (249A), Code 1966, is
2 hereby amended by adding thereto the following section:
3 "If the state board is making direct assistance payments to persons
4 providing a recipient with custodial and nursing home service in
5 amounts less than the usual and reasonable charge for such service,
6 the state board shall permit the recipient or someone on his behalf to
7 pay the person rendering the service the difference between the amount
8 of assistance and the reasonable value of such service, without deduct-
9 ing such additional payment from the direct assistance payment to be
10 made by the state board."

1 SEC. 5. This Act, being deemed of immediate importance, shall
2 take effect and be in force from and after its publication in the Lake
3 Mills Graphic, a newspaper published in Lake Mills, Iowa, and in The
4 Northwood Anchor, a newspaper published in Northwood, Iowa.

Approved June 10, 1967.

I hereby certify that the foregoing Act, Senate File 510, was published in the Lake Mills Graphic, Lake Mills, Iowa, June 14, 1967, and in The Northwood Anchor, Northwood, Iowa, June 15, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 214

CHILD SUPPORT IN STATE HOMES

H. F. 398

AN ACT relating to the cost of supporting children in state homes.

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

- 1 SECTION 1. Section two hundred forty-four point fourteen
 2 (244.14), Code 1966, is hereby amended as follows:
 3 1. By striking from lines three (3) and four (4) the words “, other
 4 than the children of soldiers,”.
 5 2. By inserting in line six (6) after the word “children.” the fol-
 6 lowing:
 7 “The superintendent of the Iowa Annie Wittenmyer Home and the
 8 Iowa juvenile home shall certify to the state comptroller on the first
 9 day of each fiscal quarter the amount chargeable to each county for
 10 such support.”

Approved June 8, 1967.

CHAPTER 215

VIOLATION OF PRISON RULES

H. F. 238

AN ACT to permit the warden, with approval of the board of control, to determine the amount of good time to be deprived a prisoner for the fifth and each subsequent violation of the rules.

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

- 1 SECTION 1. Section two hundred forty-six point forty-one
 2 (246.41), Code 1966, is hereby amended by striking all of such section
 3 after the word “earned” in line sixteen (16) and inserting in lieu
 4 thereof a period.

Approved April 27, 1967.

CHAPTER 216

PENAL INSTITUTION INMATES

S. F. 217

AN ACT relating to transportation and clothing assistance granted to inmates of state penal institutions upon discharge or parole.

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

- 1 SECTION 1. Section two hundred forty-six point forty-four
 2 (246.44), Code 1966, is hereby amended as follows:

- 3 1. By striking lines three (3) through five (5) and inserting in lieu
4 thereof the following:
5 "the state, transportation to his place of employment, home or other
6 place in Iowa,".
7 2. By striking from line six (6) the words "of common" and insert-
8 ing in lieu thereof the word "appropriate".

Approved May 11, 1967.

CHAPTER 217

RELEASE CENTER FOR PRISONERS

S. F. 525

AN ACT relating to establishment of a release center for male inmates of corrective institutions.

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

1 SECTION 1. The board of control is hereby authorized to establish
2 a facility for the preparation of all male inmates of the corrective in-
3 stitutions under the board's jurisdiction for discharge or parole. The
4 facility shall be known as the correctional release center and shall be
5 operated in conjunction with and utilize the facilities of the prison
6 honor farm at Newton, Iowa.

1 SEC. 2. The director of corrective institutions, subject to approval
2 of the board, shall appoint a superintendent who shall serve as the
3 chief executive of the correctional release center. The superintendent
4 shall be a reputable and qualified person experienced in the adminis-
5 tration of programs for the rehabilitation and preparation of prison-
6 ers for their return to society.

1 SEC. 3. The board may transfer any male inmate of a corrective
2 institution within ninety (90) days of the inmate's approaching re-
3 lease from custody to the release center for intensive training to assist
4 the inmate in the transition to civilian living.

1 SEC. 4. The statutes applicable to an inmate at the corrective in-
2 stitution from which transferred shall remain applicable during the
3 inmate's stay at the release center.

1 SEC. 5. Section two hundred eighteen point one (218.1), Code
2 1966, is hereby amended by adding thereto the following subsection:
3 "Correctional Release Center."

Approved June 8, 1967.

CHAPTER 218

PAROLE TIME

H. F. 257

AN ACT relating to parole time not counted.

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

- 1 SECTION 1. Section two hundred forty-seven point twelve
- 2 (247.12), Code 1966, is hereby amended by striking from line five (5)
- 3 the word "violated" and inserting in lieu thereof the word "revoked".

Approved June 8, 1967.

CHAPTER 219

PROBATION INVESTIGATIONS

H. F. 246

AN ACT relating to investigations involving probation by the court.

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

- 1 SECTION 1. Section two hundred forty-seven point twenty
- 2 (247.20), Code 1966, is hereby amended by inserting in line fifteen
- 3 (15) after the period the following: "The investigation shall be made
- 4 by a probation officer, by the agency in charge of parole agents, or by
- 5 another appropriate agency, as determined by the court."

Approved June 15, 1967.

CHAPTER 220

WORK RELEASE OF INSTITUTIONAL INMATES

S. F. 206

AN ACT relating to work release for inmates sentenced to an institution under the jurisdiction of the board of control.

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

- 1 SECTION 1. This Act may be referred to as the "Work Release
- 2 Law".
- 1 SEC. 2. The board of control shall establish a work release pro-
- 2 gram under which inmates sentenced to an institution under the
- 3 jurisdiction of the board may be granted the privilege of leaving
- 4 actual confinement during necessary and reasonable hours for the
- 5 purpose of working at gainful employment in this state. Under ap-
- 6 propriate conditions the program may also include release for the
- 7 purpose of seeking employment and attendance at an educational
- 8 institution. In the case of female inmates the program may include
- 9 housekeeping in her domicile.

1 SEC. 3. A committee shall be designated by the board of control
2 consisting of one (1) representative of the parole board, one (1)
3 representative of the division of rehabilitation services, and one (1)
4 representative of the institution in which the inmate is confined at
5 the time of application.

1 SEC. 4. An inmate eligible to participate in the work release pro-
2 gram may make application to the superintendent or executive officer
3 of the institution in which confined for permission to participate in
4 the program. The application shall include a statement that the in-
5 mate agrees to abide by all terms and conditions of the particular
6 plan adopted for him by the committee if the application is approved,
7 shall state the name and address of the proposed employer, if any,
8 and shall contain such other information as the committee may re-
9 quire. The superintendent or executive officer may, at his discretion,
10 recommend such application to the committee. The committee may
11 approve, disapprove, or defer action on the recommendation. If the
12 recommendation is approved, the committee shall adopt a work re-
13 lease plan for the applicant which shall contain such terms and con-
14 ditions as may be necessary and proper. The plan shall be signed by
15 the inmate prior to participation in the program. Approval may be
16 revoked for any reason by the superintendent or executive officer or by
17 the committee at any time after being granted.

1 SEC. 5. The board shall designate and adopt facilities in the in-
2 stitutions and camps under its jurisdiction for the housing of in-
3 mates granted work release privileges. In areas where facilities are
4 not within reasonable proximity of the place of employment of an
5 inmate so released, the board may contract with the proper author-
6 ities of political subdivisions of the state or suitable public or private
7 agencies for the quartering of the inmate in local confinement facil-
8 ities. The committee shall include as a specific term or condition in
9 the work release plan of any inmate the place where the inmate is to
10 be confined when not on the work assignment.

1 SEC. 6. Any inmate released from actual confinement under a
2 work release plan who willfully fails to return to the designated place
3 of confinement at the time specified in the plan shall be guilty of a
4 felony and upon conviction be subject to the penalty provided in sec-
5 tion seven hundred forty-five point one (745.1) of the Code.

1 SEC. 7. An inmate employed in the community under a work re-
2 lease plan shall surrender to the institution from which released his
3 total earnings less payroll deductions required by law. The institu-
4 tion shall deduct from such earnings in the following order of pri-
5 ority:

- 6 1. An amount determined to be the cost to the state for providing
7 food, lodging and clothing for the inmate while under the program.
- 8 2. The actual and necessary food, travel and other expenses of the
9 inmate when released from actual confinement under the program.
- 10 3. An amount the inmate may be legally obligated to pay for the
11 support of his dependents, the amount of which shall be paid to the

12 dependents through the local department of welfare in the county or
13 city in which the dependents reside.

14 4. Court costs.

15 Any balance remaining after deductions and payments shall be
16 credited to the inmate's personal account at the institution and shall
17 be paid to him upon release. Any inmate so employed shall be paid
18 a fair and reasonable wage in accordance with the prevailing wage
19 scale for such work and shall work at fair and reasonable hours per
20 day and per week.

1 SEC. 8. No inmate employed in the community under the provi-
2 sions of this Act shall be deemed to be an agent, employee, or in-
3 voluntary servant of the board of control while released from con-
4 finement under the terms of any work release plan. Should any
5 inmate suffer an injury arising out of or in the course of the inmate's
6 employment under this Act, the inmate's recovery shall be from the
7 insurance carrier of the employer of the project and no proceedings
8 for compensation shall be maintained against the insurance carrier
9 of the state institution or the state, and it is understood that there
10 is no employer-employee relationship between the inmate and the
11 state institution.

1 SEC. 9. Nothing in this Act shall be construed to affect eligibility
2 for parole under chapter two hundred forty-seven (247) of the Code
3 or diminution of confinement of any inmate released under a work
4 release plan.

Approved March 10, 1967.

CHAPTER 221

OLD AGE ASSISTANCE

H. F. 183

AN ACT relating to the requirement of United States citizenship in determining the eligibility for old age assistance.

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

1 SECTION 1. Section two hundred forty-nine point six (249.6),
2 Code 1966, is hereby amended by striking all of subsection three (3)
3 of such section.

Approved April 17, 1967.

CHAPTER 222

OLD AGE ASSISTANCE

H. F. 172

AN ACT relating to the granting of old age assistance.

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

1 SECTION 1. Section two hundred forty-nine point seven (249.7),
2 Code 1966, is hereby repealed and the following inserted in lieu there-
3 of:

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

1 SECTION 2. Section two hundred forty-nine point eight (249.8),
2 Code 1966, is hereby repealed.

Approved April 17, 1967.

CHAPTER 223

MEDICAL ASSISTANCE ACT

H. F. 93

AN ACT to furnish medical care and services to individuals and families whose income and resources are insufficient to meet the cost of necessary medical care and services, and further to provide rehabilitation and other services to help such families and individuals to attain and retain capability for independence and self-care.

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

1 SECTION 1. **Title.** This chapter may be cited as the "Medical
2 Assistance Act".

1 SEC. 2. **Repeal.** Chapter two hundred forty-nine A (249A), Code
2 1966, is hereby repealed.

1 SEC. 3. **Definitions.** When used herein:

2 1. The term "state board" shall mean the state board of social wel-
3 fare created by chapter two hundred thirty-four (234) of the Code.*

4 2. The term "county board" shall mean the county board of social
5 welfare created by chapter two hundred thirty-four (234) of the Code.

6 3. "Recipient" shall mean a person who receives medical assistance
7 under this chapter.

1 SEC. 4. **Eligibility.** Medical assistance may be provided under
2 the provisions of this chapter to, or on behalf of, any individual or
3 family residing in the state of Iowa, including those residents who are

*See amendments by ch. 209, §418, and ch. 12, §5 hereof.

4 temporarily absent from the state, whose income and resources are
 5 insufficient to meet the cost of necessary medical care and services,
 6 and who has no spouse or parent responsible under the law of this
 7 state and found by the county board to be able to provide him or them
 8 with such needed medical care and services.

9 No assistance shall be granted to:

10 1. Any individual whose income, after deduction of health care ex-
 11 penses incurred by the applicant, exceeds one thousand six hundred
 12 dollars (\$1,600) annually, or any family living together whose com-
 13 bined income, after deduction of health care expenses incurred by the
 14 family, exceeds one thousand six hundred dollars (\$1,600) for the first
 15 adult member plus eight hundred dollars (\$800) for the second mem-
 16 ber and six hundred dollars (\$600) for each additional member of the
 17 family. Income shall not include the value of gifts or services con-
 18 tributed in kind to the individual or family.

19 2. Any individual whose resources, after deduction of health care
 20 expenses incurred by the applicant, exceeds two thousand dollars
 21 (\$2,000), or any family living together whose combined resources
 22 exceed two thousand dollars (\$2,000) for the first member, one thou-
 23 sand dollars (\$1,000) for the second member, plus two hundred dol-
 24 lars (\$200) for each additional member. The value of resources shall
 25 be the current market value minus any encumbrances against such
 26 resource or resources. In determining the foregoing, the following
 27 resources shall be excluded: Real property occupied as a residence;
 28 household goods and furnishings, an automobile, personal effects and
 29 tools necessary for the pursuit of a trade, occupation or profession of
 30 a market value not to exceed six thousand dollars (\$6,000.00) and the
 31 cash surrender value of life insurance not to exceed one thousand
 32 dollars (\$1,000).

1 SEC. 5. Duties of state board. The state board:*

2 1. Shall be the responsible authority for the effective and impartial
 3 administration of this chapter. To this end the state board shall for-
 4 mulate and establish such rules and regulations, outline such policies
 5 and prescribe such procedures as may be necessary or desirable to
 6 carry out the provisions of this chapter. Without limiting the gener-
 7 ality of the foregoing, the state board may:

8 a. Define "medical assistance" by specifying the items for which
 9 assistance may be granted.

10 b. Determine the amount, duration and scope of such medical as-
 11 sistance, provided, however, that the duration of inpatient hospital
 12 services shall not be less than that provided under Title XVIII of the
 13 federal Social Security Act, as amended, so long as funds are available.

14 c. Define the terms "health care", "family", "institution", "pro-
 15 vider" and "resident".

16 d. Establish standards of, or qualifications for, eligibility which are
 17 more restrictive than those authorized by section four (4). In no
 18 event, however, shall eligibility standards or qualifications established
 19 pursuant to section four (4) or by the state board preclude persons
 20 receiving or eligible to receive old age assistance, aid to dependent

*See amendments by ch. 209, §419, and ch. 12, §5 hereof.

21 children, aid to the disabled and aid to the blind from receiving medi-
22 cal assistance under this Act.

23 e. Provide for payment of medical assistance rendered to any ap-
24 plicant prior to the date his application is filed.

25 2. Shall, to the extent possible, contract with a private organiza-
26 tion or organizations whereby such organization will handle the proc-
27 essing of and the payment of claims for services rendered under the
28 provisions of this chapter and under such rules and regulations as
29 shall be promulgated by said board. The state board shall give due
30 consideration to the advantages of contracting with any organization
31 which may be serving in Iowa as "intermediary" or "carrier" under
32 Title XVIII of the federal Social Security Act, as amended.

33 3. Shall cooperate with any agency of the state or federal govern-
34 ment in any manner as may be necessary to qualify for federal aid
35 and assistance for medical assistance in conformity with the provi-
36 sions of this chapter and Title XIX of the federal Social Security Act,
37 as amended.

38 4. Shall provide for the professional freedom of those licensed prac-
39 titioners who determine the need for or provide medical care and
40 services, freedom of choice to recipients to select the provider of such
41 care and services, and for medical direction and supervision as needed.

42 5. Shall advise and consult at least semiannually with a council
43 composed of the president, or his or her representative who is a mem-
44 ber of the professional organization represented by the president, of
45 the Iowa Medical Society, the Iowa Society of Osteopathic Physicians
46 and Surgeons, the Iowa State Dental Society, the Iowa State Nurses
47 Association, the Iowa Pharmaceutical Association, the Iowa Podiatry
48 Society, the Iowa Optometric Association, the Iowa Hospital Associa-
49 tion, the Iowa Osteopathic Hospital Association, and the Iowa Nurs-
50 ing Home Association, together with one person designated by the Iowa
51 state board of chiropractic examiners; one state representative from
52 each of the two major political parties appointed by the speaker of the
53 house, one state senator from each of the two major political parties
54 appointed by the lieutenant governor, one public representative ap-
55 pointed by the governor, each for a period of two years; the commis-
56 sioner of public health, or representative designated by him, and the
57 dean of the College of Medicine, University of Iowa, or a representa-
58 tive designated by him.

59 For each council meeting, other than those held during the time the
60 general assembly is in session, each legislative member of the council
61 shall be reimbursed for actual traveling and other necessary expenses
62 and shall receive a per diem of forty (40) dollars for each day in
63 attendance, as shall the public representative, regardless of whether
64 the general assembly is in session.

65 6. Shall take such action as may be necessary to assure that licensed
66 practitioners of the healing arts who provide professional services
67 under this chapter shall be paid their reasonable, usual and customary
68 charges. Payment for other medical assistance under this chapter
69 shall be the usual and customary fees, charges and rates, provided,
70 however, that if such payments are otherwise limited by federal law,
71 such payment shall be as near the usual and customary fees, charges
72 or rates as may be permitted by federal law.

73 7. Shall provide for granting an opportunity for a fair hearing
74 before the state board to any individual whose claim for medical
75 assistance under this chapter is denied or is not acted upon with
76 reasonable promptness.

77 An applicant whose application for assistance has been rejected or
78 a recipient whose assistance has been modified or cancelled in whole
79 or in part, or his personal representative, after a review hearing here-
80 inabove provided, within thirty days after notice of such action is
81 given, may appeal from the decision of the state board to the district
82 court of the county in which the applicant or recipient resides, by
83 serving ten (10) days notice of such appeal upon the state department
84 of social welfare or upon any member of the state board in the manner
85 required by the service of original notice in any civil action. Upon the
86 service of such notice, the state board shall furnish the appellant with
87 a copy of the application and all supporting papers, a transcript of the
88 testimony taken at the hearing, if any, and a copy of its decision. The
89 district court shall act as an appellate court to review the decision of
90 the state board to determine whether or not it has therein committed
91 fraud or abused its discretion. The costs may be taxed to the appellant
92 or may be remitted where the appeal is affirmed.

1 **SEC. 6. Recovery of payment.** Medical assistance paid to, or on
2 behalf of, any recipient cannot be recovered from such beneficiary
3 unless such benefit had been incorrectly paid. If, while receiving as-
4 sistance, the recipient becomes possessed of any resource or income
5 in excess of the amount stated in the application provided for in this
6 chapter, it shall be the duty of the recipient immediately to notify the
7 county board of the receipt or possession of such resource or income.
8 When it is found that any person has failed to so notify the board that
9 he is or was possessed of any resource or income in excess of the
10 amount allowed, or when it is found that, within five years prior to
11 the date of his application, a recipient made an assignment or trans-
12 fer of property for the purpose of rendering himself eligible for as-
13 sistance under this chapter, any amount of assistance paid in excess
14 of the amount to which the recipient was entitled shall constitute bene-
15 fits incorrectly paid. Any benefits incorrectly paid shall be recoverable
16 from the recipient, while living, as a debt due the state and, upon his
17 death, as a claim classified with taxes having preference under the
18 laws of this state.

1 **SEC. 7. Claim against estate.** On the death of a recipient, the
2 state shall be entitled to file a claim against the estate of the recipi-
3 ent for the total amount paid for medical assistance under this chap-
4 ter for the period during which such recipient was sixty-five years of
5 age or older. Such claim shall be classified with taxes having prefer-
6 ence under the laws of this state. No such claim shall be allowed,
7 however, if the recipient left surviving a spouse or a child who is
8 under twenty-one, or blind or permanently and totally disabled. The
9 right to a claim, existing at the effective date of this Act, against the
10 estate of any person who had, prior to the effective date of this Act,
11 received medical assistance pursuant to Chapter two hundred forty-
12 nine A* (249A) shall be preserved and continued under this Act.

*Words supplied by editor, see §3.1(3) of the Code.

1 **SEC. 8. Penalty.** Any person who shall obtain assistance or pay-
2 ments for medical assistance under this chapter by misrepresentation
3 or failure with fraudulent intent to bring forth all the facts required
4 of an applicant for aid under the provisions of this chapter and any
5 person who shall knowingly make false statements concerning the
6 applicant's eligibility for aid under this chapter shall be guilty of a
7 misdemeanor, punishable as such.

1 **SEC. 9. Records; report of recipients.** The general assembly finds
2 and determines that the use and disclosure of information as provided
3 in this section are for purposes directly connected with the adminis-
4 tration of the plan established by this Act and are essential for the
5 proper administration of said plan.

6 All applications, investigation reports, information, and records
7 concerning any applicant or recipient of medical assistance under this
8 Act shall be held confidential except as otherwise provided in this
9 section.

10 The use thereof by, and the disclosure thereof to, persons author-
11 ized by law in connection with their official duties relating to financial
12 audits, legislative investigations, and other purposes directly con-
13 nected with the administration of said plan, shall be permitted.

14 Release and the use of information of a general nature which does
15 not identify a particular individual or individuals shall be provided as
16 needed for adequate interpretation or development of the program.
17 Such information includes but is not limited to: total medical as-
18 sistance expenditures; number of recipients; statistical and social
19 data used in connection with studies; and reports or surveys on health
20 and welfare problems.

21 The county board of social welfare shall prepare and file in its office
22 on or before the thirtieth (30th) day of each January, April, July and
23 October a report showing the names and last known addresses of all
24 recipients receiving assistance under this chapter, together with the
25 amount paid to or on behalf of each recipient during the preceding
26 quarter. Each report so filed shall be securely fixed in a record book
27 to be used only for such reports made under this chapter and chapters
28 two hundred thirty-nine (239) and two hundred forty-one (241). The
29 record book shall be and the same is hereby declared to be a public
30 record, open to public inspection at all times during the regular office
31 hours of the respective county boards of social welfare. Each person
32 who desires to examine said records, other than in pursuance of offi-
33 cial duties as hereinbefore provided, shall sign a written request to
34 examine the same, which shall contain an agreement on the part of
35 the signer that he will not utilize any information gained therefrom
36 for religious, commercial or political purposes.

37 It shall be unlawful for any person, body, association, firm, corpora-
38 tion or any other agency to solicit, disclose, receive, make use of or to
39 authorize, knowingly permit, participate in or acquiesce in the use of
40 any lists, names or other information obtained from the reports above
41 provided for, for religious, commercial or political purposes.

42 Violations of this section shall be punishable as a misdemeanor.

43 If it is definitely established that any provision of this section would
44 cause said plan to be ineligible for federal financial participation, such
45 provision shall be limited or restricted to the extent which is essential

46 to make said plan eligible for federal financial participation. The state
 47 board* shall establish any rules and regulations which are necessary to
 48 carry out the intent of this paragraph.

Approved March 15, 1967.

*See amendments by ch. 209, §420, and ch. 12, §5 hereof.

CHAPTER 224

RELIEF OF VETERANS OF VIET NAM CONFLICT

S. F. 11

AN ACT relating to relief to Viet Nam soldiers, sailors and marines.

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

1 SECTION 1. Section two hundred fifty point one (250.1), Code
 2 1966, is amended by inserting in line twelve (12) after the word
 3 "inclusive," the words "and including the Viet Nam Conflict at any
 4 time between August 5, 1964 and ending on the date the armed forces
 5 of the United States are directed by formal order of the government
 6 of the United States to cease hostilities, both dates inclusive,".

1 SEC. 2. Section two hundred fifty point three (250.3), Code 1966,
 2 is amended by inserting in line eight (8) after the word "inclusive"
 3 the words ", and including the Viet Nam Conflict at any time be-
 4 tween August 5, 1964 and ending on the date the armed forces of the
 5 United States are directed by formal order of the government of the
 6 United States to cease hostilities, both dates inclusive".

1 SEC. 3. Section two hundred fifty point thirteen (250.13), Code
 2 1966, is amended by inserting in line eleven (11) after the word
 3 "inclusive," the words "and including the Viet Nam Conflict at any
 4 time between August 5, 1964 and ending on the date the armed forces
 5 of the United States are directed by formal order of the government
 6 of the United States to cease hostilities, both dates inclusive,".

1 SEC. 4. Section two hundred fifty point sixteen (250.16), Code
 2 1966, is amended by inserting in line thirteen (13) after the word
 3 "inclusive," the words "and including the Viet Nam Conflict at any
 4 time between August 5, 1964 and ending on the date the armed forces
 5 of the United States are directed by formal order of the government
 6 of the United States to cease hostilities, both dates inclusive,".

Approved February 8, 1967.

CHAPTER 225

BURIAL OF NONRESIDENT INDIGENT TRANSIENTS

H. F. 232

AN ACT relating to the burial of nonresident indigent transients.

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

1 SECTION 1. Section two hundred fifty-two point twenty-seven
2 (252.27), Code 1966, is hereby amended by adding thereto the follow-
3 ing sentence:

4 "Subject to the provisions of section one hundred forty-two point
5 one (142.1) of the Code, such relief may also consist of the burial of
6 nonresident indigent transients and the payment of the reasonable
7 cost of such burial, provided such expenses do not exceed two hundred
8 fifty dollars (\$250.00)."

Approved June 20, 1967.

CHAPTER 226

COMPENSATION OF BOARD OF PUBLIC INSTRUCTION

S. F. 150

AN ACT relating to compensation of members of the state board of public instruction.

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

1 SECTION 1. Section two hundred fifty-seven point six (257.6),
2 Code 1966, is amended by striking from line three (3) the word
3 "fifteen" and inserting in lieu thereof the word "thirty (30)".

Approved March 15, 1967.

CHAPTER 227

EDUCATIONAL STANDARDS

S. F. 379

AN ACT relating to educational standards.

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

1 SECTION 1. Section two hundred fifty-seven point twenty-five
2 (257.25), subsection six (6), Code 1966, is hereby amended by strik-
3 ing therefrom paragraph *b* and inserting in lieu thereof the following:

4 "Four units of the social studies. Instruction in American history,
5 American government, and economics shall be included in said units
6 but need not be required as full units."

Approved May 16, 1967.

CHAPTER 228

SCHOOL LIBRARIANS AND GUIDANCE COUNSELORS

H. F. 465

AN ACT relating to rules and regulations set forth by the department of public instruction.

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

- 1 SECTION 1. Section two hundred fifty-seven point twenty-five
 2 (257.25), Code 1966, is amended as follows:
 3 1. By striking from subsection eight (8), paragraph *a*, all of sub-
 4 paragraph one (1) and inserting in lieu thereof the following:
 5 "The state board shall specify the classification of schools that shall
 6 employ a full-time librarian and the classifications that may employ a
 7 part-time librarian. The state board shall classify the various schools
 8 by the number of students in attendance, the nature of the academic
 9 curriculum, and other standards that are appropriate. The state board
 10 shall also take into account the number of qualified librarians avail-
 11 able."
 12 2. By striking from subsection eight (8), paragraph *b*, the first two
 13 (2) sentences and inserting in lieu thereof the following:
 14 "The state board shall specify the classification of high schools that
 15 shall employ one or more full-time guidance counselors and the classi-
 16 fications that may employ a part-time guidance counselor. The state
 17 board shall classify the various high schools by the number of students
 18 in attendance and any other standards that are appropriate. The state
 19 board shall also take into account the number of professionally trained
 20 guidance counselors available."
 21 3. By striking from line twenty-four (24) of subsection eleven (11)
 22 the words "In lieu of removal, the" and inserting in lieu thereof the
 23 word "The".
 24 4. By striking from line twenty-five (25) of subsection eleven (11)
 25 the word "may" and inserting in lieu thereof the word "shall".
 26 5. By inserting in line twenty-six (26) of subsection eleven (11)
 27 after the word "time" the words ", which shall be at least one (1)
 28 year,".
 29 6. By adding to subsection eleven (11) the following sentence:
 30 "The reasonable period of time for compliance may be, but need not
 31 be, given prior to the one-(1) year notice requirement that is required
 32 under subsection twelve (12) of this section."

Approved June 26, 1967.

CHAPTER 229

PRIVATE PREPARATORY SCHOOLS

S. F. 695

AN ACT relating to private college preparatory schools.

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

1 SECTION 1. Section two hundred fifty-seven point twenty-five
2 (257.25), Code 1966, is hereby amended as follows:

3 1. By inserting in line six (6) after the word "shall" the words
4 " , except as otherwise provided in this Act,".

5 2. By adding thereto the following new subsection:

6 "Notwithstanding the foregoing provisions of this section and as an
7 exception to their requirements, a private high school or private com-
8 bined junior-senior high school operated for the express purpose of
9 teaching a program designed to qualify its graduates for matriculation
10 at accredited four (4) year or equivalent liberal arts, scientific, or
11 technological colleges or universities shall be placed on a special ap-
12 proved list of college preparatory schools, which list shall signify
13 approval of the school for such express purpose only, provided that:

14 "a. Such school complies with minimum standards established by
15 provisions of the Code other than this section, and administrative
16 rules thereunder, applicable to:

17 "(1) Courses comprising such limited program.

18 "(2) Health requirements for personnel.

19 "(3) Plant facilities.

20 "(4) Other environmental factors affecting such programs.

21 "b. At least eighty (80) percent of those graduating from such
22 school within the annually most recent four (4) calendar years, other
23 than those graduating who are aliens, graduates entering military or
24 alternative civilian service, or graduates deceased or incapacitated
25 before college acceptance, have been accepted by accredited four (4)
26 year or equivalent liberal arts, scientific, or technological colleges or
27 universities.

28 "Any school claiming to be a private college preparatory school
29 which fails in any year to comply with the requirement of paragraph *b*
30 of this subsection shall be placed on the special approved list of college
31 preparatory schools probationally if such school complies with the
32 requirements of paragraph *a* of this subsection, but such probational
33 approval shall not continue for more than four (4) successive years."

1 SEC. 2. Section two hundred ninety-nine point two (299.2), Code
2 1966, is hereby amended by adding thereto the following new subsec-
3 tion:

4 "Who is attending a private college preparatory school approved or
5 probationally approved under the provisions of section one (1) of this
6 Act."

1 SEC. 3. Section seven hundred thirteen A point three (713A.3),
2 Code 1966, is hereby amended by adding thereto the following new
3 subsection:

4 "Private college preparatory schools approved or probationally ap-
5 proved under the provisions of section one (1) of this Act."

Approved June 10, 1967.

CHAPTER 230

MINIMUM STANDARDS FOR PRIVATE SCHOOLS

S. F. 381

AN ACT relating to compliance by private schools with minimum standards by means of courses made available in the public schools.

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

- 1 SECTION 1. Section two hundred fifty-seven point twenty-six
 2 (257.26), Code 1966, is amended by striking from subsection two (2)
 3 all of lines seven (7) to eleven (11), inclusive, and inserting in lieu
 4 thereof the following:
 5 "prerequisite courses, if any, or have otherwise shown equivalent
 6 competence through testing. Courses made available to students in
 7 this manner shall be considered as compliance by the private schools
 8 in which such students are enrolled with any standards or laws re-
 9 quiring such private schools to offer or teach such courses."

Approved July 26, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

CHAPTER 231

HIGH SCHOOL EQUIVALENCY CERTIFICATES

H. F. 217

AN ACT relating to requirements for high school equivalency certificates.

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

- 1 SECTION 1. Section two hundred fifty-nine A point one (259A.1),
 2 Code 1966, is hereby amended by striking from lines three (3) and
 3 four (4) the words ", residents of the state of Iowa,".
- 1 SEC. 2. Section two hundred fifty-nine A point two (259A.2),
 2 Code 1966, is hereby amended by striking from lines five (5) and six
 3 (6) the words ", and shall have maintained residence in the state of
 4 Iowa for at least one year".

Approved June 20, 1967.

CHAPTER 232

HIGHER EDUCATION FACILITIES COMMISSION

H. F. 569

AN ACT relating to the membership of the higher education facilities commission.

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

- 1 SECTION 1. Section two hundred sixty-one point one (261.1), Code
 2 1966, is hereby amended as follows:

3 1. By inserting in line three (3) of subsection four (4) after the
4 word "years." the following:

5 "Any appointment prior to June 30, 1967 shall terminate on that
6 date and any member appointed for a term thereafter, except to fill a
7 vacancy, shall serve for four (4) years."

8 2. By inserting in line three (3) of subsection five (5) after the
9 word "years." the following:

10 "Any appointment prior to June 30, 1969 shall terminate on that
11 date and any member appointed for a term thereafter, except to fill a
12 vacancy, shall serve for four (4) years."

13 3. By adding thereto the following sentence:

14 "A vacancy shall exist on the commission when a legislative member
15 of the commission ceases to be a member of the general assembly.
16 Such vacancy shall be filled within thirty (30) days."

Approved June 20, 1967.

CHAPTER 233

MEDICAL STUDENTS TUITION LOANS

S. F. 579

AN ACT to provide tuition loans for Iowa resident students who agree to become general practitioners (family doctors) and practice in Iowa and to make an appropriation therefor.

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

1 SECTION 1. Section two hundred sixty-one point two (261.2), Code
2 1966, is hereby amended by adding thereto the following subsection:

3 "Receive, administer, and allot a tuition loan fund for the benefit of
4 Iowa resident students enrolled in Iowa studying to be physicians or
5 osteopathic physicians and surgeons and who agree to become general
6 practitioners (family doctors) and practice in Iowa.

7 "Said fund shall be allotted to students for not more than three (3)
8 years of study and shall be in the nature of a loan. Such loan shall
9 have as one of its terms that fifty (50) percent thereof shall be can-
10 celled at the end of five (5) years of the general practice in Iowa with
11 an additional ten (10) percent to be cancelled each year thereafter
12 until the entire loan may be cancelled. No interest shall be charged on
13 any part of the loan thus cancelled. Additional terms and conditions
14 of said loan shall be established by the higher education facilities com-
15 mission so as to facilitate the purpose of this section."

1 SEC. 2. There is hereby appropriated from the general fund of the
2 state for the biennium beginning July 1, 1967, and ending June 30,
3 1969, to the higher education facilities commission for the tuition loan
4 authorized under this Act the sum of two hundred thousand (200,000)
5 dollars, or so much thereof as may be necessary.

1 SEC. 3. Chapter eight (8) of the Code shall apply to this Act ex-
2 cept that section eight point five (8.5) of the Code shall not apply.

Approved June 29, 1967.

CHAPTER 234

HIGHER EDUCATION STUDENT LOANS

S. F. 700

AN ACT authorizing the higher education facilities commission to establish a reserve fund to guarantee student loans.

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

- 1 SECTION 1. Chapter two hundred sixty-one (261), Code 1966, is
 2 hereby amended by adding thereto the following new sections:
- 3 1. "The commission may establish a student loan reserve fund and
 4 receive moneys from federal, state, or private sources to guarantee
 5 payment of loans made by eligible lending institutions to student resi-
 6 dents of the state of Iowa who are enrolled or accepted for enrollment
 7 at any eligible institution under the provisions of the 'Higher Educa-
 8 tion Act of 1965' (PL 89-329), [79 Stat. L. 1219; 20 U.S.C. 1001], the
 9 'National Vocational Student Loan Insurance Act of 1965' (PL 89-
 10 287), [79 Stat. L. 1037; 20 U.S.C. 981] or any amendments thereto
 11 which are in effect on June 1, 1967.
- 12 2. "The commission may:
- 13 "1. Contract, sue and be sued, and promulgate rules and regulations
 14 necessary to carry out the provisions of this Act, but the commission
 15 shall not in any manner directly or indirectly pledge the credit of the
 16 state of Iowa.
- 17 "2. Appoint such executive and other assistants and employees
 18 deemed necessary and fix their compensation within the limits of
 19 available appropriations and funds designated for administration of
 20 this Act.
- 21 "3. Authorize payment from the student loan reserve fund and from
 22 any income received by investments of moneys in the fund for dis-
 23 bursement, costs, commissions, attorney fees, and other reasonable
 24 expenses related to and necessary for making and protecting guaran-
 25 teed loans and the recovery of moneys, loans, or management of prop-
 26 erty acquired in connection with such loans."
- 27 3. "Any contract, promissory note, or other written obligation made
 28 by any minor to repay or secure payment of a loan made under this
 29 Act, payment of which is guaranteed* by the commission, or which
 30 forms part of the same transaction as the making of such loan shall
 31 notwithstanding any provision of law to the contrary be as valid and
 32 binding as if the person were twenty-one (21) years of age or older
 33 at the time the obligation was made and executed. Obligations may be
 34 enforced in any action or proceeding by or against such person in the
 35 person's own name and shall be valid without the consent thereto of
 36 the parent or guardian of such person. Such person shall not in any
 37 action or proceeding arising out of any such loan disaffirm such instru-
 38 ment because of his age nor shall any person interpose the defense
 39 that he is, or was, a minor at the time of making and executing the
 40 instrument."
- 41 4. "The assets of the student loan reserve fund shall only be used to
 42 guarantee* loans to student residents of the state of Iowa, purchase
 43 promissory notes evidencing such loans as may be in default, refund

*According to enrolled Act.

44 overpayment of fees on such loans when appropriate, and repay such
 45 advances made by the United States commissioner of education except
 46 that fees, interest, and other earnings of the fund may also be used
 47 for expenditures attributable to the necessary, proper, and efficient
 48 administration of such loans."

Approved June 16, 1967.

CHAPTER 235

REVENUE BONDS FOR UNIVERSITY BUILDINGS

S. F. 532

AN ACT authorizing the state board of regents to acquire by gift, purchase, lease or construction and to reconstruct, complete, equip, improve, repair, remodel, operate, control, maintain and manage medical and hospital buildings and facilities, and additions to such buildings and facilities, for the use of the hospitals and medical clinics of the state university of Iowa, to acquire and improve property therefor, and to borrow money and issue bonds or notes payable solely from income received by said hospitals and clinics, and to refund bonds, notes or other obligations payable from such revenues.

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

1 SECTION 1. The following words or terms, as used in this Act,
 2 shall have the respective meanings as stated:

3 1. "Board" shall mean the state board of regents.

4 2. "Institution" shall mean the state university of Iowa.

5 3. "Buildings and facilities" shall mean buildings to be used pri-
 6 marily for service, clinical instructional and clinical research purposes
 7 in the field of medicine with particular emphasis on the family prac-
 8 tice of medicine and such other facilities as are deemed necessary by
 9 the board to support and carry out the service, instructional, and re-
 10 search objectives of the hospitals, medical clinics, and medical service
 11 laboratories of the institution, including, without limiting the gener-
 12 ality of the foregoing, hospital buildings, clinic buildings, laboratory
 13 buildings, clinical staff facilities, building for housing interns, resident
 14 physicians and nurses, and medical record and film storage buildings,
 15 or any combination thereof.

16 4. "Project" shall mean the acquisition by gift, purchase, lease, or
 17 construction of buildings and facilities and additions to such buildings
 18 and facilities, the reconstruction, completion, equipment, improve-
 19 ment, repair, or remodeling of buildings and facilities, including the
 20 demolition of existing buildings and facilities which are to be replaced,
 21 and the acquisition of property of every kind and description, whether
 22 real, personal or mixed, for buildings and facilities by gift, purchase,
 23 lease, condemnation, or otherwise and the improvement of the same
 24 or any combination of the foregoing.

25 5. "Hospital income" shall mean the income and funds received by
 26 the hospitals, medical service clinics, and medical service laboratories
 27 of the state university of Iowa, including the proceeds of rates, fees,
 28 and charges for services rendered by said hospitals, clinics, and labora-
 29 tories, but excluding state appropriations to the institution.

30 6. "Bonds or notes" shall mean revenue bonds or revenue notes
31 which are payable solely and only from hospital income.

1 SEC. 2. Subject to and in accordance with the provisions of this
2 Act, the state board of regents after authorization by a constitutional
3 majority of the general assembly may undertake and carry out any
4 project as defined in this Act at the state university of Iowa. The
5 state board of regents is authorized to operate, control, maintain, and
6 manage buildings and facilities and additions to such buildings and
7 facilities at said institution. All contracts for the construction, recon-
8 struction, completion, equipment, improvement, repair, or remodeling
9 of any buildings, additions, or facilities shall be let in accordance with
10 the provisions of section two hundred sixty-two point thirty-four
11 (262.34) of the Code. The title to all real estate acquired under the
12 provisions of this Act and the improvements erected thereon shall be
13 taken and held in the name of the state of Iowa.

1 SEC. 3. The board is authorized to borrow money and to issue and
2 sell negotiable bonds or notes to pay all or any part of the cost of
3 carrying out any project at the institution and to refund and refinance
4 bonds or notes issued for any project or for refunding purposes at the
5 same rate or at a lower rate. Such bonds or notes shall be sold by the
6 board at public sale on the basis of sealed proposals received pursuant
7 to a notice specifying the time and place of sale and the amount of
8 bonds to be sold which shall be published at least once not less than
9 seven (7) days prior to the date of sale in a newspaper published in
10 the state of Iowa and having a general circulation in the state. The
11 provisions of chapter seventy-five (75) of the Code shall not apply to
12 bonds or notes issued under authority contained in this Act, but such
13 bonds or notes shall be sold upon terms of not less than par plus ac-
14 crued interest. Bonds or notes issued to refund other bonds or notes
15 issued under the provisions of this Act may either be sold in the man-
16 ner specified in this Act and the proceeds thereof applied to the pay-
17 ment of the obligations being refunded, or the refunding bonds or
18 notes may be exchanged for and in payment and discharge of the
19 obligations being refunded. The refunding bonds or notes may be sold
20 or exchanged in installments at different times or an entire issue or
21 series may be sold or exchanged at one (1)* time. Any issue or series
22 of refunding bonds or notes may be exchanged in part or sold in parts
23 in installments at different times or at one (1)* time. The refunding
24 bonds or notes may be sold or exchanged at any time on, before, or
25 after the maturity of any of the outstanding notes, bonds, or other
26 obligations to be refinanced thereby and may be issued for the purpose
27 of refunding a like or greater principal amount of bonds or notes,
28 except that the principal amount of the refunding bonds or notes may
29 exceed the principal amount of the bonds or notes to be refunded to
30 the extent necessary to pay any premium due on the call of the bonds
31 or notes to be refunded or to fund interest in arrears or about to be-
32 come due.

33 All bonds or notes issued under the provisions of this Act shall be
34 payable solely and only from and shall be secured by an irrevocable
35 pledge of a sufficient portion of the hospital income of the institution.

*According to enrolled Act.

36 All bonds or notes issued under the provisions of this Act shall have
37 all the qualities of negotiable instruments under the laws of this state.

1 SEC. 4. Such bonds or notes may bear such date or dates, may bear
2 interest at such rate or rates, payable semiannually, may mature at
3 such time or times, may be in such form and denominations, carry
4 such registration privileges, may be payable at such place or places,
5 may be subject to such terms of redemption prior to maturity with or
6 without premium, if so stated on the face thereof, and may contain
7 such terms and covenants, including the establishment of reserves, all
8 as may be provided by the resolution of the board authorizing the
9 issuance of the bonds or notes. In addition to the estimated cost of
10 construction, including site costs, the cost of the project may include
11 interest upon the bonds or notes during construction and for six (6)
12 months after the estimated completion date, the compensation of a
13 fiscal agent or adviser, engineering, architectural, administrative, and
14 legal expenses and provision for contingencies. Such bond* or notes
15 shall be executed by the president of the state board of regents and
16 attested by the executive secretary, secretary, or other official thereof
17 performing the duties of secretary, and the coupons thereto attached
18 shall be executed with the original or facsimile signatures of said
19 president, executive secretary, secretary, or other official; provided,
20 however, that the facsimile signature of either of such officers execut-
21 ing such bonds may be imprinted on the face of the bonds in lieu of
22 the manual signature of such officer, but at least one (1) of the signa-
23 tures appearing on the face of each bond shall be a manual signature.
24 Any bonds or notes bearing the signatures of officers in office on the
25 date of the signing thereof shall be valid and binding for all purposes,
26 notwithstanding that before delivery thereof any or all such persons
27 whose signatures appear thereon shall have ceased to be such officers.
28 Each such bond or note shall state upon its face the name of the insti-
29 tution on behalf of which it is issued, that it is payable solely and only
30 from hospital income received by such institution as provided in this
31 Act, and that it does not constitute a debt of or charge against the
32 state of Iowa within the meaning or application of any constitutional
33 or statutory limitation or provision. The issuance of such bonds or
34 notes shall be recorded in the office of the treasurer of the institution,
35 and a certificate by such treasurer to this effect shall be printed on the
36 back of each such bond or note.

1 SEC. 5. Upon the determination by the state board of regents to
2 undertake and carry out any project or to refund outstanding bonds
3 or notes, said board shall adopt a resolution describing generally the
4 contemplated project and setting forth the estimated cost thereof, or
5 describing the obligations to be refunded, fixing the amount of bonds
6 or notes to be issued, the maturity or maturities, the interest rate or
7 rates, and all details in respect thereof. Such resolution shall contain
8 such covenants as may be determined by the board as to the issuance
9 of additional bonds or notes that may thereafter be issued payable
10 from the hospital income received by the institution, the amendment
11 or modification of the resolution authorizing the issuance of any bonds
12 or notes, the manner, terms, and conditions and the amount or per-

*According to enrolled Act.

13 centage of assenting bonds or notes necessary to effectuate such
14 amendment or modification, and such other covenants as may be
15 deemed necessary or desirable. In the discretion of the board, any
16 bonds or notes issued under the terms of this Act may be secured by
17 a trust indenture by and between the board and a corporate trustee,
18 which may be any trust company or bank having the powers of a trust
19 company within or without the boundaries of the state of Iowa, but
20 no such trust indenture shall convey or mortgage the buildings and
21 facilities or any part thereof. The provisions of this Act and of any
22 resolution or other proceedings authorizing the issuance of bonds or
23 notes and providing for the establishment and maintenance of ade-
24 quate rates, fees, and charges for services rendered by the hospitals,
25 medical clinics, and medical laboratories of the institution and the
26 application of the proceeds thereof, together with other hospital in-
27 come, shall constitute a contract with the holders of such bonds or
28 notes.

1 SEC. 6. Whenever bonds or notes are issued by the state board of
2 regents, it shall be the duty of said board to establish, impose, and
3 collect rates, fees, and charges for services rendered by the hospitals,
4 medical clinics, and medical laboratories of the institution and to
5 adjust such rates, fees, and charges from time to time, in order to
6 always provide amounts which, together with other hospital income,
7 will be sufficient to pay the principal of and interest on such bonds or
8 notes as the same become due and to maintain a reserve therefor, and
9 said board is authorized to pledge a sufficient amount of the hospital
10 income received by such institution for this purpose. All bonds or
11 notes issued under the terms of this Act shall be exempt from taxation
12 by the state of Iowa and the interest thereon shall be exempt from the
13 state income tax.

1 SEC. 7. A certified copy of each resolution providing for the issu-
2 ance of bonds or notes under this Act shall be filed with the treasurer
3 of the institution and it shall be the duty of said treasurer to keep and
4 maintain separate accounts for each issue of bonds or notes in accord-
5 ance with the covenants and directions set out in the resolution pro-
6 viding for the issuance thereof. A sufficient portion of the hospital
7 income received by the institution shall be held in trust by the treas-
8 urer thereof, separate and apart from all other funds, to be used solely
9 and only for the purposes specified in this Act and as may be required
10 and provided for by the proceedings of the board authorizing the issu-
11 ance of bonds or notes. It shall be the duty of the treasurer of the
12 institution to disburse funds from the proper account for the payment
13 of the principal of and interest on the bonds or notes in accordance
14 with the directions and covenants of the resolution authorizing the
15 issuance thereof.

1 SEC. 8. Under no circumstances shall any bonds or notes issued
2 under the terms of this Act be or become or be construed to constitute
3 a debt of or a charge against the state of Iowa within the purview of
4 any constitutional or statutory limitation or provision. No taxes, or
5 other funds of the state of Iowa appropriated to the institution may
6 be pledged for or used to pay such bonds or notes or the interest
7 thereon but any such bonds or notes shall be payable solely and only

8 as to both principal and interest from the hospital income received by
9 the institution as hereinbefore provided, and the sole remedy for any
10 breach or default of the terms of any such bonds or notes or proceed-
11 ings for their issuance shall be a proceeding either in law or in equity
12 by suit, action, or mandamus to enforce and compel performance of
13 the duties required by this Act and the terms of the resolution under
14 which such bonds or notes are issued.

1 SEC. 9. All banks, trust companies, bankers, savings banks and
2 institutions, building and loan associations, savings and loan associa-
3 tions, investment companies, and other persons carrying on a banking
4 or investment business, all insurance companies, insurance associa-
5 tions, and other persons carrying on an insurance business and all
6 executors, administrators, guardians, trustees, and other fiduciaries
7 may legally invest any sinking funds, moneys, or other funds belong-
8 ing to them or within their control in any bonds or notes issued pur-
9 suant to this Act; provided, however, that nothing contained in this
10 section may be construed as relieving any persons from any duty of
11 exercising reasonable care in selecting securities for purchase or in-
12 vestment.

1 SEC. 10. The state board of regents is authorized to apply for and
2 accept federal or non-federal gifts, loans, or grants of funds and to
3 use the same to pay all or any part of the cost of carrying out any
4 project at the institution under the terms of this Act or to pay any
5 bonds or notes and interest thereon issued for any of the purposes
6 specified in this Act.

1 SEC. 11. This Act shall be construed as providing an alternative
2 and independent method for carrying out any project related to the
3 medical school and any project related to the hospital at the institu-
4 tion, for the issuance and sale or exchange of bonds or notes in con-
5 nection therewith, and for refunding bonds or notes pertinent thereto,
6 without reference to any other statute, and shall not be construed as
7 an amendment of or subject to the provisions of any other law, and
8 no publication of any notice, whether under section twenty-three point
9 twelve (23.12) of the Code or otherwise, and no other or further pro-
10 ceedings in respect to the issuance or sale or exchange of bonds or
11 notes under this Act shall be required except such as are prescribed
12 by this Act, any provisions of other statutes of the state to the con-
13 trary notwithstanding.

1 SEC. 12. If any provisions of this Act or the application thereof to
2 any person or circumstances is held to be invalid, such invalidity shall
3 not affect other provisions or applications of the Act which can be
4 given effect without the invalid provisions or application, and to this
5 end the provisions of this Act are declared to be severable.

1 SEC. 13. This Act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in

- 3 The Clinton Herald, a newspaper published at Clinton, Iowa, and in
4 The Paullina Times, a newspaper published at Paullina, Iowa.

Approved June 13, 1967.

I hereby certify that the foregoing Act, Senate File 532, was published in The Clinton Herald, Clinton, Iowa, June 16, 1967, and in The Paullina Times, Paullina, Iowa, June 15, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 236

EDUCATIONAL LABORATORY SCHOOLS

H. F. 216

AN ACT relating to educational laboratory schools.

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

- 1 SECTION 1. Chapter two hundred sixty-five (265), Code 1966, is
2 hereby amended by adding thereto the following new section:
3 "The obligations of any school district on any contract between it
4 and the state board of regents entered into pursuant to this chapter
5 shall be payable only out of current receipts from taxes, tuition or
6 other income available therefor each year, and shall not constitute a
7 debt for the purposes of any statutory or constitutional provision
8 limiting the obligations said school district may incur."

Approved May 25, 1967.

CHAPTER 237

UNIVERSITY OF NORTHERN IOWA

S. F. 151

AN ACT relating to the 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 1966, is hereby amended as follows:
3 1. By striking from line one (1) the word "school" and inserting
4 in lieu thereof the word "university".
5 2. By striking from line three (3) the words "State College of
6 Iowa" and inserting in lieu thereof the words "University of North-
7 ern Iowa".
- 1 SEC. 2. Whenever in the Acts of the Sixty-second (62nd) General
2 Assembly reference is made to the State College of Iowa, other than
3 in this Act, said reference shall be construed to mean the University
4 of Northern Iowa.

1 SEC. 3. Section two hundred sixty-eight point two (268.2), Code
2 1966, is hereby repealed and the following is enacted in lieu thereof:
3 "The university shall offer undergraduate and graduate courses of
4 instruction, conduct research and provide extension and other public
5 services in areas of its competence to facilitate the social, cultural
6 and economic development of Iowa. Its primary responsibility shall
7 be to prepare teachers and other educational personnel for schools,
8 colleges, and universities and to carry out research and provide con-
9 sultative and other services for the improvement of education
10 throughout the state. In addition, it shall conduct programs of in-
11 struction, research and service in the liberal and vocational arts and
12 sciences and offer such other educational programs as the state board
13 of regents may from time to time approve."

1 SEC. 4. Section two hundred sixty-eight point three (268.3), Code
2 1966, is hereby repealed.

1 SEC. 5. Section sixteen point twenty-four (16.24), Code 1966, is
2 hereby amended by striking from lines four (4) and five (5) of sub-
3 section eighteen (18) the words "State College of Iowa" and insert-
4 ing in lieu thereof the words "University of Northern Iowa".

1 SEC. 6. Section ninety-seven B point forty-one (97B.41), Code
2 1966, is hereby amended by striking from subsection fourteen (14),
3 paragraph *d*, lines six (6) and seven (7) the words "State College of
4 Iowa" and inserting in lieu thereof the words "University of North-
5 ern Iowa".

1 SEC. 7. Section one hundred forty-seven point thirty-one
2 (147.31), Code 1966, is hereby amended by striking from lines eleven
3 (11) and twelve (12) the words "State College of Iowa" and insert-
4 ing in lieu thereof the words "University of Northern Iowa".

1 SEC. 8. Section two hundred sixty-two point seven (262.7), Code
2 1966, is hereby amended by striking subsection three (3) of such
3 section and inserting in lieu thereof the following:
4 "The University of Northern Iowa."

1 SEC. 9. Section two hundred sixty-two point thirty (262.30),
2 Code 1966, is hereby amended by striking from line nine (9) the
3 words "state college of Iowa" and inserting in lieu thereof the words
4 "university of northern Iowa".

1 SEC. 10. Section two hundred sixty-two point forty-three
2 (262.43), Code 1966, is hereby amended by striking from line eleven
3 (11) the words "State College of Iowa" and inserting in lieu thereof
4 the words "University of Northern Iowa".

1 SEC. 11. Section two hundred sixty-two point forty-four (262.44),
2 Code 1966, is hereby amended by striking from lines five (5) and six
3 (6) of subsection one (1) the words "State College of Iowa" and
4 inserting in lieu thereof the words "University of Northern Iowa".

1 SEC. 12. Section two hundred sixty-two point fifty-five (262.55),
2 Code 1966, is hereby amended by striking from line four (4) of sub-

3 section three (3) the words "State College of Iowa" and inserting in
4 lieu thereof the words "University of Northern Iowa".

1 SEC. 13. Section two hundred sixty-two point fifty-six (262.56),
2 Code 1966, is hereby amended by striking from line eight (8) the
3 words "State College of Iowa" and inserting in lieu thereof the words
4 "University of Northern Iowa".

Approved March 10, 1967.

CHAPTER 238

TEACHING PRACTICES COMMISSION

H. F. 165

AN ACT to create a professional teaching practices commission.

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

1 SECTION 1. This Act shall be known as the Professional Teaching
2 Practices Act.

1 SEC. 2. For the purpose of this Act, the "profession of teaching"
2 or "teaching profession" shall mean persons engaged in teaching or
3 providing related administrative, supervisory, or other services re-
4 quiring certification from the state board of public instruction.

1 SEC. 3. A professional teaching practices commission, which shall
2 be included in the state department of public instruction for adminis-
3 trative purposes, is created consisting of nine (9) members who shall
4 be appointed by the governor. A person, in order to be qualified for
5 appointment to the commission, shall hold a certificate authorizing
6 him to teach in the state of Iowa or be a member of the faculty of an
7 approved teacher education institution in Iowa. The commission shall
8 be composed of four (4) classroom teachers, three (3) school admin-
9 istrators, one (1) member of faculties representing two year colleges
10 or Iowa colleges or universities approved for teacher education, and
11 one (1) member representing the state department of public instruc-
12 tion.

13 Initial appointments shall be: four (4) for one (1) year; three
14 (3) for two (2) years; and two (2) for three (3) years. Thereafter,
15 terms shall be for three (3) years. A member may be reappointed to
16 the commission for only one (1) time.

1 SEC. 4. The members of the commission shall be allowed a per
2 diem of thirty (30) dollars and their necessary travel and expense
3 while engaged in their official duties.

1 SEC. 5. This commission shall have the authority to select its own
2 chairman, establish procedures for its own government and for the
3 development of standards, adopt rules and regulations, and secure
4 legal and other services necessary to its function.

1 SEC. 6. The commission shall have the responsibility of developing
 2 criteria of professional practices including, but not limited to, such
 3 areas as: (1) contractual obligations; (2) competent performance
 4 of all members of the teaching profession; and (3) ethical practice
 5 toward other members of the profession, parents, students, and the
 6 community. However, membership or nonmembership in any teach-
 7 ers' organization shall never be a criterion of an individual's profes-
 8 sional standing. A violation, as determined by the commission follow-
 9 ing a hearing, of any of the criteria so adopted shall be deemed to be
 10 unprofessional practice and a legal basis for the suspension or revoca-
 11 tion of a certificate by the state board of educational examiners.

12 The commission, in administering its responsibilities under this Act,
 13 after a hearing, shall exonerate, warn or reprimand the member of the
 14 profession or may recommend the holding of a certification suspension
 15 or revocation hearing by the state board of educational examiners.

1 SEC. 7. The commission shall be financed by the members of the
 2 teaching profession in the amount necessary to carry out the purpose
 3 of this Act.

Approved June 8, 1967.

CHAPTER 239

SCHOOL LAWS REPEALED

H. F. 708

AN ACT to repeal obsolete sections of the Code relating to schools.

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

1 SECTION 1. Sections two hundred seventy-four point eight (274.8)
 2 through two hundred seventy-four point twelve (274.12), two hundred
 3 seventy-four point fifteen (274.15), two hundred seventy-four point
 4 thirty-five (274.35), and two hundred seventy-four point thirty-six
 5 (274.36), Code 1966, are hereby repealed.

1 SEC. 2. Section two hundred seventy-eight point three (278.3),
 2 Code 1966, is hereby repealed.

1 SEC. 3. Sections two hundred seventy-nine point fifteen (279.15)
 2 through two hundred seventy-nine point seventeen (279.17), two
 3 hundred seventy-nine point twenty-one (279.21), and two hundred
 4 seventy-nine point twenty-two (279.22), Code 1966, are hereby re-
 5 pealed.

1 SEC. 4. Chapter two hundred ninety-three (293), Code 1966, is
 2 hereby repealed.

Approved June 20, 1967.

CHAPTER 240

TEACHERS' CONTRACTS

H. F. 67

AN ACT to amend chapter two hundred seventy-nine (279), Code 1966, to improve the continuing contract for teachers.

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

- 1 SECTION 1. Section two hundred seventy-nine point thirteen
 2 (279.13), Code 1966, is hereby amended as follows:
 3 1. By inserting in line eighty-four (84) after the word "conference"
 4 the words "and a written statement of specific reasons for considering
 5 termination".
 6 2. By inserting in line eighty-seven (87) preceding the word "and"
 7 the words "and at the request of the teacher, a written statement of
 8 specific reasons for considering termination,".
 9 3. By adding after the word and period "place." in line [ninety]*
 10 90 the following: "No school board member shall be liable for any
 11 damages to any teacher if any such statement is determined to be
 12 erroneous as long as such statement was made in good faith."

Approved May 16, 1967.

*Word supplied by editor, §3.1(3).

CHAPTER 241

SCHOOL DIRECTORS' DUTIES

S. F. 457

AN ACT to repeal certain duties of school directors.

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

- 1 SECTION 1. Sections two hundred seventy-nine point thirty-seven
 2 (279.37) and two hundred seventy-nine point thirty-eight (279.38),
 3 Code 1966, are hereby repealed.

Approved May 16, 1967.

CHAPTER 242

SICK LEAVE FOR SCHOOL EMPLOYEES

S. F. 33

AN ACT to increase the minimum sick leave for school employees.

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

- 1 SECTION 1. Section two hundred seventy-nine point forty
 2 (279.40), Code 1966, is hereby amended as follows:

- 3 1. By striking lines five (5) through ten (10) and inserting in lieu
4 thereof the following:
- 5 "1. The first year of employment10 days.
6 2. The second year of employment11 days.
7 3. The third year of employment12 days.
8 4. The fourth year of employment13 days.
9 5. The fifth year of employment14 days.
10 6. The sixth and subsequent years of employment15 days."
11 2. By striking from line fourteen (14) the word "thirty-five" and
12 inserting in lieu thereof the word "ninety (90)".

Approved February 21, 1967.

CHAPTER 243

SALE OF COLLEGE BUILDINGS

S. F. 784

AN ACT authorizing school corporations to use the proceeds of the sale of college buildings and other related property to pay the cost of additional school facilities.

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

1 SECTION 1. Irrespective of the provisions of chapter two hundred
2 ninety-seven (297) of the Code, any school corporation which has
3 heretofore sold or may hereafter sell any public community or junior
4 college building, buildings, or other related property, whether under
5 the provisions of chapter two hundred eighty A (280A) of the Code or
6 otherwise, is hereby authorized to use the proceeds of such sale to pay
7 all or any part of the cost of building, furnishing, reconstructing, re-
8 pairing, improving, or remodeling a schoolhouse or schoolhouses, or
9 additions thereto, or for procuring a site or sites therefor, or any com-
10 bination thereof, even though all of the bonds which may have been
11 issued by such school corporation to pay the cost of the building, build-
12 ings or property sold have not been paid and retired; provided, how-
13 ever, that the proposition of using the money derived from such sale
14 for any one or more of the foregoing purposes must first be submitted
15 to and approved by the voters of the school corporation at an election
16 called and held in the manner hereinafter provided. The election may
17 be called by the board of directors of the school corporation on its own
18 motion, and notice of the election shall be published once each week for
19 four (4) consecutive weeks in a newspaper published in the school cor-
20 poration, or if there is none, in a newspaper published in the county
21 and of general circulation in the school corporation. The election shall
22 be held on a day not less than five (5) nor more than twenty (20) days
23 after the last publication of the notice. The preparation of the ballot,
24 the appointment of election officials, and other details of the election
25 shall be governed by the statutory provisions otherwise applicable to
26 regular school elections. No such proposition shall be declared carried
27 unless the affirmative vote is equal to at least sixty (60) percent of the
28 total vote cast for and against the proposition at the election.

Approved June 29, 1967.

CHAPTER 244

AREA VOCATIONAL SCHOOL DISTRICTS AND
AREA COMMUNITY COLLEGE DISTRICTS

S. F. 616

AN ACT relating to area vocational school districts and area community college districts and the method of selection of the members of the state board of public instruction, to general school aid, to the time and manner of payment, to separate general aid paid school districts for operation of elementary and secondary schools from general aid paid to merged areas operating an area vocational school or community college and to school districts operating a junior or community college, to require audit of merged areas receiving general aid, to provide for present payment of certain aid for the school year 1966-1967, and to make appropriations therefor.

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

1 SECTION 1. Section two hundred eighty-six A point four (286A.4),
2 Code 1966, is amended as follows:

3 1. By striking from subsection three (3) all of lines one (1) to
4 twenty (20), inclusive.

5 2. By striking from subsection three (3) all of lines forty-four (44)
6 to sixty-one (61), inclusive.

7 3. By inserting after the word "amount" in line three (3) of sub-
8 section four (4) the words "for other than junior or community col-
9 lege purposes".

1 SEC. 2. Section two hundred eighty-six A point five (286A.5),
2 Code 1966, is hereby repealed and the following enacted in lieu there-
3 of:

4 "At the close of each school year, but not later than July 5, the local
5 district or merged area school shall supply to the state department of
6 public instruction the information required for calculation of the
7 amount reimbursable to the district for elementary and secondary
8 school. For any day student who has been enrolled on a less than a full
9 school-day basis, the reimbursement shall be calculated proportion-
10 ately to the portion for which he is enrolled as shall be determined by
11 the state department of public instruction. For school districts oper-
12 ating a junior college or community college, the aid to the district for
13 such college shall be separately appropriated, calculated, prorated
14 when necessary, and paid as hereinafter provided in sections three (3)
15 through six (6). Forms for reporting information to calculate aid for
16 elementary and secondary school purposes shall be supplied by the
17 state department of public instruction to each school district not later
18 than June 1. On or before August 1, the state department of public
19 instruction shall furnish to the state comptroller estimates of the
20 amount reimbursable for the year to each school district for general
21 aid for elementary and secondary school purposes and upon said esti-
22 mates the state comptroller shall, on or about August 1, make payment
23 of the first half of the annual amount appropriated for such general
24 aid. After all such claims have been calculated for the year and vali-
25 dated for accuracy, the state department of public instruction shall
26 certify the same to the state comptroller prior to February 1. On or
27 about February 1, the state comptroller shall make payment to the
28 school districts, of the balance of the amount appropriated for such
29 general aid, which, when taken with the first half payment, conforms

30 to the amount of full year reimbursement due each school district as
31 then validated and certified by the state department of public instruc-
32 tion. In the event that the amount appropriated for reimbursement of
33 the school districts for such purposes is insufficient to pay in full the
34 amounts to each of the school districts or merged areas, then the
35 amount of each payment shall be reduced by the state comptroller in
36 the ratio that the total respective funds appropriated and available for
37 such aid bears to the respective total amounts certified for reimburse-
38 ment. All funds received or to be received under the provisions of this
39 chapter shall be taken into account and considered by each school dis-
40 trict or merged area when estimating the amount required for the
41 general fund."

1 SEC. 3. Chapter two hundred eighty-six A (286A), Code 1966, is
2 amended by adding the following new section:

3 "School districts operating a junior or community college shall be
4 entitled to general school aid therefor as follows: Multiply one (1)
5 dollar by the average daily enrollment of the students who are resi-
6 dents of such school district carrying twelve (12) or more semester
7 hours of work plus the full-time equivalent of resident students carry-
8 ing less than twelve (12) semester hours of work. Multiply two (2)
9 dollars and twenty-five (25) cents by the average daily enrollment of
10 students who are nonresidents of the district carrying twelve (12)
11 or more semester hours of work plus the full-time equivalent of non-
12 resident students carrying less than twelve (12) semester hours of
13 work. Multiply the sum of these products by the actual number of
14 days school was officially in session, not to exceed one hundred eighty
15 (180) days. For the purposes of this section, 'work' means subjects
16 or courses; for which credit may be earned and applied toward fulfill-
17 ment of the requirements for a certificate, diploma, or degree; and
18 which are approved by the state department of public instruction for
19 state aid."

1 SEC. 4. Chapter two hundred eighty-six A (286A), Code 1966, is
2 amended by adding the following new section:

3 "Merged areas operating an area vocational school or community
4 college shall be entitled to general school aid. The general school aid
5 funds allocable to each merged area operating an area vocational
6 school or community college shall be determined by multiplying two
7 (2) dollars and twenty-five (25) cents by the average daily enrollment
8 of students who are residents of the state and who are carrying twelve
9 (12) or more semester hours of work plus the full-time equivalent of
10 students carrying less than twelve (12) semester hours of work. Mul-
11 tiple this product by the actual number of days the school or college
12 was officially in session to determine the total aid entitlement for each
13 year for each merged area. The state aid computation shall be made
14 separately for each area vocational school or area community college.
15 For the purposes of this section, 'work' means subjects or courses;
16 for which credit may be earned and applied toward fulfillment of the
17 requirements for a certificate, diploma, or degree; and which are ap-
18 proved by the state department of public instruction for state aid."

1 SEC. 5. Chapter two hundred eighty-six A (286A), Code 1966, is
2 amended by adding the following new section:

3 "Payment of the aid provided in sections three (3) and four (4) of
4 this Act shall be made to each merged area, and to each school district
5 operating a junior or community college on a quarterly basis, at the
6 end of each quarter of the school year, which commences on July 1 and
7 ends on the following June 30, in the following manner:

8 "1. At the close of each school year but not later than July 5, the
9 board of directors of each such school district or merged area shall
10 certify to the state department of public instruction the information
11 necessary to compute the aid entitlement, as hereinabove provided, for
12 the school year ending on June 30 immediately preceding the said July
13 1. In addition thereto, each said board shall certify to the state de-
14 partment, its best bona fide estimate of what the same data and infor-
15 mation will be for the school year that commences upon the said July
16 1, and ends on the following June 30.

17 "2. On the basis of estimates certified, as provided in subsection one
18 (1) hereof, twenty-two and one-half (22½) percent of the anticipated
19 aid entitlement for each such school district or merged area shall be
20 paid to the district or merged area at the end of each of the first three
21 quarters of the school year for which said estimates have been certi-
22 fied. The aid payment for the fourth quarter shall be equal to the dif-
23 ference between the aggregate aid payments for the first three quarters
24 and the total amount of aid entitlement computed on the basis of the
25 actual information required for calculation, as certified in the follow-
26 ing July, plus or minus such prorata amount as may be necessary to
27 make the aggregate total of general school aid paid to all such school
28 districts or merged areas, as the case may be, for the said year equal
29 to the respective amounts of aid funds appropriated for payment to
30 such districts or areas in the said year.

31 "3. Forms for the purpose of reporting the information and esti-
32 mates required under subsection one (1) hereof shall be supplied by
33 the state department. After quarterly payments have been calculated
34 they shall be certified to the state comptroller for payment. Such cer-
35 tification shall be made to the comptroller on or about August 1, No-
36 vember 1, February 1, and May 1 for aid payable for the preceding
37 quarter. The comptroller shall pay the quarterly amounts so certified
38 forthwith."

1 SEC. 6. The first July reports under the provisions of sections three
2 (3) through six (6) of this Act will be made in July of 1967. For the
3 purpose of computing general aid, to school districts operating junior
4 or community colleges and to merged areas, for the year which com-
5 menced on July 1, 1966, and will end on June 30, 1967, the board of
6 directors of each such district or merged area which has classes of
7 instruction in operation on May 1, 1967 shall report the number of
8 full-time and part-time students, for whom aid is payable under sec-
9 tions three (3) and four (4), and who are on said date enrolled in said
10 classes, to the state department of public instruction, as soon as pos-
11 sible after the effective date of this Act. The state department of
12 public instruction shall thereupon make and verify the aid entitlement
13 for each such district or merged area, for the said year; by treating
14 the said enrollment figure as if it were the average daily enrollment
15 for the elapsed quarters of said school year and applying the formulae
16 set forth in sections three (3) and four (4), and certify the same to

17 the state comptroller, who shall forthwith issue warrants in payment
18 of same. The payment for the remaining quarter or quarters of said
19 year shall be computed and paid in the manner provided in section
20 five (5).

1 SEC. 7. Funds obtained pursuant to section two hundred eighty A
2 point seventeen (280A.17); subsections three (3), four (4), and five
3 (5) of section two hundred eighty A point eighteen (280A.18); sec-
4 tion two hundred eighty A point nineteen (280A.19); and section two
5 hundred eighty A point twenty-two (280A.22), Code 1966, shall not
6 be used for the construction or maintenance of athletic buildings or
7 grounds.

1 SEC. 8. Section eleven point eighteen (11.18), Code 1966, is
2 amended as follows:

3 1. By inserting in line two (2), immediately following the word
4 "offices," the words "merged areas,".

5 2. By inserting in line fifteen (15), immediately following the word
6 "city", the words ", merged area".

7 3. By inserting in line twenty (20), immediately following the word
8 "city", the words ", merged area".

1 SEC. 9. Chapter two hundred eighty A (280A), Code 1966, is here-
2 by amended by adding the following new section:

3 "After January 1, 1969, a merged area may own in the aggregate
4 not more than three hundred twenty (320) acres of land, except the
5 area board may accept or acquire additional land by donation or gift.

6 "With the approval of the state board, the board of directors of any
7 merged area at any time may sell any land in excess of one hundred
8 sixty (160) acres owned by the merged area, and no election shall be
9 necessary in connection with such sale notwithstanding any other pro-
10 visions of law. The proceeds of the sale may be used for any of the
11 purposes stated in section two hundred eighty A point twenty-two
12 (280A.22) of the Code. This paragraph is in addition to any authority
13 under other provisions of law."

1 SEC. 10. Section two hundred eighty A point one (280A.1), Code
2 1966, is hereby amended as follows:

3 1. By striking from line four (4) the word "twenty" and inserting
4 in lieu thereof the word "seventeen (17)".

5 2. By adding thereto the following new subsection:

6 "Vocational and technical training for persons who are not enrolled
7 in a high school and who have not completed high school."

1 SEC. 11. Section two hundred eighty A point two (280A.2), Code
2 1966, is hereby amended by adding thereto the following subsection:

3 "'Area school' means an area vocational school or area community
4 college established under the provisions of this Act."

5 Section two hundred eighty A point two (280A.2), Code 1966, is
6 hereby further amended by striking lines two (2) and three (3) of
7 subsection three (3) and inserting in lieu thereof the following:
8 "supported school which offers two (2) years of liberal arts, prepro-
9 fessional, or other instruction partially fulfilling the requirements for
10 a baccalaureate degree but which does not confer any baccalaureate
11 degree and which".

1 SEC. 12. Section two hundred eighty A point seventeen (280A.17),
2 Code 1966, is hereby amended by inserting in line nine (9) after the
3 word "The" the following:

4 "budget of each merged area shall be submitted to the state board
5 no later than June 1 preceding the next fiscal year for approval. The
6 state board shall review the proposed budget and shall, prior to July 1,
7 either grant its approval or return the budget without approval with
8 the comments of the state board attached thereto. Any unapproved
9 budget shall be resubmitted to the state board for final approval. Upon
10 approval of the budget by the state board, the"

11 Section two hundred eighty A point seventeen (280A.17), Code
12 1966, is hereby further amended by inserting the following new para-
13 graph at the end thereof:

14 "It is the policy of this state that the property tax for the operation
15 of area schools shall not in any event exceed three-fourths ($\frac{3}{4}$ ths)
16 mill, and that the present and future costs of such operation in excess
17 of the funds raised by such three-fourths ($\frac{3}{4}$ ths) mill levy shall be the
18 responsibility of the state and shall not be paid from property tax.
19 The general assembly in 1971 shall review the need for and the ad-
20 visability of such three-fourths ($\frac{3}{4}$ ths) mill levy."

1 SEC. 13. Section two hundred eighty A point eighteen (280A.18),
2 subsection three (3), Code 1966, is hereby amended by striking all of
3 such subsection after the word "area" in line five (5) and inserting in
4 lieu thereof a period.

1 SEC. 14. Section two hundred eighty A point twenty-three
2 (280A.23), Code 1966, is hereby amended as follows:

3 1. By adding to subsection one (1) the following:

4 "If an existing private educational or vocational institution within
5 the merged area has facilities and curriculum of adequate size and
6 quality which would duplicate the functions of the area school, the
7 board of directors shall discuss with the institution the possibility of
8 entering into contracts to have the existing institution offer facilities
9 and curriculum to students of the merged area. The board of directors
10 shall consider any proposals submitted by the private institution for
11 providing such facilities and curriculum. The board of directors may
12 enter into such contracts. In approving curriculum, the state board
13 shall ascertain that all courses and programs submitted for approval
14 are needed and that the curriculum being offered by an area school
15 does not duplicate programs provided by existing public or private
16 facilities in the area. In determining whether duplication would actu-
17 ally exist, the state board shall consider the needs of the area and
18 consider whether the proposed programs are competitive as to size,
19 quality, tuition, purposes, and area coverage with existing public and
20 private educational or vocational institutions within the merged area."

21 2. By inserting in line three (3) of subsection three (3) after the
22 figure "3" the following:

23 ". Tuition for residents of Iowa shall not exceed the lowest tuition
24 rate per semester, or the equivalent, charged by an institution of
25 higher education under the state board of regents for a full-time resi-
26 dent student. Tuition for nonresidents of Iowa shall be not less than
27 one hundred fifty (150) percent and not more than two hundred (200)

28 percent of the tuition established for residents of Iowa. Tuition for
 29 resident or nonresident students may be set at a higher figure with the
 30 approval of the state board. A lower tuition for nonresidents may be
 31 permitted under a reciprocal tuition agreement between a merged area
 32 and an educational institution in another state, if the agreement is
 33 approved by the state board."

34 3. By adding thereto the following new subsection:

35 "The area board, when setting the salary of the area superintendent,
 36 shall take into consideration the salaries of administrators of educa-
 37 tional institutions in the area, and the enrollment of the area schools;
 38 the salary range shall be from seventeen thousand (17,000) dollars to
 39 twenty-five thousand (25,000) dollars per annum. The superintendent
 40 shall not be required to hold any teacher's certificate."

1 SEC. 15. Section two hundred eighty A point twenty-four
 2 (280A.24), Code 1966, is hereby amended by adding thereto the fol-
 3 lowing:

4 "The standard academic work load for an instructor in arts and
 5 science courses shall be fifteen (15) credit hours per school term, and
 6 the maximum academic work load for any instructor shall be sixteen
 7 (16) credit hours per school term, for classes taught during the nor-
 8 mal school day. In addition thereto, any faculty member may teach a
 9 course or courses at times other than usual day-course hours, or on
 10 days other than the regular school week, involving total class instruc-
 11 tion time equivalent to not more than a three (3) credit hour course.
 12 The total work load for such instructors shall not exceed the equivalent
 13 of eighteen (18) credit hours per school term."

1 SEC. 16. Section two hundred eighty A point twenty-five
 2 (280A.25), Code 1966, is hereby amended by adding thereto the fol-
 3 lowing subsections:

4 "Make arrangements with boards of merged areas and local school
 5 districts to permit students attending high school to participate in
 6 vocational-technical programs and obtain credit for such participation
 7 for application toward the completion of a high school diploma. The
 8 granting of such credit shall be subject to the approval of the state
 9 board.

10 "Prescribe a uniform system of accounting for area schools."

1 SEC. 17. Section two hundred eighty A point twenty-seven
 2 (280A.27), Code 1966, is hereby repealed and the following enacted in
 3 lieu thereof:

4 "There shall be an area schools branch within the state department
 5 of public instruction. The branch shall exercise the powers and per-
 6 form the duties conferred by law upon the department with respect
 7 to area vocational schools and area and public community and junior
 8 colleges."

1 SEC. 18. Section two hundred eighty A point twenty-eight
 2 (280A.28), Code 1966, is hereby repealed and the following enacted in
 3 lieu thereof:

4 "The state superintendent, with the approval of the state board,
 5 shall add to the assistant superintendent system of the department an
 6 assistant superintendent who shall devote his full time to supervision

7 of the area schools branch, and shall appoint to the professional staff,
 8 in the manner provided in section two hundred fifty-seven point twenty-
 9 ty-four (257.24) of the Code, upon the recommendation of such as-
 10 sistant superintendent, and assign to duty in said branch, necessary
 11 personnel trained or experienced in the areas of vocational-technical
 12 education, administration and finance, adult and continuing education,
 13 student personnel services, arts and sciences, and related fields.

14 "It shall be the duty of said assistant superintendent to recommend
 15 to the state superintendent and to the state board the approval or dis-
 16 approval of all budgets, courses, and programs to be offered at the vari-
 17 ous area schools. In arriving at such recommendations, attention shall
 18 be given to the prevention and elimination of unnecessary duplication
 19 of programs, facilities, and staff within the area. Upon the recommen-
 20 dation of the assistant superintendent, review of vocational courses
 21 and programs by the advisory committee created by this chapter and
 22 the advisory committee created by chapter two hundred fifty-eight
 23 (258) of the Code, review of courses and programs provided for trans-
 24 fer credit by the advisory committee created by this chapter, and final
 25 approval by the state board, all such approved courses and programs
 26 shall be funded as prescribed by law."

1 SEC. 19. Section two hundred eighty A point twenty-nine
 2 (280A.29), Code 1966, is hereby amended by striking from line three
 3 (3) the words "community and junior colleges" and inserting in lieu
 4 thereof the words "area schools".

5 Said section is further amended by striking subsection four (4) and
 6 inserting in lieu thereof the following:

7 "4. A member to represent industry and management."

8 Further amend said section by striking from subsection seven (7)
 9 the word "Three" and inserting in lieu thereof the word "Two".

10 Further amend said section by adding a new subsection as follows:
 11 "8. A member to represent labor."

1 SEC. 20. Section two hundred eighty A point thirty-one
 2 (280A.31), Code 1966, is hereby amended by adding at the end thereof
 3 the following:

4 "The state board shall meet with the advisory committee at least
 5 quarterly."

1 SEC. 21. Section two hundred eighty A point thirty-two
 2 (280A.32), Code 1966, is hereby amended by inserting after the
 3 comma in line five (5) the words "on faculty salary schedules".

1 SEC. 22. Section two hundred eighty A point thirty-three
 2 (280A.33), Code 1966, is hereby repealed and the following enacted
 3 in lieu thereof:

4 "Approval standards, except as hereinafter provided, for area and
 5 public community and junior colleges shall be initiated by the area
 6 schools branch of the department and submitted to the state board of
 7 public instruction and the state board of regents, through the state
 8 superintendent of public instruction, for joint consideration and adop-
 9 tion. No proposed approval standard shall be adopted by the boards
 10 until the standard has been submitted to the advisory committee cre-
 11 ated by this chapter and its recommendations thereon obtained.

12 "Approval standards for area vocational schools and for vocational
13 programs and courses offered by area community colleges shall be
14 initiated by the area schools branch and submitted to the state board
15 of public instruction through the state superintendent of public in-
16 struction, for consideration and adoption. No such proposed approval
17 standard shall be adopted by the state board until the standard has
18 been submitted to the advisory committee created by this chapter and
19 to the advisory committee created by chapter two hundred fifty-eight
20 (258) and their recommendations thereon obtained.

21 "For purposes of this section, 'approval standards' shall include
22 standards for administration, qualifications and assignment of per-
23 sonnel, curriculum, facilities and sites, requirements for awarding of
24 diplomas and other evidence of educational achievement, guidance and
25 counseling, instruction, instructional materials, maintenance, and
26 library."

1 SEC. 23. Section two hundred fifty-seven point one (257.1), Code
2 1966, is hereby amended by inserting in line five (5) after the word
3 "members" the following:

4 "who shall be appointed by the governor with the approval of two-
5 thirds ($\frac{2}{3}$) of the members of the senate. Not more than five (5)
6 members shall be of the same political party."

1 SEC. 24. Section two hundred fifty-seven point two (257.2), Code
2 1966, is hereby amended by inserting at the end thereof the following:

3 "In appointing members, the governor shall provide that at least
4 one (1) member has substantial knowledge related to vocational and
5 technical training, and at least one (1) member has substantial knowl-
6 edge related to area community colleges."

1 SEC. 25. Section two hundred fifty-seven point three (257.3), Code
2 1966, is hereby amended by striking all of such section after the period
3 in line four (4) through line seventeen (17).

1 SEC. 26. Section two hundred fifty-seven point four (257.4), Code
2 1966, is hereby amended by striking lines four (4) through eighteen
3 (18) and inserting in lieu thereof the following:

4 "officers. All vacancies on said board which may occur when the
5 general assembly is not in session shall be filled by appointment by the
6 governor, which appointment shall expire at the end of thirty (30)
7 days after the general assembly next convenes. Vacancies occurring
8 during a session of the general assembly shall be filled before the end
9 of said session in the same manner in which regular appointments are
10 required to be made."

1 SEC. 27. Section two hundred fifty-seven point five (257.5), Code
2 1966, is hereby repealed.

1 SEC. 28. Section two hundred fifty-seven point twenty-two
2 (257.22), Code 1966, is hereby amended as follows:

3 1. By striking from line three (3) the word "two" and inserting in
4 lieu thereof the word "three".

5 2. By inserting the following after the period in line eight (8):

6 "The assistant superintendent for the area schools branch shall be
7 trained or experienced in matters relating to area schools."

1 SEC. 29. Section five point four (5.4), subsection eight (8), rules
2 of the department of public instruction, is hereby amended to read as
3 follows:

4 "5.4(8) *Faculty development.* The administration of the college
5 shall encourage the continued development of faculty potential by:
6 (1) regularly stimulating department chairmen or heads to meet their
7 responsibilities in this regard; (2) lightening the teaching loads of
8 first-year instructors whose course preparation and in-service training
9 demand it; (3) stimulating curricular evaluation; and (4) encourag-
10 ing the development of an atmosphere in which the faculty brings a
11 wide range of ideas and experiences to the students, each other, and
12 the community."

1 SEC. 30. There is hereby appropriated from the general fund of
2 the state of Iowa to the state department of public instruction, the sum
3 of four million five hundred thousand (4,500,000) dollars for the pur-
4 pose of carrying out the provisions of section six (6) of this Act.

1 SEC. 31. This Act shall operate retroactively and retrospectively,
2 with full force and effect, to and from July 1, 1967.

3 This Act, being deemed of immediate importance, shall take effect
4 after its passage, approval and publication in the Auburn Enterprise,
5 a newspaper published in Auburn, Iowa, and in The Union-Tribune, a
6 newspaper published in Russell, Iowa.

Approved July 10, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 616, was published in the Auburn Enterprise, Auburn, Iowa, July 20, 1967, and in The Union-Tribune, Russell, Iowa, July 20, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 245

RETIRED SCHOOL EMPLOYEES

H. F. 321

AN ACT relating to pensions for certain retired public school employees.

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

1 SECTION 1. Section two hundred ninety-four point fifteen
2 (294.15), Code 1966, is hereby amended by adding to the first para-
3 graph of said section the following:

4 "The word 'employee' as used herein shall be construed to include
5 persons who were state superintendents, county superintendents, or
6 deputy county superintendents."

Approved May 5, 1967.

CHAPTER 246

EDUCATION OF HANDICAPPED CHILDREN

S. F. 590

AN ACT relating to special education of handicapped children.

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

1 SECTION 1. Chapter two hundred ninety-five (295), Code 1966, is
2 hereby repealed.

1 SEC. 2. Section two hundred eighty-one point two (281.2), Code
2 1966, is hereby amended by striking from line three (3) of subsection
3 one (1) the words, "are hard of".

Approved June 19, 1967.

CHAPTER 247

SCHOOL BOND TAXES

H. F. 15

AN ACT to amend section two hundred ninety-eight point eighteen (298.18), Code 1966, relating to school bond taxes.

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

1 SECTION 1. Section two hundred ninety-eight point eighteen
2 (298.18), Code 1966, is hereby amended by inserting in line sixteen
3 (16) after the word "corporation" the following: "except as herein-
4 after provided."

1 SEC. 2. Section two hundred ninety-eight point eighteen (298.18),
2 Code 1966, is hereby further amended by adding the following at the
3 end thereof:

4 "The amount estimated and certified to apply on principal and in-
5 terest for any one year may exceed ten mills by such number of mills
6 as may be approved by the voters of the school corporation, but not
7 exceeding fifteen mills, on the dollar of the assessed valuation of the
8 taxable property within any school corporation, provided that the
9 qualified voters of such school corporation have first approved such
10 increased millage at a special election, which may be held at the same
11 time as the regular school election. The proposition submitted to the
12 voters at such special election shall be in substantially the following
13 form:

14 'Shall the board of directors of the
..... (insert name of school

15 , in the County of ,
corporation)

16 State of Iowa, be authorized to levy annually a tax exceeding
17 ten mills, but not exceeding mills, on the dollar
18 of the assessed valuation of the taxable property within said
19 school corporation to pay the principal of and interest on

20 bonded indebtedness of said school corporation, it being
 21 understood that the approval of this proposition shall not
 22 limit the source of payment of the bonds and interest but
 23 shall only operate to restrict the amount of bonds which may
 24 be issued?"

25 Notice of such election shall be given by publication once each week
 26 for four consecutive weeks in a newspaper published in the school cor-
 27 poration, or if there is no newspaper published in the school corpora-
 28 tion, in a newspaper published in the county and of general circulation
 29 in the school corporation. Such notice shall state the date of the elec-
 30 tion, the hours of opening and closing the polls and the exact location
 31 thereof, and the question to be submitted. The election shall be held
 32 on a date not less than five nor more than twenty days after the last
 33 publication of the notice. Such notice shall be sufficient and shall be
 34 in lieu of any other notice required by any other statute. At such
 35 election the ballot used for the submission of said proposition shall be
 36 in substantially the form for submitting special questions at general
 37 elections. Such proposition shall not be deemed carried or adopted
 38 unless the vote in favor of such proposition is equal to at least sixty
 39 percent of the total vote cast for and against said proposition at said
 40 election. Whenever such a proposition has been approved by the
 41 voters of a school corporation as hereinbefore provided, no further
 42 approval of the voters of such school corporation shall be required as
 43 a result of any subsequent change in the boundaries of such school
 44 corporation.

45 The voted millage referred to herein shall not limit the source of
 46 payment of bonds and interest but shall only restrict the amount of
 47 bonds which may be issued."

1 SEC. 3. The ability of a school corporation to exceed ten (10) mills
 2 to service principal and interest payments on bonded indebtedness is
 3 limited and conferred only to those school corporations engaged in the
 4 administration of elementary and secondary education.

1 SEC. 4. This Act shall operate retroactively and retrospectively,
 2 with full force and effect, to and from July 1, 1967.

1 SEC. 5. This Act, being deemed of immediate importance, shall
 2 take effect after its passage, approval and publication in The Boone
 3 News-Republican, a newspaper published at Boone, Iowa, and in The
 4 Perry Daily Chief, a newspaper published at Perry, Iowa.

Approved July 24, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, House File 15, was published in The Boone News-Republican, Boone, Iowa, July 28, 1967, and in The Perry Daily Chief, Perry, Iowa, August 3, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 248

EXEMPTIONS FROM COMPULSORY EDUCATION

S. F. 785

AN ACT relating to compulsory school attendance and educational standards.

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

1 SECTION 1. Chapter two hundred ninety-nine (299)*, Code 1966,
 2 is hereby amended by adding thereto the following new section.
 3 "When members or representatives of a local congregation of a
 4 recognized church or religious denomination established for ten (10)
 5 years or more within the state of Iowa prior to July 1, 1967, which
 6 professes principles or tenents** that differ substantially from the
 7 objectives, goals, and philosophy of education embodied in standards
 8 set forth in section two hundred fifty-seven point twenty-five (257.25)
 9 of the Code, and rules adopted in implementation thereof, file with the
 10 state superintendent of public instruction proof of the existence of
 11 such conflicting tenents** or principles, together with a list of the
 12 names, ages, and post office addresses of all persons of compulsory
 13 school age desiring to be exempted from the compulsory education law
 14 and the educational standards law, whose parents or guardians are
 15 members of the congregation or religious denomination, the state
 16 superintendent, subject to the approval of the state board of public
 17 instruction, may exempt the members of the congregation or religious
 18 denomination from compliance with any or all requirements of the
 19 compulsory education law and the educational standards law for two
 20 (2) school years. When the exemption has once been granted, renewal
 21 of such exemptions for each succeeding school year may be conditioned
 22 by the state superintendent, with the approval of the board, upon
 23 proof of achievement in the basic skills of arithmetic, the communi-
 24 cative arts of reading, writing, grammar, and spelling, and an under-
 25 standing of United States history, history of Iowa, and the principles
 26 of American government, by persons of compulsory school age ex-
 27 empted in the preceding year, which shall be determined on the basis
 28 of tests or other means of evaluation selected by the state superin-
 29 tendent with the approval of the board. The testing or evaluation, if
 30 required, shall be accomplished prior to submission of the request for
 31 renewal of the exemption. Renewal requests shall be filed with the
 32 state superintendent on or before April 15 of the school year preceding
 33 the school year for which the applicants desire exemption.

Approved July 26, 1967.

This Act was passed by the G. A. before July 1, 1967.

*Figures supplied by Code Editor, §3.1(3).

**According to enrolled Act.

CHAPTER 249

STATE ARTS COUNCIL

S. F. 625

AN ACT relating to the establishment of a state arts council and defining the powers and duties thereof.

WHEREAS, there is a growing interest among the citizens of Iowa in the practice and enjoyment of the arts, and that with increasing leisure time, rising education levels, and the rapid growth of science and technology, the arts are of increasing importance to the spiritual well-being of all individuals; and

WHEREAS, many of the citizens of this state desire more opportunities to view, enjoy, or participate in living theatrical performances, musical concerts, operas, dance and ballet recitals, art exhibits, examples of fine architecture, and the performing and visual arts, generally; and

WHEREAS, many of our citizens possess talents of an artistic and creative nature not fully utilized under existing conditions; and

WHEREAS, the general welfare of the state will be promoted by:

1. Giving further recognition to the arts as a vital part of our culture and heritage.
2. Expanding the scope of opportunity for citizen participation in the arts.
3. Providing in-state professional opportunity for Iowa artists.
4. Stimulating the economic growth of Iowa through its cultural activities; and

WHEREAS, it is the policy of the state to join with private patrons and with institutions and professional organizations concerned with the arts, to insure that the role of the arts in the life of our community will continue to grow and to play an ever more significant part in the welfare and educational experience of our citizens; and

WHEREAS, all arts activities undertaken by the state shall be directed toward encouraging and assisting, rather than in any way limiting, the freedom of artistic expression which is essential for the well-being of the arts; NOW THEREFORE

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

1 SECTION 1. There is hereby created a state advisory agency, to be
2 known as the Iowa state arts council which shall consist of fifteen (15)
3 members, to be appointed by the governor from among citizens of Iowa
4 who are recognized for their interest or experience in connection with
5 the performing and fine arts. In making such appointments, due con-
6 sideration shall be given to the recommendations made by representa-
7 tive civic, educational, and professional associations and groups con-
8 cerned with or engaged in the production or presentation of the per-
9 forming and fine arts generally.

1 SEC. 2. The term of office of each member of the Iowa state arts
2 council shall be three (3) years; provided, however, that of the mem-
3 bers first appointed, five (5) shall be appointed for terms of three (3)

4 years, five (5) for terms of two (2) years, five (5) for terms of one (1) year. The governor shall designate a chairman and a vice chairman from the members of the council to serve as such at the pleasure of the governor. All vacancies shall be filled for the balance of any unexpired term in the same manner as original appointments. The members of the council shall not receive any compensation for their services, but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties as members of the council.

1 SEC. 3. The council shall have a single executive who shall be
2 known as the director of the Iowa state arts council and who shall be
3 attached to the office of the governor. The director shall be nominated
4 by the council and appointed by the governor with the consent of two-
5 thirds ($\frac{2}{3}$) of the senate to serve at the pleasure of the governor for
6 a term which shall be coterminous with the term for which the gov-
7 ernor was elected.

1 SEC. 4. The council shall:

2 1. Advise the director with respect to policies, programs, and pro-
3 cedures for carrying out his functions, duties, or responsibilities under
4 the provisions of this Act.

5 2. Review programs to be supported under this Act and make rec-
6 ommendations thereon to the director. The director shall not approve
7 or disapprove any such program until he has received the recommen-
8 dation of the board on such program, unless the board fails to make a
9 recommendation thereon within a reasonable time.

1 SEC. 5. The duties of the director shall be to:

2 1. Stimulate and encourage throughout the state the study and pre-
3 sentation of the performing and fine arts and public interest and par-
4 ticipation therein.

5 2. Determine the legitimate cultural and artistic needs and aspira-
6 tions of citizens in all parts of the state.

7 3. Make such surveys as may be deemed advisable of existing ar-
8 tistic and cultural programs and activities within the state, including
9 but not limited to music, theatre, dance, painting, sculpture, architec-
10 ture, and allied arts and crafts.

11 4. Ascertain how the state resources, including those already in
12 existence and those which should be brought to existence, are to serve
13 the cultural needs and aspirations of the citizens of the state.

14 5. Submit a report to the governor and to the general assembly not
15 later than ten (10) calendar days following the commencement of each
16 general session of the general assembly concerning such studies as
17 have been undertaken during the biennium and recommending such
18 legislation and other action as is necessary for the implementation and
19 enforcement of this Act.

1 SEC. 6. The director shall have the powers and authority necessary
2 to carry out the duties imposed upon him by this Act including the
3 power to:

4 1. Employ such administrative, professional, and other personnel
5 as may be necessary for the performance of his powers and duties and

6 fix such personnel's compensation within the amounts made available
7 for such purposes.

8 2. Make and sign any agreements and perform any acts which may
9 be necessary, desirable, or proper to carry out the purpose of this Act.

10 3. Request and obtain from any department, division, board, bureau,
11 commissions, or agency of the state such assistance and data as will
12 enable him properly to carry out his assigned powers and duties.

13 4. Appoint such advisory committees as he deems advisable and
14 necessary to the carrying out of his assigned powers and duties.

15 5. Accept any federal funds granted, by Act of Congress or by exec-
16 utive order, for all or any purposes of this Act, and receive and dis-
17 burse as the official agency of the state any funds made available by
18 the national foundation on the arts.

19 6. Accept gifts, contributions, or bequests for all or any of the pur-
20 poses of this Act.

1 SEC. 7. In the course of carrying out his powers and duties under
2 this Act, the director shall avoid any actions which may interfere with
3 the freedom of artistic expression or with the established or contem-
4 plated programs in any local community.

Approved June 14, 1967.

CHAPTER 250

HIGHWAY MAINTENANCE REVOLVING FUND

S. F. 863

AN ACT authorizing expenditures by the state highway commission from the primary road fund for use as a permanent revolving fund.

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

1 SECTION 1. The state highway commission is hereby authorized to
2 expend from the primary road fund the sum of five thousand (5,000)
3 dollars, or so much thereof as may be necessary, to be used as a re-
4 volving fund to pay maintenance and operational costs, including
5 motor overhaul costs, relating to use of the aircraft which shall be
6 reimbursed by the individual departments based on utilization. When
7 no longer used for the above purposes, the five thousand (5,000) dol-
8 lars shall revert to the primary road fund.

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 251

HIGHWAY MATERIALS REVOLVING FUND

S. F. 523

AN ACT to establish a highway commission materials and equipment revolving fund for purchasing.

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

1 SECTION 1. There is appropriated out of the primary road fund
2 the sum of one hundred thousand (100,000) dollars which shall be
3 known as the highway commission materials and equipment revolv-
4 ing fund. From this fund shall be paid all materials and supplies,
5 inventoried stock supplies, maintenance and operational costs of equip-
6 ment and equipment replacements incurred in the operation of central-
7 ized purchasing. Direct salaries and expenses properly chargeable
8 thereto shall be paid from said fund. For each month the highway
9 commission shall render a statement to each department within the
10 commission for the actual cost of materials and supplies, operational
11 and maintenance costs of equipment, and equipment depreciation used
12 by such department. Such expense shall be paid by said department
13 in the same manner as other interdepartmental billings are paid and
14 when such expense is paid by the department, such sum shall be cred-
15 ited to the highway commission materials and equipment revolving
16 fund. If any surplus accrues to said revolving fund in excess of one
17 hundred thousand (100,000) dollars for which there is no anticipated
18 need or use, the governor shall order such surplus reverted to the
19 primary road fund.

Approved July 5, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 252

COUNTY ENGINEERS

H. F. 382

AN ACT relating to employment of county engineers.

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

1 SECTION 1. Chapter three hundred nine (309), Code 1966, is here-
2 by amended by adding thereto the following new section:
3 "The boards of supervisors of two (2) or more adjacent counties
4 may enter into an agreement to jointly employ a county engineer,
5 employ professional and clerical assistants for the engineer, and to
6 provide such services as can be carried on jointly and will operate to
7 their mutual benefit. Such agreement shall be written and entered in
8 their respective minutes. The engineer employed under such agree-
9 ment shall be the official county engineer for each of the respective
10 boards and shall be employed for such term of years as shall be deter-
11 mined by the boards but in no event longer than the period of time the

12 mutual agreement between the boards is to be in effect. The written
 13 agreement shall provide for the determination of the costs of such
 14 joint program and the manner of allocation of the cost to each board
 15 for inclusion in the respective budgets. The boards by mutual agree-
 16 ment shall designate one (1) board to make payments for salaries and
 17 other costs of the joint program. The board shall be reimbursed by
 18 the other board or boards in accordance with the joint agreement."

1 SEC. 2. The provisions of chapter twenty-eight E (28E) of the
 2 Code shall be applicable to this Act.

Approved June 26, 1967.

CHAPTER 253

CITIES AND TOWNS POPULATION RETURNS FOR APPORTIONMENT OF FUNDS

H. F. 89

AN ACT relating to the apportionment of the road use tax fund and the liquor control fund.

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

1 SECTION 1. Section three hundred twelve point three (312.3),
 2 Code 1966, is amended by adding the following thereto:

3 "In any case where a city or town has annexed any territory since
 4 the last available federal census or special federal census, the mayor
 5 and council shall certify to the treasurer of state the actual population
 6 of such annexed territory as determined by the last certified federal
 7 census of said territory and the apportionment of funds under this
 8 section shall be based upon the population of said city or town as
 9 modified by the certification of the population of the annexed territory
 10 until the next federal or special federal census enumeration.

11 "In any case where two or more cities or towns have consolidated,
 12 the apportionment of funds under this section shall be based upon the
 13 population of the city or town resulting from said consolidation and
 14 shall be determined by combining the population of all cities and
 15 towns involved in the consolidation as determined by the last available
 16 federal or special federal census enumeration for said consolidating
 17 city or town."

1 SEC. 2. Section one hundred twenty-three point fifty (123.50),
 2 Code 1966, is amended by adding the following thereto:

3 "In any case where a city or town has annexed any territory since
 4 the last available federal census or special federal census, the mayor
 5 and council shall certify to the treasurer of state the actual population
 6 of such annexed territory as determined by the last certified federal
 7 census of said territory and the apportionment of funds under this
 8 section shall be based upon the population of said city or town as
 9 modified by the certification of the population of the annexed territory
 10 until the next federal or special federal census enumeration.

11 "In any case where two or more cities or towns have consolidated,
 12 the apportionment of funds under this section shall be based upon the
 13 population of the city or town resulting from said consolidation and
 14 shall be determined by combining the population of all cities and
 15 towns involved in the consolidation as determined by the last available
 16 federal or special federal census enumeration for said consolidating
 17 city or town."

1 SEC. 3. Section three hundred sixty-two point twenty-one
 2 (362.21), Code 1966, is amended by adding the following thereto:

3 "However, if any of the consolidating cities or towns have had a
 4 special federal census, this figure shall be considered to be the popu-
 5 lation of said consolidating city or town in determining the population
 6 of the city or town resulting from the consolidation, for the purpose
 7 of distribution of funds."

1 SEC. 4. Section twenty-six point six (26.6), Code 1966, is amended
 2 by adding the following after the word "census" in line eight (8):
 3 "as modified as the result of consolidation or annexation in the man-
 4 ner provided in sections three hundred twelve point three (312.3)
 5 as amended, and one hundred twenty-three point fifty (123.50) as
 6 amended,".

1 SEC. 5. Section four point one (4.1), Code 1966, is amended by
 2 adding to subsection twenty-six (26), after the word "census" in line
 3 eight (8), the following:

4 "as modified as the result of consolidation or annexation in the
 5 manner provided in sections three hundred twelve point three (312.3)
 6 and one hundred twenty-three point fifty (123.50) of the Code,".

1 SEC. 6. Section twenty-six point six (26.6), Code 1966, is amended
 2 by inserting after the period in line ten (10) the following:

3 "Whenever a special federal census is hereafter taken by any city or
 4 town, the mayor and council shall certify the said census as soon as
 5 possible to the secretary of state and to the treasurer of state as other-
 6 wise herein provided, and failing to do so, the treasurer of state shall,
 7 after six (6) months from the date of said special census, turn over
 8 such moneys as authorized by sections one hundred twenty-three point
 9 fifty (123.50) and three hundred twelve point three (312.3) to the
 10 general fund of the state, and continue to do so until such time as cer-
 11 tification by said mayor and council is made, or until the next decennial
 12 federal census."

1 SEC. 7. This Act being of immediate importance shall be in full
 2 force and effect from and after its publication in the Waterloo Daily
 3 Courier, a newspaper published at Waterloo, Iowa, and the Fort Dodge
 4 Messenger and Chronicle, a newspaper published at Fort Dodge, Iowa.

Approved May 16, 1967.

I hereby certify that the foregoing Act, House File 89, was published in the Waterloo Daily Courier, Waterloo, Iowa, May 22, 1967, and in the Fort Dodge Messenger and Chronicle, Fort Dodge, Iowa, May 20, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 254

PRIMARY ROAD DETOURS

S. F. 373

AN ACT relating to restoration and compensation to counties for secondary roads, and to cities and towns for municipal streets, used as primary road detours.

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

1 SECTION 1. Section three hundred thirteen point four (313.4),
 2 Code 1966, is hereby amended by inserting in line eighteen (18) after
 3 the figure "307.5" the following:
 4 " , for restoration of secondary roads used as primary road detours
 5 and for compensation of counties for such use, for restoration of
 6 municipal streets so used and for compensation of cities and towns
 7 for such use,".

1 SEC. 2. Chapter three hundred thirteen (313), Code 1966, is here-
 2 by amended by adding thereto the following new section:

3 "When the state highway commission, for the purpose of establish-
 4 ing, constructing or maintaining any primary road, determines that
 5 any secondary road or portion thereof is necessary for a detour or
 6 haul road, the commission, after consultation with the county board of
 7 supervisors having jurisdiction of the route, shall by order tempo-
 8 rarily designate the secondary road or portion thereof as a temporary
 9 primary road detour or as a temporary primary road haul road, and
 10 the commission shall maintain the same as a primary road until it
 11 shall revoke the temporary designation order. Prior to use of a sec-
 12 ondary road as a primary haul road or detour, the commission shall
 13 designate a representative to inspect the secondary road with the
 14 county engineer to determine and note the condition of the road.

15 "Prior to revoking the designation, the commission shall:

16 "1. Restore the secondary road or portion thereof to as good condi-
 17 tion as it was prior to its designation as a temporary primary road, or

18 "2. Determine such amount as will adequately compensate the coun-
 19 ty exercising exclusive or concurrent jurisdiction over the secondary
 20 road or portion thereof for excessive traffic upon the secondary road
 21 or portion thereof during the period of its designation as a temporary
 22 primary road. The commission shall certify the amount determined
 23 to the state comptroller. The comptroller shall credit the amount to
 24 the secondary road fund of the county.

25 "3. If on examination of the route, it is determined that the road
 26 can be restored to its original condition only by reconstruction, the
 27 commission shall cause plans to be drawn, award the necessary con-
 28 tracts for work and proceed to reconstruct and make payments for in
 29 the same manner as is prescribed for primary construction projects."

1 SEC. 3. Chapter three hundred thirteen (313), Code 1966, is here-
 2 by amended by adding thereto the following new section:

3 "When the temporary primary road detour or temporary primary
 4 road haul road, or any portion thereof, is located within the corpo-
 5 rate limits of a city or town, then as to such portion so located, the
 6 provisions of section two (2) of this Act as to consultation, designa-
 7 tion, restoration and payment by the state highway commission shall

8 apply in like manner to the benefit of such city or town, and credits
 9 thereunder shall be made to the street fund of such city or town. Such
 10 city or town may designate the county engineer or, in the case of a
 11 city, its chief civil engineer, to inspect such street so used jointly with
 12 the representative of the state highway commission."

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 Belmond Independent, a newspaper published in Belmond, Iowa,
 4 and in The Donnellson Review, a newspaper published in Donnellson,
 5 Iowa.

Approved July 27, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 373, was published in The Belmond Independent, Belmond, Iowa, August 3, 1967, and in The Donnellson Review, Donnellson, Iowa, August 3, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 255

INTERSTATE BRIDGES

S. F. 131

AN ACT authorizing the state highway commission to acquire, purchase and construct interstate bridges, approaches thereto and sites therefor, to reconstruct, complete, improve, repair, remodel, control, maintain, and operate interstate bridges, to establish tolls and charges for the use of interstate bridges, to borrow money and issue bonds payable solely from the revenues derived from the operation of interstate bridges, and to refund bonds payable from such revenues.

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

1 SECTION 1. The following words or terms, as used in this Act,
 2 shall have the respective meanings as stated:

3 "Toll bridge" shall mean an interstate bridge constructed, purchased
 4 or acquired under the provisions of this Act, upon which tolls are
 5 charged, together with all appurtenances, additions, alterations, im-
 6 provements, and replacements thereof, and the approaches thereto,
 7 and all lands and interests therein used therefor, and buildings and
 8 improvements thereon.

9 "Commission" shall mean the state highway commission, the agency
 10 of the state of Iowa created and provided for under the provisions of
 11 chapter three hundred seven (307) of the Code.

12 "Construct, constructing, construction or constructed" shall include
 13 the reconstruction, remodeling, repair, or improvement of any existing
 14 toll bridge as well as the construction of any new toll bridge.

15 "Acquisition by purchase, gift, or condemnation" as used in this
 16 Act shall mean acquisition by the state highway commission, whether
 17 such terms "purchase, gift, or condemnation" are used singularly or
 18 in sequence.

1 SEC. 2. The state highway commission shall have full charge of
 2 the construction and acquisition of all toll bridges constructed or

3 acquired under the provisions of this Act, the operation and mainte-
4 nance thereof and the imposition and collection of tolls and charges
5 for the use thereof. The commission shall have full charge of the
6 design of all toll bridges constructed under the provisions of this Act.
7 The commission shall proceed with the construction of such toll
8 bridges and other facilities and the approaches thereto by contract
9 immediately upon there being made available funds for such work and
10 shall prosecute such work to completion as rapidly as practicable. The
11 commission shall advertise for bids for the construction, reconstruc-
12 tion, improvement, repair or remodeling of any toll bridge by pub-
13 lication of a notice once each week for at least two (2) consecutive
14 weeks in a newspaper published and having a general circulation
15 throughout the state of Iowa, the first publication to appear at least
16 fifteen (15) days prior to the date set for receiving bids. The commis-
17 sion shall have the power to accept such offer or offers, propositions
18 or bids, and enter into such contract or contracts as it shall deem to
19 be to the best interest of the state.

1 SEC. 3. The commission is hereby authorized to establish and con-
2 struct toll bridges upon any public highway, together with approaches
3 thereto, wherever it is considered necessary or advantageous and prac-
4 tical for crossing any navigable river between this state and an ad-
5 joining state. The necessity or advantage and practicality of any toll
6 bridge shall be determined by the commission. To obtain information
7 for the consideration of the commission upon the construction of any
8 toll bridge or any other matter pertaining thereto, any officer or em-
9 ployee of the state, upon the request of the commission, shall make
10 reasonable examination, investigation, survey, or reconnaissance to
11 determine material facts pertaining thereto and shall report such
12 findings to the commission. The cost thereof shall be borne by the
13 department or office conducting it from funds provided for its func-
14 tions.

1 SEC. 4. The commission is hereby authorized to enter into agree-
2 ments with any federal bridge commission or any county, city, or town
3 of this state, and with an adjoining state or county, city, or town
4 thereof, for the purpose of implementing an investigation of the feasi-
5 bility of any toll bridge project for the bridging of a navigable river
6 forming a portion of the boundary of this state and such adjoining
7 state. The commission may use any funds available for the purposes
8 of this section. Such agreements may provide that in the event any
9 such project is determined to be feasible and adopted, any advance-
10 ment of funds by any state, county, city, or town may be reimbursed
11 out of any proceeds derived from the sale of bonds or out of tolls and
12 revenues to be derived from such project.

1 SEC. 5. Whenever the commission deems it necessary or advan-
2 tageous and practical, it may acquire by gift, purchase, or condemna-
3 tion any interstate bridge which connects with or may be connected
4 with the public highways and the approaches thereto, except that the
5 commission may not condemn an existing interstate bridge used for
6 interstate highway traffic and combined highway and railway traffic
7 and presently owned by a municipality, or a person, firm, or corpora-
8 tion engaged in interstate commerce. In connection with the acquisi-

9 tion of any such bridge, the commission and any federal bridge com-
10 mission or any city, town, county, or other political subdivision of the
11 state are authorized to do all acts and things as in this Act are pro-
12 vided for the establishing and constructing of toll bridges and oper-
13 ating, financing, and maintaining such bridges insofar as such powers
14 and requirements are applicable to the acquisition of any toll bridge
15 and its operation, financing, and maintenance. In so doing, they shall
16 act in the same manner and under the same procedures as provided
17 for establishing, constructing, operating, financing, and maintaining
18 toll bridges insofar as such manner and procedures are applicable.
19 Without limiting the generality of the above provisions, the commis-
20 sion is hereby authorized to cause surveys to be made to determine the
21 propriety of acquiring any such bridge and the rights-of-way neces-
22 sary therefor, and other facilities necessary to carry out the provisions
23 hereof; to issue, sell, redeem bonds or issue and exchange bonds with
24 present holders of outstanding bonds of bridges being acquired under
25 the provisions of this Act and deposit and pay out of the proceeds of
26 the bonds for the financing thereof; to impose, collect, deposit, and
27 expend tolls therefrom; to secure and remit financial and other assist-
28 ance in connection with the purchase thereof; and to carry insurance
29 thereon.

1 SEC. 6. The commission, its officials, and all state officials are here-
2 by authorized to perform such acts and make such agreements con-
3 sistent with the law which are necessary and desirable in connection
4 with the duties and powers conferred upon them regarding the con-
5 struction, maintenance, and operation and insurance of toll bridges or
6 the safeguarding of the funds and revenues required for such con-
7 struction and the payment of the indebtedness incurred therefor. The
8 commission shall adopt such rules and regulations in accordance with
9 the provisions of chapter seventeen A (17A) of the Code as it may
10 deem necessary for the administration and exercise of its powers and
11 duties granted by this Act, and shall prepare annual financial state-
12 ments regarding the operation of such toll bridges which shall be made
13 available for inspection by the public and by the holders of revenue
14 bonds issued by the commission under the provisions of this Act at all
15 reasonable times.

1 SEC. 7. Whenever the commission deems it to be in the best inter-
2 est of the primary highway system that any new toll bridge be con-
3 structed upon any public highway and across any navigable river
4 between this state and an adjoining state, the commission shall adopt
5 a resolution declaring that the public interest and necessity require
6 the construction of such toll bridge and authorizing the issuance of
7 revenue bonds in an amount sufficient for the purpose of obtaining
8 funds for such construction. The issuance of bonds as provided in this
9 Act for the construction, purchase, or acquisition of more than one
10 (1) toll bridge may, at the discretion of the commission, be included
11 in the same authority and issue or issues of bonds, and the commission
12 is hereby authorized to pledge the gross revenues derived from the
13 operation of any such toll bridge under its control and jurisdiction to
14 pay the principal of and interest on bonds issued to pay the cost of
15 purchasing, acquiring, or constructing any such toll bridge financed

16 under the provisions of this Act. The commission is hereby granted
17 wide discretion, in connection with the financing of the cost of any
18 toll bridge, to pledge the gross revenues of a single toll bridge for the
19 payment of bonds and interest thereon issued to pay the cost of such
20 bridge and to pledge the gross revenues of two (2) or more toll bridges
21 to pay bonds issued to pay the cost of one (1) or more toll bridges and
22 interest thereon as long as the several bridges included herein are not
23 more than ten (10) miles apart.

24 In addition, if the commission in its discretion determines that the
25 construction of a toll bridge cannot be financed entirely through reve-
26 nue bonds and that the construction of such toll bridge is necessary,
27 the commission may advance funds from the primary highway fund
28 to pay for that part of the construction cost, including the cost of
29 approaches and all incidental costs, which is not paid out of the pro-
30 ceeds of revenue bonds. After all revenue bonds and interest thereon
31 issued and sold pursuant to this Act and payable from the tolls and
32 revenues of said bridge have been fully paid and redeemed or funds
33 sufficient to pay said bonds and interest, including premium, if any,
34 have been set aside and pledged for that purpose, then such amount
35 advanced from the primary road fund shall be repaid to the primary
36 road fund from the tolls and revenues of said bridge before said bridge
37 is made a toll free bridge under the provisions of this Act.

1 SEC. 8. Whenever the commission shall authorize the construction
2 of any toll bridge, the commission is empowered to secure rights-of-
3 way therefor and for approaches thereto by gift or purchase or by
4 condemnation in the manner provided by law for the taking of private
5 property for public purposes.

1 SEC. 9. The right-of-way is hereby given, dedicated, and set apart
2 upon which to locate, construct, and maintain toll bridges or ap-
3 proaches thereto or other highway crossings, and transportation facili-
4 ties thereof or thereto, through, over or across any of the lands which
5 are now or may be the property of this state, including highways; and
6 through, over, or across the streets, alleys, lanes, and roads within any
7 city, town, county, or other political subdivision of the state. If any
8 property belonging to any city, town, county or other political sub-
9 division of the state is required to be taken for the construction of any
10 such bridge or approach thereto or should any such property be in-
11 jured or damaged by such construction, such compensation therefor
12 as may be proper or necessary and as shall be agreed upon may be
13 paid by the commission to the particular county, city, town, or other
14 political subdivision of the state owning such property, or condemna-
15 tion proceedings may be brought for the determination of such com-
16 pensation.

1 SEC. 10. Before the commission shall proceed with any action to
2 secure right-of-way or with the construction of any toll bridge under
3 the provisions of this Act, it shall first pass a resolution finding that
4 public interest and necessity require the acquisition of right-of-way
5 for and the construction of such toll bridge. Such resolution shall be
6 conclusive evidence of the public necessity of such construction and
7 that such property is necessary therefor. To aid the commission in
8 determining the public interest, a public hearing shall be held in the

9 county or counties of this state in which any portion of a bridge is
10 proposed to be located. Notice of such hearing shall be published at
11 least once in a newspaper published and having a general circulation
12 in the county or counties where such bridge is proposed to be located,
13 not less than twenty (20) days prior to the date of the hearing. When
14 it becomes necessary for the commission to condemn any real estate
15 to be used in connection with any such bridge, or to condemn any
16 existing bridge, such condemnation shall be carried out in a manner
17 consistent with the provisions of chapters four hundred seventy-one
18 (471) and four hundred seventy-two (472) of the Code. In eminent
19 domain proceedings to acquire property for any of the purposes of
20 this Act, any bridge, real property, personal property, franchises,
21 rights, easements, or other property or privileges appurtenant thereto
22 appropriated or dedicated to a public use or purpose by any person,
23 firm, private, public or municipal corporation, county, city or town,
24 district, or any political subdivision of the state, may be condemned
25 and taken, and the acquisition and use thereof as herein provided for
26 the same public use or purpose to which such property has been so
27 appropriated or dedicated, or for any other public use or purpose,
28 shall be deemed a superior and permanent right and necessity, and a
29 more necessary use and purpose than the public use or purpose to
30 which such property has already been appropriated or dedicated, and
31 any condemnation award may be paid from the proceeds of revenue
32 bonds issued under the provisions of this Act.

1 SEC. 11. If the commission determines that any toll bridge should
2 be constructed or acquired under its authority, all costs thereof, in-
3 cluding land, right-of-way, surveying, engineering, construction, legal
4 and administrative expenses, and fees of any fiscal adviser, shall be
5 paid out of any funds available for payment of the cost of the bridge.

1 SEC. 12. The commission is hereby authorized and empowered to
2 issue revenue bonds for the acquisition, purchase or construction of
3 any interstate bridge. Any and all bonds issued by the commission
4 for the acquisition, purchase, or construction of any interstate bridge
5 under the authority of this Act shall be issued in the name of the Iowa
6 highway commission and shall constitute obligations only of the com-
7 mission, shall be identified by some appropriate name, and shall con-
8 tain a recital on the face thereof that the payment or redemption of
9 said bonds and the payment of the interest thereon are secured by a
10 direct charge and lien upon the tolls and other revenues of any nature
11 whatever received from the operation of the particular bridge for the
12 acquisition, purchase, or construction of which the bonds are issued
13 and of such other bridge or bridges as may have been pledged there-
14 for, and that neither the payment of the principal or any part thereof
15 nor of the interest thereon or any part thereof constitutes a debt,
16 liability, or obligation of the state of Iowa. When it is determined by
17 the commission to be in the best public interest, any bonds issued
18 under the provisions of this Act may be refunded and refinanced at
19 a lower rate, the same rate or a higher rate or rates of interest and
20 from time to time as often as the commission shall find it to be advis-
21 able and necessary so to do. Bonds issued to refund other bonds there-
22 tofore issued by the commission under the provisions of this Act may
23 either be sold in the manner hereinafter provided and the proceeds

24 thereof applied to the payment of the bonds being refunded, or the
25 refunding bonds may be exchanged for and in payment and discharge
26 of the bonds being refunded. The refunding bonds may be sold or
27 exchanged in installments at different times or an entire issue or
28 series may be sold or exchanged at one (1)* time. Any issue or series
29 of refunding bonds may be exchanged in part or sold in part in in-
30 stallments at different times or at one (1)* time. The refunding bonds
31 may be sold at any time on, before, or after the maturity of any of the
32 outstanding bonds to be refinanced thereby and may be issued for the
33 purpose of refunding a like or greater principal amount of bonds,
34 except that the principal amount of the refunding bonds may exceed
35 the principal amount of the bonds to be refunded to the extent neces-
36 sary to pay any premium due on the call of the bonds to be refunded
37 or to fund interest in arrears or about to become due. The gross reve-
38 nues of any toll bridge pledged to the payment of the bonds being re-
39 funded, together with the unpledged gross revenues of any other toll
40 bridges located within ten (10) miles of said bridge, may be pledged
41 by the commission to pay the principal of and interest on the refund-
42 ing bonds and to create and maintain reserves therefor.

43 The commission is empowered to receive and accept funds from the
44 state of Iowa or the federal government or any other state upon a
45 cooperative or other basis for the acquisition, purchase, or construc-
46 tion of any interstate bridge authorized under the provisions of this
47 Act and is empowered to enter into such agreements with the state of
48 Iowa or any other state or the federal government as may be required
49 for the securing of such funds.

50 The commission is authorized and empowered to spend from annual
51 primary road fund receipts sufficient moneys to pay the cost of opera-
52 tion, maintenance, insurance, collection of tolls and accounting there-
53 for and all other charges incidental to the operation and maintenance
54 of any toll bridge administered under the provisions of this Act.

1 SEC. 13. The revenue bonds may be issued and sold or exchanged
2 by the commission from time to time and in such amounts as it deems
3 necessary to provide sufficient funds for the acquisition, purchase, or
4 construction of any such bridge and to pay interest on bonds issued
5 for the construction of any toll bridge during the period of actual con-
6 struction and for six (6) months after completion thereof. The com-
7 mission is hereby authorized to adopt all necessary resolutions pre-
8 scribing the form, conditions, and denominations of the bonds, the
9 maturity dates therefor, and the interest rate or rates which the bonds
10 shall bear. All bonds of the same issue need not bear the same interest
11 rate. Principal and interest of the bonds shall be payable at such place
12 or places within or without the state of Iowa as determined by the
13 commission, and the bonds may contain provisions for registration as
14 to principal or interest, or both. Interest shall be payable at such
15 times as determined by the commission and the bonds shall mature at
16 such times and in such amounts as the commission prescribes. The
17 commission may provide for the retirement of the bonds at any time
18 prior to maturity, and in such manner and upon payment of such pre-
19 miums as it may determine in the resolution providing for the issuance

*According to enrolled Act.

20 of the bonds. All such bonds and any coupons attached thereto shall
21 be signed by such officials of the commission as the commission may
22 direct. Successive issues of such bonds within the limits of the original
23 authorization shall have equal preference with respect to the payment
24 of the principal thereof and the payment of interest thereon. The
25 commission may fix different maturity dates, serially or otherwise, for
26 successive issues under any one (1) * original authorization. All bonds
27 issued under the provisions of this Act shall have all the qualities of
28 negotiable instruments under the laws of the state of Iowa. All bonds
29 issued and sold hereunder shall be sold to the highest and best bidder
30 on the basis of sealed proposals received pursuant to a notice specify-
31 ing the time and place of sale and the amount of bonds to be sold
32 which shall be published at least once not less than seven (7) days
33 prior to the sale in a newspaper published in the state of Iowa and
34 having a general circulation in said state. None of the provisions of
35 chapter seventy-five (75) of the Code shall apply to bonds issued
36 under the provisions of this Act but such bonds shall be sold upon
37 terms of not less than par plus accrued interest. The commission may
38 reject any or all bids received at the public sale and may thereafter
39 sell the bonds at private sale on such terms and conditions as it deems
40 most advantageous to its own interests, but not at a price below that
41 of the best bid received at the advertised sale. The commission may
42 enter into contracts and borrow money through the sale of bonds of
43 the same character as those herein authorized, from the United States
44 or any agency thereof, upon such conditions and terms as may be
45 agreed to and the bonds shall be subject to all the provisions of this
46 Act, except that any bonds issued hereunder to the United States or
47 any agency thereof need not first be offered at public sale. The com-
48 mission may also provide for the private sale of bonds issued under
49 the provisions of this Act to the state treasurer of Iowa upon such
50 terms and conditions as may be agreed upon, and in such event said
51 bonds need not first be offered at public sale. Temporary or interim
52 bonds, certificates, or receipts, of any denomination, and with or with-
53 out coupons attached, signed by such official as the commission may
54 direct, may be issued and delivered until the definitive bonds are
55 executed and available for delivery.

1 SEC. 14. The proceeds from the sale of all bonds authorized and
2 issued under the provisions of this Act shall be deposited by the com-
3 mission in a fund designated as the construction fund of the particular
4 interstate bridge or bridges for which such bonds were issued and
5 sold, which fund shall not be a state fund and shall at all times be kept
6 segregated and set apart from all other funds and in trust for the pur-
7 poses herein set out. Such proceeds shall be paid out or disbursed
8 solely for the acquisition, purchase, or construction of such interstate
9 bridge or bridges and expenses incident thereto, the acquisition of the
10 necessary lands and easements therefor and the payment of interest
11 on such bonds during the period of actual construction and for a
12 period of six (6) months thereafter, only as the need therefor shall
13 arise and the commission may agree with the purchaser of said bonds
14 upon any conditions or limitations restricting the disbursement of

*According to enrolled Act.

15 such funds that may be deemed advisable, for the purpose of assuring
16 the proper application of such funds. All moneys in such fund and
17 not required to meet current construction costs of the interstate bridge
18 or bridges for which such bonds were issued and sold, and all funds
19 constituting surplus revenues which are not immediately needed for
20 the particular object or purpose to which they must be applied or are
21 pledged may be invested in obligations issued or guaranteed by the
22 United States or by any person controlled by or supervised by and
23 acting as an instrumentality of the United States pursuant to author-
24 ity granted by the congress of the United States; provided, however,
25 that the commission may provide in the proceedings authorizing the
26 issuance of said bonds that the investment of such moneys shall be
27 made only in particular bonds and obligations within the classifica-
28 tions eligible for such investment and such provisions shall thereupon
29 be binding upon the commission and all officials having anything to do
30 with such investment. Any surplus which may exist in said construc-
31 tion fund shall be applied to the retirement of bonds issued for the
32 acquisition, purchase, or construction of any such interstate bridge by
33 purchase or call and, in the event such bonds cannot be purchased at a
34 price satisfactory to the commission and are not by their terms call-
35 able prior to maturity, such surplus shall be paid into the fund appli-
36 cable to the payment of principal and interest of said bonds and shall
37 be used for that purpose. The proceedings authorizing the issuance
38 of bonds may provide limitations and conditions upon the time and
39 manner of applying such surplus to the purchase and call of outstand-
40 ing bonds and the terms upon which they shall be purchased or called
41 and such limitations and conditions shall be followed and observed in
42 the application and use of such surplus. All bonds so retired by pur-
43 chase or call shall be immediately canceled.

1 SEC. 15. All tolls or other revenues received from the operation of
2 any toll bridge acquired, purchased, or constructed with the proceeds
3 of bonds issued and sold hereunder shall be deposited by the commis-
4 sion to the credit of a special trust fund to be designated as the toll
5 revenue fund of the particular toll bridge or toll bridges producing
6 such tolls or revenue, which fund shall be a trust fund and shall at all
7 times be kept segregated and set apart from all other funds.

1 SEC. 16. From the money so deposited in each separate construc-
2 tion fund as hereinabove provided, at the direction of the commission
3 there shall be transferred to the place or places of payment named in
4 said bonds such sums as may be required to pay the interest as it be-
5 comes due on all bonds issued and outstanding for the construction of
6 such particular toll bridge or toll bridges during the period of actual
7 construction and during the period of six (6) months immediately
8 thereafter. The commission shall thereafter transfer from each sepa-
9 rate toll revenue fund to the place or places of payment named in the
10 bonds for which said revenues have been pledged such sums as may
11 be required to pay the interest on said bonds and redeem the principal
12 thereof as such interest and principal become due. All funds so trans-
13 ferred for the payment of principal of or interest on bonds issued for
14 any particular toll bridge or toll bridges shall be segregated and
15 applied solely for the payment of said principal or interest. The pro-
16 ceedings authorizing the issuance of the bonds may provide for the

17 setting up of a reserve fund or funds out of the tolls and other reve-
18 nues not needed for the payment of principal and interest, as the same
19 currently matures and for the preservation and continuance of such
20 fund in a manner to be provided therein, and such proceedings may
21 also require the immediate application of all surplus moneys in such
22 toll revenue fund to the retirement of such bonds prior to maturity,
23 by call or purchase, in such manner and upon such terms and the pay-
24 ment of such premiums as may be deemed advisable in the judgment
25 of the commission. The moneys remaining in each separate toll reve-
26 nue fund after providing the amount required for the payment of
27 principal of and interest on bonds as hereinabove provided, shall be
28 held and applied as provided in the proceedings authorizing the issu-
29 ance of said bonds. In the event the proceedings authorizing the issu-
30 ance of said bonds do not require surplus revenues to be held or ap-
31 plied in any particular manner, they shall be allocated and used for
32 such other purposes incidental to the construction, operation, and
33 maintenance of any toll bridge as the commission may determine and
34 as permitted under sections seven (7) and twelve (12) of this Act.

1 SEC. 17. Warrants for payments to be made on account of such
2 bonds shall be drawn by the commission on duly approved vouchers.
3 Moneys required to meet the costs of purchase or construction and all
4 expenses and costs incidental to the acquisition, purchase, or construc-
5 tion of any particular interstate bridge or to meet the costs of oper-
6 ating, maintaining, and repairing the same, shall be paid by the com-
7 mission from the proper fund therefor upon duly approved vouchers.
8 All interest received or earned on money deposited in each and every
9 fund herein provided for shall be credited to and become a part of the
10 particular fund upon which said interest accrues.

1 SEC. 18. The commission may provide in the proceedings author-
2 izing the issuance of bonds or may otherwise agree with the purchas-
3 ers of bonds regarding the deposit of all moneys constituting the con-
4 struction fund and the toll revenue fund and provide for the deposit
5 of such money at such times and with such depositaries or paying
6 agents and upon the furnishing of such security as may meet with the
7 approval of the purchasers of such bonds.

1 SEC. 19. Notwithstanding any provision contained in this Act, the
2 proceeds received from the sale of bonds and the tolls or other reve-
3 nues received from the operation of any toll bridge may be used to
4 defray any expenses incurred by the commission in connection with
5 and incidental to the issuance and sale of bonds for the acquisition,
6 purchase, or construction of any such toll bridge including expenses
7 for the preparation of surveys and estimates, legal, fiscal and admin-
8 istrative expenses, and the making of such inspections and examina-
9 tions as may be required by the purchasers of such bonds; provided,
10 that the proceedings authorizing the issuance of such bonds may con-
11 tain appropriate provisions governing the use and application of said
12 bond proceeds and toll or other revenues for the purposes herein
13 specified.

1 SEC. 20. While any bonds issued by the commission remain out-
2 standing, the powers, duties or existence of the commission or of any

3 other official or agency of the state shall not be diminished or impaired
4 in any manner that will affect adversely the interests and rights of
5 the holders of such bonds. The holder of any bond may by mandamus
6 or other appropriate proceeding require and compel the performance
7 of any of the duties imposed upon any state department, official, or
8 employee or imposed upon the commission or its officers, agents, and
9 employees in connection with the acquisition, purchase, construction,
10 maintenance, operation, and insurance of any bridge and in connection
11 with the collection, deposit, investment, application, and disbursement
12 of all tolls and other revenues derived from the operation and use of
13 any bridge and in connection with the deposit, investment, and dis-
14 bursement of the proceeds received from the issuance of bonds; pro-
15 vided, that the enumeration of such rights and remedies herein shall
16 not be deemed to exclude the exercise or prosecution of any other
17 rights or remedies by the holders of such bonds.

1 SEC. 21. When any toll bridge authorized hereunder is being built
2 by the commission it may carry or cause to be carried such an amount
3 of insurance or indemnity bond or bonds as protection against loss or
4 damage as it may deem proper. The commission is hereby further
5 empowered to carry such an amount of insurance to cover any acci-
6 dent or destruction in part or in whole to any toll bridge. All moneys
7 collected on any indemnity bond or insurance policy as the result of
8 any damage or injury to any such toll bridge shall be used for the
9 purpose of repairing or rebuilding of any such toll bridge as long as
10 there are revenue bonds against any such structure outstanding and
11 unredeemed. The commission is also empowered to carry insurance
12 or indemnity bonds insuring against the loss of tolls or other revenues
13 to be derived from any such toll bridge by reason of any interruption
14 in the use of such toll bridge from any cause whatever, and the pro-
15 ceeds of such insurance or indemnity bonds shall be paid into the fund
16 into which the tolls and other revenues of the bridge thus insured are
17 required to be paid and shall be applied to the same purposes and in
18 the same manner as other moneys in the said fund. Such insurance or
19 indemnity bonds may be in an amount equal to the probable tolls and
20 other revenues to be received from the operation of such toll bridge
21 during any period of time that may be determined upon by the com-
22 mission and fixed in its discretion, and be paid for out of the toll reve-
23 nue fund as may be specified in said proceedings. The commission
24 may provide in the proceedings authorizing the issuance of bonds for
25 the carrying of insurance as authorized by this Act and the purchase
26 and carrying of insurance as authorized by this Act shall thereupon
27 be obligatory upon the commission and be paid for out of the toll
28 revenue fund as may be specified in said proceedings.

1 SEC. 22. The commission is hereby empowered to fix the rates of
2 toll and other charges for all interstate bridges acquired, purchased,
3 or constructed under the terms of this Act. Toll charges so fixed may
4 be changed from time to time as conditions may warrant. The com-
5 mission in establishing toll charges shall give due consideration to the
6 amount required annually to pay the principal of and interest on bonds
7 payable from the revenues thereof. The tolls and charges shall be at
8 all times fixed at rates sufficient to pay the bonds and interest as they

9 mature, together with the creation and maintenance of bond reserve
10 funds and other funds as established in the proceedings authorizing
11 the issuance of the bonds, for any particular toll bridge. The amounts
12 required to pay the principal of and interest on bonds shall constitute
13 a charge and lien on all such tolls and other revenues and interest
14 thereon and sinking funds created therefrom received from the use
15 and operation of said toll bridge, and the commission is hereby author-
16 ized to pledge a sufficient amount of said tolls and revenues for the
17 payment of bonds issued under the provisions of this Act and interest
18 thereon and to create and maintain a reserve therefor. Such tolls and
19 revenues, together with the interest earned thereon, shall constitute
20 a trust fund for the security and payment of such bonds and shall not
21 be used or pledged for any other purpose as long as such bonds or any
22 of them are outstanding and unpaid.

1 SEC. 23. Whenever a proposed interstate bridge is to be acquired,
2 purchased or constructed, any city, town, county, or other political
3 subdivision located in relation to such facility so as to benefit directly
4 or indirectly thereby, may, either jointly or separately, at the request
5 of the commission advance or contribute money, rights-of-way, labor,
6 materials, and other property toward the expense of acquiring, pur-
7 chasing or constructing the bridge, and for preliminary surveys and
8 the preparation of plans and estimates of cost therefor and other pre-
9 liminary expenses. Any such city, town, county, or other political
10 subdivision may, either jointly or separately, at the request of the
11 commission advance or contribute money for the purpose of guaran-
12 teeing the payment of interest or principal on the bonds issued by the
13 commission to finance the bridge. Appropriations for such purposes
14 may be made from any funds available, including county road funds
15 received from or credited by the state, or funds obtained by excess tax
16 levies made pursuant to law or the issuance of general obligation
17 bonds for this purpose. Money or property so advanced or contributed
18 may be immediately transferred or delivered to the commission to be
19 used for the purpose for which contribution was made. The commis-
20 sion may enter into an agreement with a city, town, county, or other
21 political subdivision to repay any money or the value of a right-of-
22 way, labor, materials or other property so advanced or contributed.
23 The commission may make such repayment to a city, town, county, or
24 other political subdivision and reimburse the state for any expendi-
25 tures made by it in connection with the bridge out of tolls and other
26 revenues for the use of the bridge.

1 SEC. 24. If the commission deems that any land, including im-
2 provements thereon, is no longer required for toll bridge purposes and
3 that it is in the public interest, it may negotiate for the sale of such
4 land to the state or to any city, town, county, or other political sub-
5 division or municipal corporation of the state. The commission shall
6 certify the agreement for the sale to the state executive council, with
7 a description of the land and the terms of the sale and the state execu-
8 tive council may execute the deed and deliver it to the grantee.

1 SEC. 25. If the commission is of the opinion that any land, includ-
2 ing improvements thereon, is no longer required for toll bridge pur-
3 poses, it may be offered for sale upon publication of a notice once each

4 week for two (2) consecutive weeks in a newspaper published and
5 having a general circulation throughout the state of Iowa, specifying
6 the time and place fixed for the receipt of bids.

1 SEC. 26. The commission may reject all such bids if the highest
2 bid does not equal the reasonable fair market value of the real prop-
3 erty, plus the value of the improvements thereon, computed on the
4 basis of the reproduction value less depreciation. The commission
5 may accept the highest and best bid, and certify the agreement for
6 the sale to the state executive council, with a description of the land
7 and the terms of the sale and the state executive council shall execute
8 the deed and deliver it to the grantee.

1 SEC. 27. If the commission deems it consistent with the use and
2 operation of any toll bridge, the commission may grant franchises to
3 persons, firms, associations, private or municipal corporations, the
4 United States government or any agency thereof, to use any portion
5 of the property of any toll bridge, including approaches thereto, for
6 the construction and maintenance of water pipes, flumes, gas pipes,
7 telephone, telegraph and electric light and power lines and conduits,
8 trams or railways, and any other such facilities in the manner of
9 granting franchises on state highways.

1 SEC. 28. Any moneys received pursuant to the provisions of sec-
2 tions twenty-four (24) through twenty-seven (27) of this Act shall
3 be deposited by the commission into the separate and proper trust
4 fund established for the bridge.

1 SEC. 29. The commission shall have the right to impose and re-
2 impose tolls for pedestrian or vehicular traffic over any interstate
3 bridges under its control and jurisdiction for the purpose of paying
4 the cost of reconstructing and improving existing bridges and their
5 approaches, purchasing existing bridges, and constructing new bridges
6 and approaches, provided that any such existing bridge or new bridge
7 is located within ten miles of the bridge on which tolls are so imposed
8 or reimposed, to pay interest on and create a sinking fund for the
9 retirement of revenue bonds issued for the account of such projects
10 and to pay any and all costs and expenses incurred by the commission
11 in connection with and incidental to the issuance and sale of bonds and
12 for the preparation of surveys and estimates and to establish the re-
13 quired interest reserves for and during the estimated construction
14 period and for six (6) months thereafter.

1 SEC. 30. The bridges herein provided for may be incorporated into
2 the primary road system as toll free bridges whenever the costs of the
3 construction of the bridges and the approaches thereto and the recon-
4 struction and improvement of existing bridges and approaches thereto,
5 including all incidental costs, have been paid and when all revenue
6 bonds and interest thereon issued and sold pursuant to this Act and
7 payable from the tolls and revenues thereof shall have been fully paid
8 and redeemed or funds sufficient to pay said bonds and interest, in-
9 cluding premium, if any, have been set aside and pledged for that
10 purpose. However, tolls may again be imposed as provided in section
11 twenty-nine (29) of this Act.

1 SEC. 31. The commission shall have the power and is hereby au-
2 thorized by resolution to issue, sell, or pledge its revenue bonds in an
3 amount sufficient to provide funds to pay all or any part of the costs
4 of construction of a new bridge and approaches thereto and the re-
5 construction, improvement, and maintaining of an existing bridge and
6 approaches thereto, including all costs of survey, acquisition of right-
7 of-way, engineering, legal, fiscal and incidental expenses, to pay the
8 interest due thereon during the period beginning with the date of issue
9 of the bonds and ending at the expiration of six (6) months after the
10 first imposition and collection of tolls from the users of said bridges,
11 and all costs incidental to the issuance and sale of the bonds.

12 Except as may be otherwise specifically provided by statute, all of
13 the other provisions of this Act shall govern the issuance and sale of
14 revenue bonds issued under this section, the execution thereof, the
15 disbursement of the proceeds of issuance thereof, the interest rate or
16 rates thereon, their form, terms, conditions, covenants,* negotiabil-
17 ity, denominations, maturity date or dates, the creation of special
18 funds or accounts safeguarding and providing for the payment of the
19 principal thereof and interest thereon, and their manner of redemp-
20 tion and retirement.

21 Such bonds shall include a covenant that the payment of the prin-
22 cipal thereof and the interest thereon are secured by a first and direct
23 charge and lien on all of the tolls and other gross revenues received
24 from the operation of said toll bridges and from any interest which
25 may be earned from the deposit or investment of any such revenues.
26 The tolls and charges to be imposed shall be fixed in such amounts so
27 that when collected they will produce revenues that shall be at least
28 sufficient to pay all expenses of operating, maintaining, and repairing
29 said toll bridges, including all insurance costs, amounts for adequate
30 reserves and coverage of annual debt service on said bonds, and all
31 payments necessary to pay the principal thereof and interest thereon.**

1 SEC. 32. The commission is hereby authorized to operate and to
2 assume the full control of said toll bridges and each portion thereof
3 whether within or without the borders of the state of Iowa, with full
4 power to impose and collect tolls from the users of such bridges for
5 the purpose of providing revenues at least sufficient to pay the cost
6 and incidental expenses of construction and acquisition of said bridges
7 and approaches in both states in which located and for the payment of
8 the principal of and interest on its revenue bonds as authorized by this
9 Act.

1 SEC. 33. Under no circumstances shall any bonds issued under the
2 terms of this Act be or become or be construed to constitute a debt of
3 or charge against the state of Iowa within the purview of any consti-
4 tutional or statutory limitation or provision. No taxes, appropriations
5 or other funds of the state of Iowa may be pledged for or used to pay
6 such bonds or the interest thereon, but any such bonds shall be payable
7 solely and only as to both principal and interest from the tolls and
8 revenues derived from the operation of any toll bridge or toll bridges
9 acquired, purchased, or constructed under this Act, and the sole rem-

*According to enrolled Act.

**Amended by chapter 256, §1.

10 edy for any breach or default of the terms of any such bonds or pro-
11 ceedings for their issuance shall be a proceeding either in law or in
12 equity by suit, action or mandamus to enforce and compel performance
13 of the duties required by this Act and the terms of the resolution under
14 which such bonds are issued.

1 SEC. 34. The commission is authorized to enter into such agree-
2 ment or agreements with other state highway commissions and the
3 governmental agencies or subdivisions of the state of Iowa or other
4 states and with federal bridge commissions as they shall find necessary
5 or convenient to carry out the purposes of this Act, and is authorized
6 to do any and all acts contained in such agreement or agreements that
7 are necessary or convenient to carry out the purposes of this Act.
8 Such agreements may include, but shall not be restricted to, the fol-
9 lowing provisions:

10 1. A provision that the commission shall assume and have complete
11 responsibility for the operation of such bridges and approaches there-
12 to, and with full power to impose and collect all toll charges from the
13 users of such bridges and to disburse the revenue derived therefrom
14 for the payment of principal and interest on any revenue bonds herein
15 provided for and to carry out the purposes of this Act.

16 2. A provision that the commission shall provide for the issuance,
17 sale, exchange or pledge, and payment of revenue bonds payable solely
18 from the revenues derived from the imposition and collection of tolls
19 upon such toll bridges.

20 3. A provision that the commission, after consultation with the
21 other governmental agencies or subdivisions who are parties to such
22 agreements, shall fix and revise the classifications and amounts of tolls
23 to be charged and collected from the users of the toll bridges, with the
24 further provision that such toll charges shall be removed after all costs
25 of planning, designing, and construction of such toll bridges and ap-
26 proaches thereto and all incidental costs shall have been paid, and all
27 of said revenue bonds, and interest thereon, issued pursuant to this
28 Act shall have been fully paid and redeemed or funds sufficient there-
29 for have been set aside and pledged for that purpose.

30 4. A provision that all acts pertaining to the design and construc-
31 tion of such toll bridges may be done and performed by the commission
32 and that any and all contracts for the construction of such toll bridges
33 shall be awarded in the name of the commission.

34 5. A provision that the state of Iowa and adjoining state and all
35 governmental agencies or subdivisions party to such agreement shall
36 be reimbursed out of the proceeds of the sale of such bonds or out of
37 tolls and revenues as herein allowed for any advances they may have
38 made or expenses they may have incurred for any of the purposes for
39 which said revenue bonds may be issued, after duly verified itemized
40 statements of such advances and expenses have been submitted to and
41 been approved by all parties to such agreement.

42 6. A provision that when all outstanding indebtedness or other obli-
43 gations payable from the revenues of such bridges have been paid the
44 adjoining state agrees to accept ownership of that portion of the
45 bridge within such state and agrees to pay the cost of maintaining
46 such portions of the bridge or proportionate share of the total cost of
47 maintaining the bridge.

1 SEC. 35. Counties are hereby authorized to issue general obliga-
2 tion bonds for the purpose of contributing money to the commission to
3 help finance the construction of toll bridges across navigable rivers
4 constituting boundaries between the county and an adjoining state.
5 Prior to the issuance of such bonds the board of supervisors shall call
6 and hold an election in said county at which the proposition shall be
7 submitted to the voters of the county in the following form:

8 "Shall the county of issue its bonds in the amount of
9 \$..... for the purpose of?"

10 Notice of such election, stating the date of the election, the hours of
11 opening and closing the polls, the precincts and polling places therefor,
12 and the question to be submitted shall be published once each week for
13 three (3) consecutive weeks in at least one (1) newspaper published
14 and having a general circulation in the county. The election shall be
15 held on a day not less than five (5) nor more than twenty (20) days
16 after the last publication of such notice. The proposition shall not be
17 deemed carried or adopted unless the vote in favor thereof is equal to
18 at least sixty (60) percent of the total vote cast for and against said
19 proposition at said election.

1 SEC. 36. The exercise of the powers granted by this Act will be in
2 all respects for the benefit of the people of the state of Iowa, for the
3 increase of their commerce and prosperity and for the improvement
4 of their health and living conditions, and as the acquisition, construc-
5 tion, operation, and maintenance by the commission of the projects
6 herein defined will constitute the performance of essential govern-
7 mental functions, the commission shall not be required to pay any
8 taxes or assessments upon such projects or upon any property acquired
9 or used by the commission under the provisions of this Act or upon the
10 income from such projects, and the bonds issued under the provisions
11 of this Act, their transfer and the income therefrom including any
12 profit made on the sale thereof shall at all times be free from taxation
13 by or within the state of Iowa.

1 SEC. 37. Any person who uses any toll bridge and fails or refuses
2 to pay the toll provided therefor shall be punished by a fine of not
3 more than one hundred (100) dollars or by imprisonment for not more
4 than thirty (30) days, or both.

1 SEC. 38. This Act shall be construed as providing an alternative
2 and independent method for the acquisition, purchase, or construction
3 of interstate bridges, for the issuance and sale or exchange of bonds
4 in connection therewith and for refunding bonds pertinent thereto,
5 and for the imposition, collection, and application of the proceeds of
6 tolls and charges for the use of interstate bridges, without reference
7 to any other statute, and shall not be construed as an amendment of
8 or subject to the provisions of any other law, and no publication of
9 any notice, and no other or further proceeding in respect to the issu-
10 ance or sale or exchange of bonds under this Act shall be required
11 except such as are prescribed by this Act, any provisions of other stat-
12 utes of the state to the contrary notwithstanding.

1 SEC. 39. This Act, being necessary for the public safety and wel-
2 fare, shall be liberally construed to effectuate the purposes thereof.

3 If any provision of this Act or the application thereof to any person
 4 or circumstances is held to be invalid, such invalidity shall not affect
 5 other provisions or applications of the Act which can be given effect
 6 without the invalid provisions or application, and to this end the pro-
 7 visions of this Act are declared to be severable.

Approved June 22, 1967.

CHAPTER 256

INTERSTATE BRIDGES

S. F. 878

AN ACT relating to interstate bridges and the financing thereof and to amend senate file one hundred thirty-one (131), Acts of the Sixty-second (62nd) General Assembly.

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

1 SECTION 1. Senate file one hundred thirty-one (131),* Acts of the
 2 Sixty-second (62nd) General Assembly, is hereby amended by strik-
 3 ing the last sentence of section thirty-one (31) and inserting in lieu
 4 thereof the following:

5 "The tolls and charges shall be at all times fixed at rates sufficient
 6 to pay the bonds and interest as they mature, together with the cre-
 7 ation and maintenance of bond reserve funds and other funds as estab-
 8 lished in the proceedings authorizing the issuance of the bonds."

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 Muscatine Journal, a newspaper published at Muscatine, Iowa
 4 and in The Telegraph-Herald, a newspaper published at Dubuque,
 5 Iowa.

Approved July 27, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 878, was published in The Muscatine Journal, Muscatine, Iowa, August 3, 1967, and in The Telegraph-Herald, Dubuque, Iowa, August 3, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

*Chapter 255.

CHAPTER 257

WEIGHING VEHICLES ON HIGHWAY

S. F. 861

AN ACT relating to the state highway commission.

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

1 SECTION 1. Section three hundred twenty-one point four hundred
 2 eighty (321.480), Code 1966, is hereby amended by striking from lines

3 eight (8) and nine (9) the words "not more than three hundred fifty
4 thousand dollars in any year." and inserting in lieu thereof the words
5 "only the amount appropriated for each biennium."

1 SEC. 2. Section three hundred fourteen point three (314.3), Code
2 1966, is hereby amended by striking from lines five (5) and six (6)
3 the words "sworn to by the claimants, certified to" and inserting in
4 lieu thereof the words "certified to by the claimants and".

1 SEC. 3. Section three hundred seven point five (307.5), subsection
2 three (3), Code 1966, is hereby amended by striking from line twelve
3 (12) the words "seven cents a mile" and inserting in lieu thereof the
4 words "automobile expenses in accordance with section seventy-nine
5 point nine (79.9) of the Code,".

1 SEC. 4. Section three hundred seven point seven (307.7), Code
2 1966, is hereby amended by striking all of such section after the word
3 "fund." in line twenty-two (22).

Approved July 27, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

CHAPTER 258

HIGHWAY SURVEYS ON PRIVATE PROPERTY

S. F. 161

AN ACT to amend chapter three hundred fourteen (314), Code 1966, relating to entry upon private property for surveys.

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

1 SECTION 1. Section three hundred fourteen point nine (314.9),
2 Code 1966, is hereby repealed and the following enacted in lieu there-
3 of:

4 "The board or commission in control of any highway or highway
5 system or the engineer, or any other authorized person employed by
6 said board or commission, may after thirty days written notice by
7 restricted certified mail addressed to the owner and also to the occu-
8 pant, enter upon private land for the purpose of making surveys,
9 soundings, drillings, appraisals and examinations as it deems appro-
10 priate or necessary to determine the advisability or practicability of
11 locating and constructing a highway thereon or for the purpose of
12 determining whether gravel or other material exists on said land of
13 suitable quality and in sufficient quantity to warrant the purchase or
14 condemnation of said land or part thereof. Such entry, after notice,
15 shall not be deemed a trespass, and the board or commission may be
16 aided by injunction to insure peaceful entry. The board or commission
17 shall pay actual damages caused by such entry, surveys, soundings,
18 drillings, appraisals or examinations.

19 "Any damage caused by such entry, surveys, soundings, drillings,
20 appraisals or examinations shall be determined by agreement or in the
21 manner provided for the award of damages in condemnation of land

22 for highway purposes. No such soundings or drillings shall be done
 23 within twenty rods of the dwelling house or buildings on said land
 24 without written consent of owner."

Approved July 20, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 259

HIGHWAY CONSTRUCTION TOP SOIL

H. F. 297

AN ACT relating to the removal of fill dirt and soil from land for highway construction purposes.

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

1 SECTION 1. Chapter three hundred fourteen (314), Code 1966, is
 2 hereby amended by adding thereto the following new section:
 3 "In the award of contracts for the construction, reconstruction, im-
 4 provement, repair or maintenance of any highway, the board or com-
 5 mission having charge of awarding such contracts shall require that
 6 when fill dirt, soil or other materials are to be removed from borrow
 7 pits for use in the project, the contractor shall first remove and pre-
 8 serve the top soil, if, in the opinion of said board or commission, said
 9 top soil is arable, and when the fill dirt, soil or other materials have
 10 been removed, the contract shall require that the borrow pit be leveled
 11 and the top soil replaced and spread over the area to a depth of not
 12 less than eight (8) inches. If the land upon which the top soil has
 13 been replaced is not needed for highway purposes, it may be deeded
 14 back to the original landowner or to an adjoining landowner."

Approved June 30, 1967.

CHAPTER 260

NOXIOUS WEEDS

H. F. 700

AN ACT to include teasel (*Dipsacus*) in the list of secondary noxious weeds.

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

1 SECTION 1. Section three hundred seventeen point one (317.1),
 2 subsection two (2), Code 1966, is hereby amended by inserting in line
 3 ten (10) after the word "annual" the words "teasel (*Dipsacus*)
 4 biennial".

Approved June 20, 1967.

CHAPTER 261

RED REFLECTORS PROHIBITED

H. F. 365

AN ACT prohibiting the placing of red reflectors on the right of way of a public highway.

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

- 1 SECTION 1. Section three hundred nineteen point twelve (319.12),
 2 Code 1966, is hereby amended by adding thereto the following:
 3 "Except for official traffic control devices as defined by section three
 4 hundred twenty-one point one (321.1), subsection sixty-two (62), of
 5 the Code, no person shall place, erect, or attach any red reflector, or
 6 any object or other device which shall cause a red reflectorized effect,
 7 within the boundary lines of the public highways so as to be visible to
 8 passing motorists."

Approved June 9, 1967.

CHAPTER 262

BILLBOARDS ON HIGHWAYS

S. F. 319

AN ACT relating to obstructions within the boundary lines of a public highway.

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

- 1 SECTION 1. Section three hundred nineteen point twelve (319.12),
 2 Code 1966, is hereby repealed and the following enacted in lieu there-
 3 of:
 4 "No billboard, advertising sign or device, fence other than right of
 5 way boundary fence, or other obstruction except signs or devices au-
 6 thorized by law or approved by the highway authorities shall be placed
 7 or erected upon the right of way of any public highway, nor shall any
 8 vehicle be abandoned upon the right of way of any public highway."
- 1 SEC. 2. Section three hundred nineteen point thirteen (319.13),
 2 Code 1966, is hereby amended by striking lines one (1) through five
 3 (5) and inserting in lieu thereof the following:
 4 "All billboards, advertising signs or devices, fences other than right
 5 of way boundary fences, or any temporary obstruction, including
 6 abandoned vehicles except signs or devices authorized by law or ap-
 7 proved by the highway authorities, now placed or erected upon the
 8 right of way of any public highway shall without liability in damages
 9 be removable and the costs thereof assessed against:
 10 1. The owner of any billboard, advertising sign or device so re-
 11 moved.
 12 2. The vehicle owner in the case of abandoned vehicles.
 13 3. The abutting property in the case of fences other than right of
 14 way line fences and other temporary obstructions placed by the owner
 15 of or tenant on said property.

16 4. The owner or person responsible for placement of all other ob-
17 structions."

Approved July 5, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 263

GOVERNMENTAL VEHICLES IN TRANSIT

H. F. 694

AN ACT relating to exemption from payment of license fees for "in transit" movement of vehicles.

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

1 SECTION 1. Section three hundred twenty-one point nineteen
2 (321.19), Code 1966, is hereby amended by adding thereto the follow-
3 ing:
4 "For purposes of sale of vehicles exempted as herein indicated, the
5 exempted governmental body, upon the sale of the exempted vehicle,
6 may issue for in-transit purposes a pasteboard card bearing the words
7 'Vehicle in Transit', the name of the official body from which the ve-
8 hicle was purchased, together with the date of the purchase plainly
9 marked in minimal of one-inch letters, and other information which
10 may be required by the department of public safety. The in-transit
11 card shall be valid for use only within forty-eight (48) hours after
12 the purchase date as indicated on the bill of sale which shall be car-
13 ried by the driver."

Approved June 9, 1967.

CHAPTER 264

VEHICLE CERTIFICATES OF TITLE

S. F. 790

AN ACT relating to notarization of applications for certificates of title to vehicles and title transfers.

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

1 SECTION 1. Section three hundred twenty-one point twenty
2 (321.20), Code 1966, is hereby amended by striking all of line eleven
3 (11) in the first paragraph thereof following the word "ink", and by
4 striking lines twelve (12) and thirteen (13) of the said first para-
5 graph of said section.

1 SEC. 2. Section three hundred twenty-one point forty-two
2 (321.42), Code 1966, is hereby amended by striking from line sixteen
3 (16) thereof the words "and sworn to".

1 SEC. 3. Subsection three (3) of Section three hundred twenty-one
 2 point forty-five (321.45), Code 1966, is hereby amended by striking
 3 from line six (6) thereof all following the word "thereon" and by
 4 striking line seven (7) thereof and by striking from line eight (8)
 5 thereof the word "owner".

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 265

"BEAUTIFUL LAND" ON AUTO PLATES

S. F. 18

AN ACT relating to registration plates.*

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

1 SECTION 1. Section three hundred twenty-one point thirty-five
 2 (321.35), Code 1966, is hereby amended by inserting in line seven
 3 (7) after the word "thereof." the following:
 4 "Every registration plate shall have displayed upon it the words
 5 'BEAUTIFUL LAND'."

Approved February 21, 1967.

*Repealed by ch. 266.

CHAPTER 266

REGISTRATION PLATES

S. F. 809

AN ACT relating to registration plates.

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

1 SECTION 1. Section one (1), Senate File eighteen (18),* Acts of
 2 the Sixty-second (62nd) General Assembly, is hereby repealed.

Approved June 28, 1967.

*Ch. 265.

CHAPTER 267

MOBILE HOMES

H. F. 501

AN ACT relating to the sale and transfer of mobile homes.

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

- 1 SECTION 1. Section three hundred twenty-one point forty-five
 2 (321.45), Code 1966, is hereby amended by adding thereto the follow-
 3 ing new subsection:
 4 "Within five (5) days of the sale of a mobile home, the dealer mak-
 5 ing the sale shall certify to the county treasurer of the county where
 6 the unit is to be located, the name and address of the purchaser, and
 7 the make, taxable size, and identification number of the unit."

Approved June 9, 1967.

CHAPTER 268

REVOCATION OF VEHICLE REGISTRATION

H. F. 467

AN ACT to provide the method for notice of revocation or suspension of registration of 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 one (321.101), Code 1966, is hereby amended by adding thereto the
 3 following new subsection:
 4 "Notice of suspension or revocation of the registration of a vehicle,
 5 registration card, registration plate, or any nonresident or other
 6 permit under the terms of this section shall be by personal delivery of
 7 said notice to the person to be so notified or by certified mail addressed
 8 to such person at his address as shown on the registration record. No
 9 return acknowledgment shall be necessary to prove such latter serv-
 10 ice."

Approved June 9, 1967.

CHAPTER 269

MOTOR VEHICLE REGISTRATION FEES

H. F. 470

AN ACT relating to the prorating of motor vehicle registration fees.

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

- 1 SECTION 1. Section three hundred twenty-one point one hundred
 2 six (321.106), Code 1966, is hereby amended as follows:

- 3 1. By striking from lines ten (10) and eleven (11) the words "frac-
4 tional quarter".
- 5 2. By inserting in line eleven (11) after the word "thereto," the
6 words "except that any such fee so computed shall not be less than five
7 (5) dollars,".

Approved June 7, 1967.

CHAPTER 270

VEHICLE TRANSIT PLATES

H. F. 695

AN ACT relating to vehicle transit plates.

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

- 1 SECTION 1. Section three hundred twenty-one point one hundred
2 nine (321.109), Code 1966, is hereby amended as follows:
- 3 1. By striking the word "motor" in line fourteen (14).
4 2. By striking the word "motor" in line twenty (20).
5 3. By adding after the word "state," in line twenty-two (22) the
6 words "or for any vehicle held by an individual and currently regis-
7 tered in this state,".
8 4. By striking therefrom lines forty-three (43) and forty-four (44).

Approved June 9, 1967.

CHAPTER 271

DRIVER EDUCATION

S. F. 106

AN ACT relating to the offering of courses in driver education.

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

- 1 SECTION 1. Section three hundred twenty-one point one hundred
2 seventy-seven (321.177), Code 1966, is hereby amended by inserting
3 in line twenty-two (22) of subsection seven (7) after the word "edu-
4 cation." the following:
5 "An approved course offered during the summer months, on Satur-
6 days, after regular school hours during the regular terms or partly in
7 one term or summer vacation period and partly in the succeeding term
8 or summer vacation period, as the case may be, shall satisfy the re-
9 quirements of this section to the same extent as an approved course
10 offered during the regular school hours of the school term."
- 1 SEC. 2. This Act, being deemed of immediate importance, shall
2 take effect and be in full force from and after its publication in the
3 Estherville Daily News, a newspaper published in Estherville, Iowa,

4 and in The Brooklyn Chronicle, a newspaper published in Brooklyn,
5 Iowa.

Approved April 24, 1967.

I hereby certify that the foregoing Act, Senate File 106, was published in the Estherville Daily News, Estherville, Iowa, April 27, 1967, and in The Brooklyn Chronicle, Brooklyn, Iowa, May 4, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 272

DRIVER INSTRUCTION PERMITS

H. F. 377

AN ACT relating to driver instruction permits.

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

1 SECTION 1. Section three hundred twenty-one point one hundred
2 eighty (321.180), Code 1966, is hereby amended by striking all of such
3 section after the word "driver." in line twenty-seven (27) and insert-
4 ing in lieu thereof the following:

5 "A permit issued under this section shall entitle the permit holder
6 when he has such a permit in his immediate possession and is enrolled
7 in an approved driver education course, to operate a motor vehicle
8 when accompanied by an approved driver education instructor."

Approved June 7, 1967.

CHAPTER 273

MOTOR VEHICLE EQUIPMENT VIOLATIONS

H. F. 161

AN ACT prohibiting consideration of certain motor vehicle equipment violations by the department of public safety for certain purposes.

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

1 SECTION 1. Section three hundred twenty-one point one hundred
2 eighty-one (321.181), Code 1966, is hereby amended by adding thereto
3 the following:

4 "As used in this section, 'moving traffic violation' shall not include
5 any violation of any section of the Code or any municipal ordinance
6 pertaining to the standards to be maintained for motor vehicle equip-
7 ment, except sections three hundred twenty-one point four hundred
8 thirty (321.430) or three hundred twenty-one point four hundred
9 thirty-one (321.431) of the Code or any municipal ordinance pertain-
10 ing to motor vehicle brake requirements."

1 SEC. 2. Section three hundred twenty-one point one hundred
2 ninety-six (321.196), Code 1966, is hereby amended by adding thereto
3 the following:

4 "As used in this section, 'moving traffic violations' shall not include
5 violations of any section of the Code or any municipal ordinance per-
6 taining to the standards to be maintained for motor vehicle equipment,
7 except sections three hundred twenty-one point four hundred thirty
8 (321.430) or three hundred twenty-one point four hundred thirty-one
9 (321.431) of the Code or any municipal ordinance pertaining to motor
10 vehicle brake requirements."

1 SEC. 3. Section three hundred twenty-one point two hundred ten
2 (321.210), Code 1966, is hereby amended as follows:

3 1. By inserting in line seventy (70) after the word "Code" the
4 words "or any municipal ordinance".

5 2. By inserting in line seventy-one (71) after the word "equip-
6 ment," the following:

7 "except sections three hundred twenty-one point four hundred thir-
8 ty (321.430) or three hundred twenty-one point four hundred thirty-
9 one (321.431) of the Code or any municipal ordinance pertaining to
10 motor vehicle brake requirements,".

11 3. By inserting in line seventy-four (74) after the word "license"
12 the following:

13 ". A violation of sections three hundred twenty-one point four hun-
14 dred thirty (321.430) or three hundred twenty-one point four hundred
15 thirty-one (321.431) of the Code or any municipal ordinance pertain-
16 ing to motor vehicle brake requirements shall not be taken into con-
17 sideration in determining suspension or the length of suspension of
18 an operator's or chauffeur's license".

19 4. By inserting in line seventy-five (75) after the word "Code" the
20 words "or municipal ordinance".

Approved April 27, 1967.

CHAPTER 274

STOP SIGNS IN SCHOOL ZONES

S. F. 528

AN ACT to provide uniform stop signs for use in school zones.

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

1 SECTION 1. Section three hundred twenty-one point two hundred
2 forty-nine (321.249), Code 1966, is hereby amended by adding thereto
3 the following:

4 "All traffic control devices provided for school zones shall conform
5 to specifications included in the manual of traffic control devices
6 adopted by the state highway commission."

1 SEC. 2. Section three hundred twenty-one point two hundred fifty-
2 two (321.252), Code 1966, is hereby amended by adding thereto the
3 following:

4 "The state highway commission shall include in its manual of traffic
5 control devices specifications for a uniform system of traffic control
6 devices in legally established school zones."

Approved May 11, 1967.

CHAPTER 275

TRAFFIC-CONTROL OR RAILROAD SIGNS

H. F. 287

AN ACT relating to interference with official traffic-control devices, signs, signals, or barricades or with railroad signs or signals.

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 (321.260), Code 1966, is hereby repealed and the following is
3 enacted in lieu thereof:
4 "Any person who willfully and intentionally, without lawful author-
5 ity, attempts to or in fact alters, defaces, injures, knocks down, or
6 removes any official traffic-control device, any authorized warning sign
7 or signal or barricade, whether temporary or permanent, any railroad
8 sign or signal, any inscription, shield or insignia on any of such de-
9 vices, signs, signals, or barricades, or any other part thereof, shall,
10 upon conviction, be punished by imprisonment in the county jail for
11 not more than six (6) months, or fined not more than five hundred
12 (500) dollars, or by both such fine and imprisonment."

Approved May 11, 1967.

CHAPTER 276

ACCIDENT REPORTS AVAILABLE

S. F. 73

AN ACT relating to the availability of the report of the investigating law enforcement officer, or the driver of a vehicle involved in an accident.

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

1 SECTION 1. Section three hundred twenty-one point two hundred
2 seventy-one (321.271), Code 1966, is hereby repealed and the follow-
3 ing enacted in lieu thereof:
4 "All accident reports filed by a driver of a vehicle involved in an
5 accident as required under section three hundred twenty-one point two
6 hundred sixty-six (321.266) of the Code shall be in writing. The
7 report shall be without prejudice to the individual so reporting and
8 shall be for the confidential use of the department, except that upon
9 the request of any person involved in the accident, his insurance com-
10 pany or its agent, or the attorney for such person, the department
11 shall disclose the identity and address of the person involved in the
12 accident. The written report filed with the department shall not be
13 admissible in or used in evidence in any civil or criminal case arising
14 out of the facts on which the report is based.
15 "All written reports filed by a law enforcement officer as required
16 under section three hundred twenty-one point two hundred sixty-six
17 (321.266) of the Code shall be made available to any party to an acci-
18 dent, his insurance company or its agent, or his attorney on written

19 request to the department of public safety and the payment of a fee
20 of one (1) dollar for each copy."

Approved June 19, 1967.

CHAPTER 277

TRUCK SPEED LIMITS

S. F. 767

AN ACT relating to truck speed limits on Iowa roads and highways.

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

1 SECTION 1. Section three hundred twenty-one point two hundred
2 eighty-six (321.286), Code 1966, is hereby amended by striking all of
3 such section after the word "following:" in line five (5) and inserting
4 in lieu thereof the following:

5 "1. Sixty-five (65) miles per hour on all interstate highway systems.

6 "2. Fifty-five (55) miles per hour on all primary roads.

7 "3. Fifty (50) miles per hour on all secondary roads.

8 "For the purposes of this Act, interstate highways are those desig-
9 nated by the federal bureau of public roads and this state, and primary
10 and secondary roads shall be those designated by the federal bureau of
11 public roads and this state".

1 SEC. 2. Section three hundred twenty-one point two hundred
2 eighty-five (321.285), Code 1966, is hereby amended by adding after
3 the word "traffic" in line two (2) of subsection eight (8), the follow-
4 ing:

5 " , except vehicles subject to the provisions of section three hundred
6 twenty-one point two hundred eighty-six (321.286) of the Code."

Approved June 26, 1967.

CHAPTER 278

MUNICIPAL SPEED LIMITS

S. F. 218

AN ACT relating to municipal speed limit changes.

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 1966, is hereby amended by striking all of lines
3 fifteen (15) and sixteen (16), and the word "population" from line
4 seventeen (17) and inserting in lieu thereof the words "Whenever the
5 council in any city or town" and by further striking all of said section
6 after the partial word "tensions," in line twenty-four (24), and in-
7 serting the following in lieu thereof:

8 "said council shall determine and adopt by ordinance such higher or
 9 lower speed limit as it deems reasonable and safe thereat. Such speed
 10 limit shall be effective when proper and appropriate signs giving
 11 notice thereof are erected at such intersections or other place or part
 12 of the street."

Approved June 26, 1967.

CHAPTER 279

PARKING BAN FOR SNOW REMOVAL

S. F. 323

AN ACT relating to the imposition of general parking restrictions within municipalities.

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

1 SECTION 1. Section three hundred twenty-one point three hundred
 2 fifty-eight (321.358), Code 1966, is amended by inserting, following
 3 subsection thirteen (13), the following new subsection:
 4 "Upon any street within the corporate limits of a city or town when
 5 the same is prohibited by a general ordinance of uniform application
 6 relating to removal of snow or ice from the streets."

Approved June 12, 1967.

CHAPTER 280

FLASHING LIGHTS ON SCHOOL BUSES

S. F. 269

AN ACT relating to the use of signal lights and operation of school buses on the public highways.

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-three (321.373), Code 1966, is hereby amended by striking
 3 from subsection fifteen (15) all of lines one (1) to twenty-two (22),
 4 inclusive, and by striking from line twenty-three (23) the word
 5 "column." and inserting in lieu thereof the following:
 6 "All school buses shall be equipped with flashing stop warning
 7 lamps with a visible lens area of not less than twenty-eight (28)
 8 square inches each and of sufficient intensity to be visible at least five
 9 hundred (500) feet in bright sunlight. The lamps in front shall con-
 10 sist of two (2) double-lamp assemblies. Two (2) of these lamps shall
 11 display an amber light and the remaining two (2) shall display a red
 12 light. The red lamps shall be mounted on the outer side of the amber
 13 lamps. The lamps shall be mounted above the top line of the wind-
 14 shield, and as far apart as practicable but not beyond the outside lines
 15 of the bus body at that point.

16 The lamps at the rear shall display a red light and shall be mounted
 17 so that the lower edge of the lens is not lower than the top line of the
 18 side window openings. They shall be mounted as far apart as prac-
 19 ticable but not beyond the outside lines of the bus body at that point.

20 The flashing stop warning lamps shall be actuated manually with a
 21 switch mounted on the steering column. The switch shall have three
 22 positions.

23 1. First position—rear lamps flashing with front amber lamps flash-
 24 ing.

25 2. Second position—red lamps only, front and rear, flashing.

26 3. Third position—all lamps off.”

1 SEC. 2. Section three hundred twenty-one point three hundred
 2 seventy-two (321.372), Code 1966, is hereby amended as follows:

3 1. By striking all of the first paragraph of subsection one (1) after
 4 the word “on” in line four (4) and by inserting in lieu thereof:

5 “amber flashing warning lamps, and the rear red flashing warning
 6 lamps at a distance of not less than three hundred (300) feet nor more
 7 than five hundred (500) feet from the point where said pupils are to
 8 be received or discharged from the bus. At the point of receiving or
 9 discharging pupils the driver of the bus shall bring bus to a stop,
 10 turn off the amber flashing warning lamps, turn on the front red flash-
 11 ing warning lamps, and extend the stop arm. After receiving or dis-
 12 charging pupils, the bus driver shall turn off all flashing warning
 13 lamps, retract the stop arm and proceed on the route. No school bus
 14 shall stop to load or unload pupils unless there is at least three hun-
 15 dred (300) feet of clear vision in each direction.”

16 2. By striking in subsection three (3) in lines two (2) and three
 17 (3) the words, “stop warning signal lights” and inserting in lieu
 18 thereof the following: “amber warning lamps”.

1 SEC. 3. Section three hundred twenty-one point four hundred
 2 twenty-two (321.422), Code 1966, is hereby amended by inserting in
 3 line six (6) after the word “vehicles” the words “, or school buses”.

1 SEC. 4. Section three hundred twenty-one point three hundred
 2 ninety-three (321.393), Code 1966, is hereby amended by inserting in
 3 line three (3) after the word “trailer,” the words “except school
 4 buses,”.

1 SEC. 5. Section three hundred twenty-one point three hundred
 2 seventy-two (321.372), subsection four (4), Code 1966, is hereby
 3 amended by inserting after the period in line five (5) the following
 4 new sentence:

5 “However, if the bus is stopped on a four (4) lane highway, the
 6 driver shall leave the amber flashing warning lamps on and shall not
 7 turn on the front red flashing warning lamps.”

1 SEC. 6. This Act shall be effective on July 1, 1968.

1 SEC. 7. Section three hundred twenty-one point one (321.1), Code
 2 1966, is hereby amended by striking all of subsection twenty-seven
 3 (27) and inserting in lieu thereof the following:

4 “School bus” means every vehicle operated for the transportation of
 5 children to or from school, except vehicles which are: (a) Privately

6 owned and not operated for compensation, (b) Used exclusively in the
7 transportation of the children in the immediate family of the driver,
8 (c) Operated by a municipally or privately owned urban transit com-
9 pany for the transportation of children as part of or in addition to
10 their regularly scheduled service, or (d) Designed to carry not more
11 than nine (9) persons as passengers, either school owned or privately
12 owned, which are used to transport pupils to activity events in which
13 the pupils are participants or used to transport pupils to their homes
14 in case of illness or other emergency situations. The vehicles operated
15 under the provisions of paragraph "d" of this section shall be operated
16 by employees of the school district who are specifically approved by
17 the local superintendent of schools for the assignment.

Approved July 24, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 281

EMBLEMS ON SLOW-MOVING VEHICLES

S. F. 306

AN ACT to provide for the use of safety emblems on slow moving vehicles.*

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

1 SECTION 1. Chapter three hundred twenty-one (321), Code 1966,
2 is amended by adding the following thereto:
3 "When operated on a highway, every farm tractor, implement of
4 husbandry, road construction or maintenance vehicle, road grader,
5 and any other vehicle principally designed for use off the highway
6 which, when operated on the highway, is operated on the highway at
7 a speed of twenty-five (25) miles an hour or less, and horse-drawn
8 vehicles including buggies, may be identified with a reflective device
9 of a type and in a position of mounting on the vehicle as approved by
10 the commissioner. The commissioner in his approval shall be guided
11 as far as practicable by the standards of the American society of
12 agricultural engineers. No vehicle other than those specified in this
13 section shall display a reflective device approved for the use herein
14 described."

1 SEC. 2. Any person who shall violate the provisions of this Act
2 shall be fined not more than five dollars.

Approved April 21, 1967.

*Amended by chapter 282.

CHAPTER 282

SLOW-MOVING VEHICLES

S. F. 799

AN ACT to amend senate file 306, Acts of the Sixty-second (62nd) General Assembly, relating to the use of safety emblems on slow moving vehicles.

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

1 SECTION 1. Section one (1), senate file three hundred six (306),*
2 Acts of the Sixty-second (62nd) General Assembly, is hereby amended
3 by striking all of such section after the word "engineers." in line
4 twelve (12).

1 SEC. 2. Section two (2), senate file three hundred six (306), Acts
2 of the Sixty-second (62nd) General Assembly, is hereby amended by
3 inserting in line one (1) before the word "Any" the following:
4 "No vehicle other than those specified in section one (1) of this Act
5 shall display a reflective device approved for the use described in this
6 Act."

Approved June 19, 1967.

*Chapter 281.

CHAPTER 283

FLASHING LIGHTS ON CERTAIN VEHICLES

S. F. 36

AN ACT relating to the use of flashing lights on slow-moving 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 twenty-three (321.423), Code 1966, is hereby amended by adding
3 thereto the following new subsection:
4 "Any farm tractor, implement of husbandry, road construction or
5 maintenance vehicle, road grader, and any other vehicle principally
6 designed for use off the highway which, when operated on the high-
7 way, is operated on the highway at a speed of twenty-five (25) miles
8 an hour or less, may be equipped with and display not more than two
9 flashing lights. The type, color, dimensions, and method of mounting
10 of the lights shall be approved by the commissioner."

1 SEC. 2. Section three hundred twenty-one point four hundred
2 twenty-two (321.422), Code 1966, is hereby amended by striking the
3 period at the end of line six (6) and adding thereto the following:
4 "and vehicles as provided in section [one]* 1 of this Act."

1 SEC. 3. This Act, being deemed of immediate importance, shall be
2 in full force and effect from and after its passage and publication in

*Word supplied by editor, see §3.1(3) of the Code.

3 The Toledo Chronicle, a newspaper published at Toledo, Iowa, and in
4 the Cedar Valley Daily Times, a newspaper published at Vinton, Iowa.

Approved July 20, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 36, was published in The Toledo Chronicle, Toledo, Iowa, August 3, 1967, and in the Cedar Valley Daily Times, Vinton, Iowa, July 26, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 284

STUDED TIRES

S. F. 17

AN ACT relating to studded tires.

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

1 SECTION 1. Section three hundred twenty-one point four hundred
2 forty-two (321.442), Code 1966, is hereby amended by striking lines
3 seven (7) through fourteen (14) and inserting in lieu thereof the
4 following:

5 "tire except that it shall be permissible to use:

6 1. Farm machinery with tires having protuberances which will not
7 injure the highway.

8 2. Tire chains of reasonable proportions upon any vehicle when re-
9 quired for safety because of snow, ice, or other conditions tending to
10 cause a vehicle to skid.

11 3. Pneumatic tires with inserted ice grips or tire studs projecting
12 not more than one-sixteenth ($\frac{1}{16}$) inch beyond the tread of the trac-
13 tion surface of the tire upon any vehicle from November 1 to April 1
14 of each year."

1 SEC. 2. This Act, being deemed of immediate importance, shall be
2 in full force and effect from and after its passage and publication in
3 The Jefferson Bee, a newspaper published in Jefferson, Iowa, and The
4 Boone News-Republican, a newspaper published in Boone, Iowa.

Approved March 10, 1967.

I hereby certify that the foregoing Act, Senate File 17, was published in The Jefferson Bee, published in Jefferson, Iowa, on March 20, 1967, and in The Boone News-Republican, published in Boone, Iowa, on March 20, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 285

MOVEMENT OF OVERSIZED VEHICLES

S. F. 681

AN ACT relating to the issuance of permits for the movement of vehicles and loads of excess size and weight.

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

1 SECTION 1. Sections three hundred twenty-one point four hundred
2 sixty-seven (321.467) through three hundred twenty-one point four
3 hundred seventy (321.470), Code 1966, are hereby repealed and the
4 following enacted in lieu thereof.

1 SEC. 2. The state highway commission and local authorities may
2 in their discretion and upon application and with good cause being
3 shown therefor issue permits for the movement of vehicles with indi-
4 visible loads carried thereon which exceed the maximum dimensions
5 and weights specified in sections three hundred twenty-one point four
6 hundred fifty-two (321.452) through three hundred twenty-one point
7 four hundred sixty-six (321.466) of the Code, but not to exceed the
8 limitations imposed in sections two (2) through sixteen (16) of this
9 Act. Permits so issued may be single trip permits or annual permits.
10 All permits shall be in writing and shall be carried in the cab of the
11 vehicle for which the permit has been issued and shall be available for
12 inspection at all times. The vehicle and load for which the permit has
13 been issued shall be open to inspection by any peace officer or to any
14 authorized agent of any permit granting authority. When in the judg-
15 ment of the issuing local authority in cities, towns, and counties the
16 movement of a vehicle with an indivisible load which exceeds the maxi-
17 mum dimensions and weights will be unduly hazardous to public safety
18 or will cause undue damage to streets, avenues, boulevards, thorough-
19 fares, highways, curbs, sidewalks, trees, or other public or private
20 property, the permit shall be denied and the reasons therefor endorsed
21 upon the application.

1 SEC. 3. Annual permits and single trip permits shall be issued by
2 the authority responsible for the maintenance of such system of high-
3 ways or streets except that the commission shall have authority to
4 issue single trip permits on primary road extensions in cities and
5 towns in conjunction with movements on the rural primary road sys-
6 tem.

1 SEC. 4. All movements of mobile homes and other vehicles the
2 width of which, including any load, exceeds the roadway lane width
3 of the highway or street being traversed, shall be under escort. Per-
4 mits for the movement of indivisible loads exceeding twelve (12) feet
5 five (5) inches in width or mobile homes of widths including appurte-
6 nances exceeding twelve (12) feet five (5) inches shall be restricted
7 to maximum trip distances in accordance with the following schedule:

8 SCHEDULE OF OVER-WIDTH MOVEMENT DISTANCES FOR PAVEMENT WIDTHS
9 OF 24 FEET OR MORE WITH TRAFFIC OF 4,000 OR MORE VEHICLES PER DAY

10	Load	Distance	Load	Distance
11	Width (ft.)	(Miles)	Width (ft.)	(Miles)
12	13	50	27	3 $\frac{3}{4}$
13	14	50	28	3 $\frac{1}{2}$
14	15	41	29	3 $\frac{1}{4}$
15	16	32	30	3
16	17	23	31	2 $\frac{3}{4}$
17	18	15	32	2 $\frac{1}{2}$
18	19	10	33	2 $\frac{1}{4}$
19	20	8	34	2
20	21	7	35	1 $\frac{3}{4}$
21	22	6 $\frac{1}{4}$	36	1 $\frac{1}{2}$
22	23	5 $\frac{1}{2}$	37	1 $\frac{1}{4}$
23	24	5	38	1
24	25	4 $\frac{1}{2}$	39	$\frac{3}{4}$
25	26	4	40	$\frac{1}{2}$
26			Over 40	Not allowed

1 SEC. 5. The following adjustments to the schedule under section
2 four (4) of this Act shall be made for paved surface widths and traffic
3 volumes to arrive at the effective load width used in determining the
4 distance which shall be allowed:

5 1. For each foot of surface width less than twenty-four (24) feet,
6 two (2) feet shall be added to the actual load width to determine the
7 effective load width.

8 2. For traffic volumes under four thousand (4,000) vehicles per day
9 the effective load width shall be determined by subtracting from the
10 actual load width at the rate of two (2) feet for each one thousand
11 (1,000) vehicles per day less than four thousand (4,000) vehicles per
12 day.

1 SEC. 6. The following adjustments to the schedule under section
2 four (4) of this Act shall be made for gravel surface widths and traffic
3 volumes to arrive at the effective load width used in determining the
4 distance which shall be allowed:

5 1. For each foot of roadway width more than twenty-four (24)
6 feet, two (2) feet shall be subtracted from the actual load width to
7 determine the effective load width.

8 2. For traffic volumes under four thousand (4,000) vehicles per day
9 the effective load width shall be determined by subtracting from the
10 actual load width at the rate of two (2) feet for each one thousand
11 (1,000) vehicles per day less than four thousand (4,000) vehicles per
12 day.

1 SEC. 7. A movement of an indivisible load over a highway or high-
2 ways having sections carrying varying volumes of traffic and having
3 varying surface widths shall be computed for the total distance on the
4 lowest volume of traffic or the greatest highway width whichever pro-
5 duces the greatest distance by the preceding schedule. No part of the
6 movement based on traffic volume and surface width shall exceed the
7 distance established by the specific traffic volume and surface width
8 for that section.

1 SEC. 8. The gross weight on any axle of any vehicle or combina-
 2 tion of vehicles traveling under a permit issued in accordance with the
 3 provisions of this Act shall not exceed the maximum axle load pre-
 4 scribed in section three hundred twenty-one point four hundred sixty-
 5 three (321.463) of the Code; except that, a manufacturer of machin-
 6 ery or equipment manufactured or assembled in Iowa may be granted
 7 a permit for the movement of such machinery or equipment mounted
 8 on pneumatic tires with axle loads exceeding the maximum axle load
 9 prescribed in section three hundred twenty-one point four hundred
 10 sixty-three (321.463) of the Code for distances not to exceed twenty-
 11 five (25) miles at a speed not greater than twenty (20) miles per hour.
 12 The movement of such machinery or equipment shall be over a speci-
 13 fied route between the place of assembly or manufacture and a storage
 14 area, shipping point, proving ground, experimental area, weighing
 15 station, or another manufacturing plant.

1 SEC. 9. Except as provided under section four (4) of this Act and
 2 subject to the discretion and judgment provided for in section [two]*
 3 2 of this Act, annual permits shall be issued in accordance with the
 4 following provisions:

5 1. Vehicles with indivisible loads having an overall width not to
 6 exceed twelve (12) feet five (5) inches or mobile homes including
 7 appurtenances not to exceed twelve (12) feet five (5) inches and an
 8 overall length not to exceed seventy (70) feet zero (0) inches may be
 9 moved for unlimited distances. The vehicle and load shall not exceed
 10 the height as prescribed in section three hundred twenty-one point
 11 four hundred fifty-six (321.456) of the Code and the total gross
 12 weight as prescribed in section three hundred twenty-one point four
 13 hundred sixty-three (321.463) of the Code.

14 2. Vehicles with indivisible loads having an overall width not to
 15 exceed fourteen (14) feet zero (0) inches and an overall length not to
 16 exceed eighty (80) feet zero (0) inches shall be restricted to trip dis-
 17 tances not to exceed fifty (50) highway and street miles in total ag-
 18 gregate. The vehicle and load shall not exceed the height as prescribed
 19 in section three hundred twenty-one point four hundred fifty-six
 20 (321.456) of the Code and the total gross weight as prescribed in
 21 section three hundred twenty-one point four hundred sixty-three
 22 (321.463) of the Code.

23 3. Vehicles with indivisible loads having an overall length not to
 24 exceed one hundred (100) feet zero (0) inches shall be restricted to
 25 trip distances not to exceed fifty (50) highway and street miles in
 26 total aggregate. The vehicle and load shall not exceed the width as
 27 prescribed in section three hundred twenty-one point four hundred
 28 fifty-four (321.454) of the Code, the height as prescribed in section
 29 three hundred twenty-one point four hundred fifty-six (321.456) of
 30 the Code, and the total gross weight as prescribed in section three hun-
 31 dred twenty-one point four hundred sixty-three (321.463) of the Code.

1 SEC. 10. Except as provided in section four (4) of this Act and
 2 subject to the discretion and judgment provided for in section [two]*
 3 2 of this Act, single trip permits shall be issued in accordance with
 4 the following provisions:

*Word supplied by editor, §3.1(3) of the Code.

5 1. Vehicles with indivisible loads having an overall width not to
6 exceed twelve (12) feet five (5) inches or mobile homes including
7 appurtenances not to exceed twelve (12) feet five (5) inches and an
8 overall length not to exceed eighty (80) feet zero (0) inches may be
9 moved for unlimited distances. No mobile home may be moved under
10 the provisions of this subsection if the actual mobile home unit exceeds
11 sixty-eight (68) feet in length. No unit moved under the provisions of
12 this subsection shall exceed the height as prescribed in section three
13 hundred twenty-one point four hundred fifty-six (321.456) of the
14 Code and the total gross weight as prescribed in section three hundred
15 twenty-one point four hundred sixty-three (321.463) of the Code.

16 2. Vehicles with indivisible loads having an overall width not to
17 exceed twelve (12) feet zero (0) inches, an overall length not to ex-
18 ceed eighty (80) feet zero (0) inches, and a total gross weight not to
19 exceed seventy-five thousand (75,000) pounds may be moved for un-
20 limited distances over specified routes. The height of such vehicle and
21 load shall be limited only to the height limitations of underpasses,
22 bridges, power lines, and other established height restrictions on the
23 specified route.

24 3. Vehicles with indivisible loads having an overall width not to
25 exceed twelve (12) feet zero (0) inches, an overall length not to ex-
26 ceed eighty (80) feet zero (0) inches, and a total gross weight not to
27 exceed ninety thousand (90,000) pounds may be moved for unlimited
28 distances over specified routes when accompanied by a civilian escort
29 approved by the issuing authority. The height of such vehicle and
30 load shall be limited only to the height limitations of underpasses,
31 bridges, power lines, and other established height restrictions on the
32 specified route. An official escort may be provided for such movement
33 at the option of the permit holder.

34 4. Vehicles with indivisible loads of widths exceeding twelve (12)
35 feet zero (0) inches, lengths not to exceed one hundred twenty (120)
36 feet zero (0) inches, and total gross weights including both vehicle
37 and load not to exceed ninety thousand (90,000) pounds shall be
38 moved according to the schedule established in section four (4) of
39 this Act when accompanied by an official escort approved by the issu-
40 ing authority. The height of such vehicle and load shall be limited
41 only to the height limitations of underpasses, bridges, power lines, or
42 other established height restrictions on the specified route.

43 5. Vehicles especially designed for the exclusive movement of grain
44 bins or vehicles with indivisible loads having an overall length not to
45 exceed one hundred twenty (120) feet zero (0) inches may be moved
46 for unlimited distances over specified routes when accompanied by a
47 civilian escort approved by the issuing authority. The vehicle and
48 load shall not exceed the width as prescribed in section three hundred
49 twenty-one point four hundred fifty-four (321.454), the height as
50 prescribed in section three hundred twenty-one point four hundred
51 fifty-six (321.456), and the total gross weight as prescribed in section
52 three hundred twenty-one point four hundred sixty-three (321.463)
53 of the Code. An official escort may be provided for such movement at
54 the option of the permit holder.

55 6. Vehicles with indivisible loads exceeding a total gross weight of
56 ninety thousand (90,000) pounds may be moved in special or emer-
57 gency situations provided the gross weight on any axle shall not ex-

58 ceed the maximum prescribed in section three hundred twenty-one
59 point four hundred sixty-three (321.463) of the Code. The issuing
60 authority may impose any special restrictions deemed necessary on
61 movements by permit under this subsection.

1 SEC. 11. The state highway commission or local authorities may in
2 their discretion and upon application issue annual trip permits for the
3 movement of truck trailers manufactured or assembled in this state
4 that exceed the maximum length specified in section three hundred
5 twenty-one point four hundred fifty-seven (321.457) of the Code.
6 Movement of such truck trailers shall be solely for the purpose of
7 delivery from the point of manufacture or assembly to a point outside
8 the state, shall be only on roadways of twenty-four (24) feet or more
9 in width or on four-lane highways, shall be on the most direct route
10 necessary for delivery, and shall display the special plates designated
11 in section three hundred twenty-one point fifty-seven (321.57) of the
12 Code. All truck trailers under permit for delivery shall contain no
13 freight or additional load. All truck trailers under permit for delivery
14 shall be at a speed not to exceed forty-five (45) miles an hour or the
15 established speed limit whichever is lower. No vehicle or combination
16 of two (2) or more vehicles inclusive of front and rear bumpers, in-
17 cluding towing units, involved in the delivery of truck trailers shall
18 exceed sixty-five (65) feet in length. All such vehicles or combinations
19 shall be distinctly marked on both the front and rear of the unit in
20 such manner as the commissioner of public safety shall designate to
21 indicate that the vehicles or combinations are being moved for de-
22 livery purposes only.

23 Permits issued under the provisions of this section shall be in writ-
24 ing and shall be carried in the cabs of the vehicles for which the per-
25 mits have been issued and shall be available for inspection at all times.
26 The vehicles for which the permits have been issued shall be open to
27 inspection by any peace officer or to any authorized agent of any per-
28 mit granting authority.

1 SEC. 12. Movements by permit in accordance with this Act shall
2 be permitted only during daylight hours unless it is established by the
3 issuing authority that the movement can be better accomplished at
4 another period of time because of traffic volume conditions.

5 Except as provided in section three hundred twenty-one point four
6 hundred fifty-seven (321.457) of the Code, no movement of over-
7 dimension vehicles shall be permitted on Saturday, Sunday, holidays,
8 or days preceding and following holidays, or special events when ab-
9 normally high traffic volumes can be expected.

1 SEC. 13. Any vehicle traveling under permit shall be properly reg-
2 istered for the gross weight of the vehicle and load. The gross weight
3 of any vehicle used to transport special mobile equipment registered
4 and in compliance with section three hundred twenty-one point twenty-
5 one (321.21) of the Code shall be the gross weight of the vehicle with-
6 out load.

1 SEC. 14. Prior to the issuance of any permit, the applicant for a
2 permit shall at the discretion of the issuing authority be required to
3 file proof of financial responsibility or to post a bond not to exceed ten

4 thousand (10,000) dollars with the issuing authority. Such bonds
5 shall be used as security for repair or replacement of official signs,
6 signals, and roadway foundations, surfaces, or structures which may
7 be damaged or destroyed during the movement of a vehicle and load
8 operating under such permit.

1 SEC. 15. The commission or local authorities issuing such permits
2 shall charge a fee of ten (10) dollars for an annual permit and a fee
3 of five (5) dollars for a single trip permit. Fees for the movement of
4 buildings, parts of buildings, or unusual vehicles or loads may be in-
5 creased to cover the costs of inspections by the issuing authority. A
6 fee not to exceed sixty (60) dollars per ten (10) hour day or prorated
7 fraction thereof per man and car for escort service may be charged
8 when requested or when required under this Act. Proration of escort
9 fees between state and local authorities when more than one (1) gov-
10 ernmental authority provides or is required to provide escort for a
11 movement during the period of a day shall be determined by rule under
12 section sixteen (16) of this Act. The commission and local authorities
13 may charge any permit applicant for the cost of trimming trees and
14 removal and replacement of natural obstructions or official signs and
15 signals or other public or private property required to be removed
16 during the movement of a vehicle and load.

1 SEC. 16. The commission may adopt and make available upon re-
2 quest to interested parties printed rules and regulations necessary for
3 the movement by permit of vehicles and indivisible loads under the
4 provisions of this Act. No rule or regulation shall be adopted without
5 prior notice to city, town, and county officials and without a hearing
6 on the proposed rule or regulation. All rules and regulations adopted
7 shall have due regard for the safety of the traveling public and the
8 protection of the highway surfaces and structures. Rules and regula-
9 tions for permit travel on the interstate system shall be consistent
10 with the federal requirements for the system.

1 SEC. 17. Proof of violation of any provision of any permit issued
2 under this Act shall render the entire permit null and void, and shall
3 be punishable in accordance with section three hundred twenty-one
4 point four hundred eighty-two (321.482) of the Code for violations of
5 length, height, or width limitations and sections three hundred twenty-
6 one point four hundred eighty-two (321.482) of the Code and three
7 hundred twenty-one point four hundred sixty-three (321.463) of the
8 Code for violation of weight limitations. If a vehicle with indivisible
9 load traveling under permit is found to be in violation of weight
10 limitations, the vehicle operator shall be allowed a reasonable amount
11 of time to remove any ice, mud, snow, and other weight attributable to
12 climatic conditions accumulated along the route prior to application of
13 the penalties prescribed in sections three hundred twenty-one point
14 four hundred sixty-three (321.463) and three hundred twenty-one
15 point four hundred eighty-two (321.482) of the Code.

1 SEC. 18. Proof of imposition of penalties on five (5) or more oc-
2 casions for violation of sections three hundred twenty-one point four
3 hundred fifty-four (321.454), three hundred twenty-one point four
4 hundred fifty-six (321.456), three hundred twenty-one point four hun-

5 dred fifty-seven (321.457), or three hundred twenty-one point four
6 hundred sixty-three (321.463) of the Code or any combination of
7 penalties for violation of said sections totaling five (5) or more in-
8 curred during any twelve (12) month period with respect to the opera-
9 tion of one (1) or more vehicles by any one (1) permit holder, whether
10 operated personally or through agents, servants, or employees of the
11 permit holder shall constitute prima facie evidence that the permit
12 holder has willfully operated or caused to be operated a vehicle or
13 vehicles in violation of this Act.

1 SEC. 19. In any proceeding brought under this Act, the issuing
2 authority shall consider evidence relating to the character and gravity
3 of the violations and the extent of the operations of any vehicles by or
4 on behalf of the permit holder upon the public highways of this state,
5 which did not involve any violations.

1 SEC. 20. Upon complaint by local authorities or on the commis-
2 sion's own initiative and after notice and hearing before one (1) or
3 more members of the permit issuing body, any permit issued under
4 this Act may be suspended, changed, or revoked in whole or in part by
5 the issuing authority for willful failure to comply with any provi-
6 sions of this Act or with any rule or regulation adopted under author-
7 ity of this Act or with any term, condition, or limitation of the permit.

1 SEC. 21. Whenever the issuing authority shall find from the evi-
2 dence adduced at such hearing that a permit holder has willfully oper-
3 ated or caused to be operated a vehicle or vehicles in violation of this
4 Act, the authority may enter an order suspending, modifying, or re-
5 voking the permit in whole or in part at its discretion for a period of
6 not more than ninety (90) days. If the issuing authority finds in a
7 subsequent proceeding within twelve (12) months from the date of
8 the initial suspension, modification, or revocation that a permit holder
9 has again willfully operated in violation of this Act, the issuing au-
10 thority shall order suspension, modification, or revocation of the permit
11 in whole or in part for a period not to exceed one (1) year.

1 SEC. 22. Any person using and operating a vehicle over the high-
2 ways of this state who is a nonresident of this state or at the time a
3 cause for hearing arises under this Act is a resident of the state but
4 subsequently becomes a nonresident of this state, shall be deemed to
5 have appointed the secretary of state of the state of Iowa to be the
6 person's lawful attorney. Any legal processes in any proceeding
7 brought against the person under this Act shall be served on the sec-
8 retary of state. The use and operation by the person shall be signifi-
9 cation of the person's agreement that any such process against him
10 which is so served shall be of the same legal force and validity as
11 though served upon him personally.

1 SEC. 23. Service of such process shall be made by serving a copy
2 upon or filing a copy in the office of the secretary of state. The service
3 shall be sufficient service upon the person if notice of the service and
4 a copy of the process are within ten (10) days sent by registered mail
5 by the attorney general to the permit holder at the last known address
6 of said permit holder. An affidavit of compliance therewith of the
7 attorney general or an assistant attorney general shall be appended to

8 the summons. The issuing authority may order such continuances as
9 may be necessary to afford the permit holder reasonable opportunity
10 to defend the action. The secretary of state shall keep a record of all
11 such processes which shall show the day and hour of such service.

1 SEC. 24. When a final order is entered against any permit holder
2 who did not receive notice of service and a copy of the process by reg-
3 istered mail, the permit holder shall within six (6) months after the
4 entry of the order appear before the issuing authority and file a veri-
5 fied statement showing that he did not receive such notice of service
6 and the copy of the process. The permit holder shall further show that
7 he has a good and substantial defense to the action and may appear
8 and answer the allegations made against him. Thereupon, the proceed-
9 ings may be had as if the permit holder had appeared in due time and
10 no order had been entered. If it appears at the hearing that the order
11 ought not to have been entered, the order may be set aside, altered, or
12 amended as shall appear just; otherwise it shall be ordered to stand
13 affirmed against such permit holder.

1 SEC. 25. Any vehicle which, including load, exceeds the length of
2 sixty-five (65) feet shall carry a warning device visible to a motorist
3 approaching from the rear for a distance of at least five hundred (500)
4 feet.

1 SEC. 26. Use of the national system of interstate and defense high-
2 ways under the provisions of this Act shall be restricted by regulation
3 and other appropriate action of the Iowa state highway commission in
4 such a manner as to not be in conflict with the applicable provisions of
5 Section 127, Title 23, United States Code.

Approved June 30, 1967.

CHAPTER 286

MOTOR VEHICLE DEALERS' BONDS

S. F. 789

AN ACT relating to requiring a bond of motor vehicle dealers engaged in the sale of vehicles for which a certificate of title is required.

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

1 SECTION 1. Subsection seven (7) of Section three hundred twenty-
2 two point four (322.4), Code 1966, is hereby amended by adding the
3 following:
4 "Before the issuance of a motor vehicle dealer's license to a dealer
5 engaged in the sale of vehicles for which a Certificate of Title is re-
6 quired, under the provisions of Chapter three hundred twenty-one
7 (321), the applicant for such license shall furnish a surety bond exe-
8 cuted by the applicant as principal and executed by a corporate surety
9 company, licensed and qualified to do business within this state, which
10 bond shall run to the state of Iowa, be in the amount of ten thousand
11 dollars and be conditioned upon the faithful compliance by said appli-

12 cant as a dealer, if the license be issued to it or him, that such dealer
 13 will comply with all of the statutes of this state regulating or being
 14 applicable to the business of said dealer as a dealer in motor vehicles,
 15 and indemnifying any person dealing or transacting business with
 16 said dealer in connection with any motor vehicle from any loss or
 17 damage occasioned by the failure of such dealer to comply with any
 18 of the provisions of Chapters three hundred twenty-one (321) and
 19 three hundred twenty-two (322), including, but not limited to, the
 20 furnishing of a proper and valid Certificate of Title to the motor
 21 vehicle involved in any such transaction, and that such bond shall be
 22 filed with the department prior to the issuance of license provided by
 23 law. The aggregate liability of the surety of all persons, however,
 24 shall in no event exceed the amount of said bond."

1 SEC. 2. The provisions of this Act shall apply to motor vehicle
 2 dealers licenses issued for the year 1968 and for each year thereafter.

Approved June 26, 1967.

CHAPTER 287

MOTOR VEHICLE FUEL TAX

S. F. 745

AN ACT to transfer the administration and enforcement of motor vehicle fuel tax to the department of revenue, and to provide for the transfer of certain funds from the motor vehicle fuel tax fund to the department of revenue.

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

1 SECTION 1. Section three hundred twenty-four point two (324.2),
 2 Code 1966, is hereby amended by striking from line three (3) of sub-
 3 section three (3) of such section the word "treasurer" and inserting
 4 in lieu thereof the words "department of revenue".

1 SEC. 2. Section three hundred twenty-four point three (324.3),
 2 subsection three (3), Code 1966, is hereby amended by striking from
 3 lines six (6) and seven (7) the word "treasurer" and inserting in lieu
 4 thereof the words "department of revenue".

1 SEC. 3. Section three hundred twenty-four point four (324.4),
 2 Code 1966, is hereby amended as follows:

3 1. By striking from line five (5) the word "treasurer" and insert-
 4 ing in lieu thereof the words "department of revenue".

5 2. By striking from line seven (7) the word "treasurer" and insert-
 6 ing in lieu thereof the words "department of revenue".

7 3. By striking from line nine (9) the word "treasurer" and insert-
 8 ing in lieu thereof the words "department of revenue".

9 4. By striking from line twenty-three (23) the word "treasurer"
 10 and inserting in lieu thereof the words "department of revenue".

11 5. By striking from line thirty-five (35) the word "treasurer" and
 12 inserting in lieu thereof the words "department of revenue".

13 6. By striking from line forty-three (43) the word "treasurer" and
 14 inserting in lieu thereof the words "department of revenue".

15 7. By striking from line fifty-one (51) the word "treasurer" and
16 inserting in lieu thereof the words "department of revenue".

17 8. By striking from line fifty-six (56) the word "treasurer" and in-
18 sserting in lieu thereof the words "department of revenue".

19 9. By striking from line sixty-six (66) the word "treasurer" and in-
20 sserting in lieu thereof the words "department of revenue".

1 SEC. 4. Section three hundred twenty-four point seven (324.7),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) of subsection one (1)
4 of such section the word "treasurer" and inserting in lieu thereof the
5 words "department of revenue".

6 2. By striking from line two (2) of paragraph *a* of subsection one
7 (1) the word "treasurer" and inserting in lieu thereof the words
8 "department of revenue".

9 3. By striking from line four (4) of paragraph *a* of subsection one
10 (1) the word "treasurer" and inserting in lieu thereof the words
11 "department of revenue".

12 4. By striking from line two (2) of paragraph *b* of subsection one
13 (1) the word "treasurer" and inserting in lieu thereof the words
14 "department of revenue".

15 5. By striking from line three (3) of paragraph *d* of subsection one
16 (1) the word "treasurer" and inserting in lieu thereof the words
17 "department of revenue".

18 6. By striking from line one (1) of subsection two (2) of such sec-
19 tion the word "treasurer" and inserting in lieu thereof the words
20 "department of revenue".

21 7. By striking from line five (5) of subsection two (2) of such sec-
22 tion the word "treasurer" and inserting in lieu thereof the words
23 "department of revenue".

24 8. By striking from line five (5) of subsection three (3) of such sec-
25 tion the word "treasurer" and inserting in lieu thereof the words
26 "department of revenue".

27 9. By striking from line seven (7) of subsection three (3) of such
28 section the word "treasurer" and inserting in lieu thereof the words
29 "department of revenue".

30 10. By striking from line eleven (11) of subsection three (3) of
31 such section the word "treasurer" and inserting in lieu thereof the
32 words "department of revenue".

33 11. By striking from line fourteen (14) of subsection three (3) of
34 such section the word "treasurer" and inserting in lieu thereof the
35 words "department of revenue".

36 12. By striking from line three (3) of subsection four (4) of such
37 section the word "treasurer" and inserting in lieu thereof the words
38 "department of revenue".

39 13. By striking from line ten (10) of subsection four (4) of such
40 section the word "treasurer" and inserting in lieu thereof the words
41 "department of revenue".

42 14. By striking from line thirteen (13) of subsection four (4) of
43 such section the word "treasurer" and inserting in lieu thereof the
44 words "department of revenue".

45 15. By striking from line seventeen (17) of subsection four (4) of
46 such section the word "treasurer" and inserting in lieu thereof the
47 words "department of revenue".

48 16. By striking from line six (6) of subsection five (5) of such sec-
49 tion the word "treasurer" and inserting in lieu thereof the words
50 "department of revenue".

51 17. By striking from line twelve (12) of subsection five (5) of such
52 section the word "treasurer" and inserting in lieu thereof the words
53 "department of revenue".

54 18. By striking from line sixteen (16) of subsection five (5) of such
55 section the word "treasurer" and inserting in lieu thereof the words
56 "department of revenue".

57 19. By striking from line eighteen (18) of subsection five (5) of
58 such section the word "treasurer" and inserting in lieu thereof the
59 words "department of revenue".

60 20. By striking from line nineteen (19) of subsection five (5) of
61 such section the word "treasurer" and inserting in lieu thereof the
62 words "department of revenue".

63 21. By striking from line two (2) of subsection six (6) of such sec-
64 tion the word "treasurer" and inserting in lieu thereof the words
65 "department of revenue".

1 SEC. 5. Section three hundred twenty-four point eight (324.8),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line eight (8) the word "treasurer" and insert-
4 ing in lieu thereof the words "department of revenue".

5 2. By striking from line seven (7) of subsection one (1) of such
6 section the word "treasurer" and inserting in lieu thereof the words
7 "department of revenue".

8 3. By striking from line four (4) of subsection two (2) of such
9 section the word "treasurer" and inserting in lieu thereof the words
10 "department of revenue".

11 4. By striking from line one (1) of subsection three (3) of such
12 section the word "treasurer" and inserting in lieu thereof the words
13 "department of revenue".

14 5. By striking from line five (5) of subsection three (3) of such
15 section the word "treasurer" and inserting in lieu thereof the words
16 "department of revenue".

17 6. By striking from line eight (8) of subsection five (5) of such
18 section the word "treasurer" and inserting in lieu thereof the words
19 "department of revenue".

1 SEC. 6. Section three hundred twenty-four point ten (324.10),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line eight (8) the word "treasurer" and insert-
4 ing in lieu thereof the words "department of revenue".

5 2. By striking from line fifteen (15) the word "treasurer" and in-
6 serting in lieu thereof the words "department of revenue".

7 3. By striking from line twenty-three (23) the word "treasurer"
8 and inserting in lieu thereof the words "department of revenue".

9 4. By striking from line twenty-five (25) the word "treasurer" and
10 inserting in lieu thereof the words "department of revenue".

1 SEC. 7. Section three hundred twenty-four point eleven (324.11),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line five (5) of subsection one (1) of such sec-
4 tion the word "treasurer" and inserting in lieu thereof the words
5 "department of revenue".

6 2. By striking from line fourteen (14) of subsection one (1) of such
7 section the word "treasurer" and inserting in lieu thereof the words
8 "department of revenue".

9 3. By striking from line fifteen (15) of subsection one (1) of such
10 section the word "treasurer" and inserting in lieu thereof the words
11 "department of revenue".

12 4. By striking from line sixteen (16) of subsection one (1) of such
13 section the word "treasurer" and inserting in lieu thereof the words
14 "department of revenue".

15 5. By striking from line twenty-three (23) of subsection one (1) of
16 such section the word "treasurer" and inserting in lieu thereof the
17 words "department of revenue".

18 6. By striking from line twenty-four (24) of subsection one (1) of
19 such section the word "treasurer" and inserting in lieu thereof the
20 words "department of revenue".

21 7. By striking from line twenty-five (25) of subsection one (1) of
22 such section the word "treasurer" and inserting in lieu thereof the
23 words "department of revenue".

24 8. By striking from line twenty-nine (29) of subsection one (1) of
25 such section the word "treasurer" and inserting in lieu thereof the
26 words "department of revenue".

27 9. By striking from line thirty-one (31) of subsection one (1) of
28 such section the word "treasurer" and inserting in lieu thereof the
29 words "department of revenue".

30 10. By striking from line one (1) of subsection three (3) of such
31 section the word "treasurer" and inserting in lieu thereof the words
32 "department of revenue".

1 SEC. 8. Section three hundred twenty-four point twelve (324.12),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line five (5) of subsection one (1) of such sec-
4 tion the word "treasurer" and inserting in lieu thereof the words
5 "department of revenue".

6 2. By striking from line thirteen (13) of subsection one (1) of such
7 section the word "treasurer" and inserting in lieu thereof the words
8 "department of revenue".

9 3. By striking from line twenty-three (23) of subsection one (1) of
10 such section the words "treasurer or his representatives" and insert-
11 ing in lieu thereof the words "department of revenue".

12 4. By striking from line twenty-five (25) of subsection one (1) of
13 such section the word "treasurer" and inserting in lieu thereof the
14 words "department of revenue".

1 SEC. 9. Section three hundred twenty-four point thirteen
2 (324.13), Code 1966, is hereby amended by striking from line twenty-
3 four (24) the word "treasurer" and inserting in lieu thereof the words
4 "department of revenue".

1 SEC. 10. Section three hundred twenty-four point fifteen
2 (324.15), Code 1966, is hereby amended as follows:

3 1. By striking from line eight (8) of subsection one (1) of such
4 section the word "treasurer" and inserting in lieu thereof the words
5 "department of revenue".

6 2. By striking from lines eight (8) and nine (9) of subsection one
7 (1) of such section the word "treasurer" and inserting in lieu thereof
8 the words "department of revenue".

9 3. By striking from line thirty-seven (37) of subsection one (1) of
10 such section the word "treasurer" and inserting in lieu thereof the
11 words "department of revenue".

12 4. By striking from line four (4) of subsection two (2) of such
13 section the word "treasurer" and inserting in lieu thereof the words
14 "department of revenue".

15 5. By striking from line five (5) of subsection two (2) of such
16 section the word "treasurer" and inserting in lieu thereof the words
17 "department of revenue".

18 6. By striking from line three (3) of subsection three (3) of such
19 section the words "treasurer may in his" and inserting in lieu thereof
20 the words "department of revenue may in its".

21 7. By striking from line eight (8) of subsection three (3) of such
22 section the word "treasurer" and inserting in lieu thereof the words
23 "department of revenue".

24 8. By striking from line eleven (11) of subsection three (3) of such
25 section the word "treasurer" and inserting in lieu thereof the words
26 "department of revenue".

1 SEC. 11. Section three hundred twenty-four point sixteen
2 (324.16), Code 1966, is hereby amended as follows:

3 1. By striking from line nine (9) the word "treasurer" and insert-
4 ing in lieu thereof the words "department of revenue".

5 2. By striking from lines nine (9) and ten (10) the word "treas-
6 urer" and inserting in lieu thereof the words "department of revenue".

7 3. By striking from line sixteen (16) the word "treasurer" and in-
8 serting in lieu thereof the words "department of revenue".

1 SEC. 12. Section three hundred twenty-four point seventeen
2 (324.17), Code 1966, is hereby amended as follows:

3 1. By striking from line eleven (11) the word "treasurer" and in-
4 serting in lieu thereof the words "department of revenue".

5 2. By striking from line fourteen (14) the word "treasurer" and in-
6 serting in lieu thereof the words "department of revenue".

7 3. By striking from line two (2) of subsection one (1) of such sec-
8 tion the word "treasurer" and inserting in lieu thereof the words
9 "department of revenue".

10 4. By striking from line five (5) of subsection three (3) of such
11 section the word "treasurer" and inserting in lieu thereof the words
12 "department of revenue".

13 5. By striking from lines seventeen (17) and eighteen (18) of sub-
14 section three (3) of such section the word "treasurer" and inserting
15 in lieu thereof the words "department of revenue".

16 6. By striking from line four (4) of subsection seven (7) of such
17 section the word "treasurer" and inserting in lieu thereof the words
18 "department of revenue".

19 7. By striking from line two (2) of subsection nine (9) of such sec-
20 tion the words "treasurer may in his" and inserting in lieu thereof the
21 words "department of revenue may in its".

22 8. By striking from line four (4) of subsection ten (10) of such
23 section the word "treasurer" and inserting in lieu thereof the words
24 "department of revenue".

25 9. By striking from line two (2) of subsection eleven (11) of such
26 section the word "treasurer" and inserting in lieu thereof the words
27 "department of revenue".

28 10. By striking from line four (4) of subsection eleven (11) of such
29 section the word "treasurer" and inserting in lieu thereof the words
30 "department of revenue".

31 11. By striking from line five (5) of subsection eleven (11) of such
32 section the words "by himself or his representative".

1 SEC. 13. Section three hundred twenty-four point eighteen
2 (324.18), Code 1966, is hereby amended as follows:

3 1. By striking from line four (4) the word "treasurer" and insert-
4 ing in lieu thereof the words "department of revenue".

5 2. By striking from line nine (9) the word "treasurer" and insert-
6 ing in lieu thereof the words "department of revenue".

7 3. By striking from line ten (10) the word "treasurer" and insert-
8 ing in lieu thereof the words "department of revenue".

9 4. By striking from line twenty-one (21) the word "treasurer" and
10 inserting in lieu thereof the words "department of revenue".

11 5. By striking from line twenty-five (25) the word "treasurer" and
12 inserting in lieu thereof the words "department of revenue".

1 SEC. 14. Section three hundred twenty-four point nineteen
2 (324.19), Code 1966, is hereby amended as follows:

3 1. By striking from line three (3) the word "treasurer" and insert-
4 ing in lieu thereof the words "department of revenue".

5 2. By striking from line three (3) of subsection two (2) of such
6 section the word "treasurer" and inserting in lieu thereof the words
7 "department of revenue".

8 3. By striking from lines two (2) and three (3) of subsection three
9 (3) of such section the words "treasurer or his authorized representa-
10 tive" and inserting in lieu thereof the words "department of revenue".

11 4. By striking from lines twenty-four (24) and twenty-five (25)
12 the word "treasurer" and inserting in lieu thereof the words "depart-
13 ment of revenue".

1 SEC. 15. Section three hundred twenty-four point twenty
2 (324.20), Code 1966, is hereby amended as follows:

3 1. By striking from lines twenty-one (21) and twenty-two (22) the
4 word "treasurer" and inserting in lieu thereof the words "department
5 of revenue".

6 2. By striking from line twenty-five (25) the word "treasurer" and
7 inserting in lieu thereof the words "department of revenue".

8 3. By striking from line twenty-nine (29) the word "treasurer" and
9 inserting in lieu thereof the words "department of revenue".

10 4. By striking from line forty-five (45) the words "state treasurer"
11 and inserting in lieu thereof the words "department of revenue".

1 SEC. 16. Section three hundred twenty-four point thirty-four
2 (324.34), Code 1966, is hereby amended as follows:

3 1. By striking from line fourteen (14) the word "treasurer" and
4 inserting in lieu thereof the words "department of revenue".

5 2. By striking from line twenty-one (21) the word "treasurer" and
6 inserting in lieu thereof the words "department of revenue".

7 3. By striking from line twenty-seven (27) the word "treasurer"
8 and inserting in lieu thereof the words "department of revenue".

9 4. By striking from line forty-one (41) the word "treasurer" and
10 inserting in lieu thereof the words "department of revenue".

11 5. By striking from line fifty (50) the word "treasurer" and insert-
12 ing in lieu thereof the words "department of revenue".

1 SEC. 17. Section three hundred twenty-four point thirty-five
2 (324.35), Code 1966, is hereby amended by striking from line ten
3 (10) the word "treasurer" and inserting in lieu thereof the words
4 "department of revenue".

1 SEC. 18. Section three hundred twenty-four point thirty-six
2 (324.36), Code 1966, is hereby amended as follows:

3 1. By striking from line five (5) of subsection one (1) of such sec-
4 tion the word "treasurer" and inserting in lieu thereof the words
5 "department of revenue".

6 2. By striking from line eleven (11) of subsection one (1) of such
7 section the word "treasurer" and inserting in lieu thereof the words
8 "department of revenue".

9 3. By striking from line three (3) of subsection two (2) of such
10 section the word "treasurer" and inserting in lieu thereof the words
11 "department of revenue".

12 4. By striking from line three (3) of subsection three (3) of such
13 section the word "treasurer" and inserting in lieu thereof the words
14 "department of revenue".

15 5. By striking from line four (4) of subsection three (3) of such
16 section the word "treasurer" and inserting in lieu thereof the words
17 "department of revenue".

18 6. By striking from line four (4) of subsection four (4) of such
19 section the word "treasurer" and inserting in lieu thereof the words
20 "department of revenue".

21 7. By striking from line five (5) of subsection four (4) of such
22 section the word "treasurer" and inserting in lieu thereof the words
23 "department of revenue".

24 8. By striking from line two (2) of subsection five (5) of such
25 section the word "treasurer" and inserting in lieu thereof the words
26 "department of revenue".

27 9. By striking from line five (5) of subsection five (5) of such
28 section the word "treasurer" and inserting in lieu thereof the words
29 "department of revenue".

30 10. By striking from line thirteen (13) of subsection five (5) of
31 such section the word "treasurer" and inserting in lieu thereof the
32 words "department of revenue".

1 SEC. 19. Section three hundred twenty-four point thirty-seven
2 (324.37), Code 1966, is hereby amended by striking from line six (6)
3 the word "treasurer" and inserting in lieu thereof the words "depart-
4 ment of revenue".

1 SEC. 20. Section three hundred twenty-four point thirty-eight
2 (324.38), Code 1966, is hereby amended as follows:

3 1. By striking from line four (4) of subsection one (1) of such sec-
4 tion the word "treasurer" and inserting in lieu thereof the words
5 "department of revenue".

6 2. By striking from line fifteen (15) of subsection one (1) of such
7 section the word "treasurer" and inserting in lieu thereof the words
8 "department of revenue".

9 3. By striking from line twenty-two (22) of subsection one (1) of
10 such section the word "treasurer" and inserting in lieu thereof the
11 words "department of revenue".

12 4. By striking from line four (4) of subsection four (4) of such
13 section the word "treasurer" and inserting in lieu thereof the words
14 "department of revenue".

15 5. By striking from lines five (5) and six (6) of subsection four (4)
16 of such section the word "treasurer" and inserting in lieu thereof the
17 words "department of revenue".

18 6. By striking from line fifteen (15) of subsection four (4) of such
19 section the word "treasurer" and inserting in lieu thereof the words
20 "department of revenue".

1 SEC. 21. Section three hundred twenty-four point fifty-one
2 (324.51), Code 1966, is hereby amended by striking from line six (6)
3 the word "treasurer" and inserting in lieu thereof the words "depart-
4 ment of revenue".

1 SEC. 22. Section three hundred twenty-four point fifty-two
2 (324.52), Code 1966, is hereby amended by striking from lines eight
3 (8) and nine (9) the word "treasurer" and inserting in lieu thereof
4 the words "department of revenue".

1 SEC. 23. Section three hundred twenty-four point fifty-three
2 (324.53), Code 1966, is hereby amended as follows:

3 1. By striking from line four (4) the word "treasurer" and insert-
4 ing in lieu thereof the words "department of revenue".

5 2. By striking from line six (6) the word "treasurer" and inserting
6 in lieu thereof the words "department of revenue".

7 3. By striking from line ten (10) the words "treasurer. The treas-
8 urer" and inserting in lieu thereof the words "department of revenue.
9 The department of revenue".

10 4. By striking from line twenty-five (25) the word "treasurer" and
11 inserting in lieu thereof the words "department of revenue".

1 SEC. 24. Section three hundred twenty-four point fifty-four
2 (324.54), Code 1966, is hereby amended as follows:

3 1. By striking from line fifteen (15) the word "treasurer" and in-
4 serting in lieu thereof the words "department of revenue".

5 2. By striking from line sixteen (16) the word "treasurer" and in-
6 serting in lieu thereof the words "department of revenue".

7 3. By striking from line twenty-six (26) the word "treasurer" and
8 inserting in lieu thereof the words "department of revenue".

9 4. By striking from line thirty (30) the word "treasurer" and in-
10 sserting in lieu thereof the words "department of revenue".

11 5. By striking from line thirty-one (31) the word "treasurer" and
12 inserting in lieu thereof the words "department of revenue".

1 SEC. 25. Section three hundred twenty-four point fifty-five
2 (324.55), Code 1966, is hereby amended as follows:

3 1. By striking from line five (5) the word "treasurer" and insert-
4 ing in lieu thereof the words "department of revenue".

5 2. By striking from line eleven (11) the word "treasurer" and in-
6 sserting in lieu thereof the words "department of revenue".

1 SEC. 26. Section three hundred twenty-four point fifty-seven
2 (324.57), Code 1966, is hereby amended by striking subsection six (6)

3 of such section and inserting in lieu thereof the following subsection:

4 "Department of revenue' shall include the director of revenue or
5 his authorized representative."

1 SEC. 27. Section three hundred twenty-four point fifty-eight
2 (324.58), Code 1966, is hereby amended by striking from line one (1)

3 the word "treasurer" and inserting in lieu thereof the words "depart-
4 ment of revenue".

1 SEC. 28. Section three hundred twenty-four point fifty-nine
2 (324.59), Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "treasurer" and insert-
4 ing in lieu thereof the words "department of revenue".

5 2. By striking from line nine (9) the word "treasurer" and insert-
6 ing in lieu thereof the words "department of revenue".

7 3. By striking from line eleven (11) the word "he" and inserting in
8 lieu thereof the words "the department".

9 4. By striking from line fifteen (15) the word "treasurer" and in-
10 sserting in lieu thereof the words "department of revenue".

1 SEC. 29. Section three hundred twenty-four point sixty (324.60),
2 Code 1966, is hereby amended by striking from line nine (9) the word

3 "treasurer" and inserting in lieu thereof the words "department of
4 revenue".

1 SEC. 30. Section three hundred twenty-four point sixty-one
2 (324.61), Code 1966, is hereby amended as follows:

3 1. By striking lines one (1) through three (3) and inserting in lieu
4 thereof the following:

5 "The department of revenue is hereby given the authority within".

6 2. By striking from lines twenty-nine (29) and thirty (30) the
7 word "treasurer" and inserting in lieu thereof the words "department
8 of revenue".

1 SEC. 31. Section three hundred twenty-four point sixty-two
2 (324.62), Code 1966, is hereby amended as follows:

3 1. By striking from lines two (2) and three (3) the words "treas-
4 urer or his representatives, agents or employees" and inserting in lieu
5 thereof the words "department of revenue".

- 6 2. By striking from line fourteen (14) the word "treasurer" and
 7 inserting in lieu thereof the words "department of revenue".
 8 3. By striking from line twenty-five (25) the word "treasurer" and
 9 inserting in lieu thereof the words "department of revenue".
 10 4. By striking from line twenty-nine (29) the word "treasurer" and
 11 inserting in lieu thereof the words "department of revenue".
 12 5. By striking from line thirty-three (33) the word "he" and insert-
 13 ing in lieu thereof the words "the department".
 14 6. By striking from line thirty-six (36) the word "treasurer" and
 15 inserting in lieu thereof the words "department of revenue".

1 SEC. 32. Section three hundred twenty-four point sixty-three
 2 (324.63), Code 1966, is hereby amended as follows:

- 3 1. By striking from line three (3) the word "treasurer" and insert-
 4 ing in lieu thereof the words "department of revenue".
 5 2. By striking from line eight (8) the word "treasurer" and insert-
 6 ing in lieu thereof the words "department of revenue".
 7 3. By striking from lines sixteen (16) and seventeen (17) the word
 8 "treasurer" and inserting in lieu thereof the words "department of
 9 revenue".
 10 4. By striking from line twenty-two (22) the word "treasurer" and
 11 inserting in lieu thereof the words "department of revenue".
 12 5. By striking from line twenty-four (24) the word "He" and in-
 13 serting in lieu thereof the words "The department".
 14 6. By striking from line twenty-eight (28) the word "he" and in-
 15 serting in lieu thereof the words "the department".
 16 7. By striking from line thirty-six (36) the word "treasurer" and
 17 inserting in lieu thereof the words "department of revenue".
 18 8. By striking from lines thirty-nine (39) and forty (40) the word
 19 "treasurer" and inserting in lieu thereof the words "department of
 20 revenue".
 21 9. By striking from line forty-three (43) the word "treasurer's"
 22 and inserting in lieu thereof the word "department's".

1 SEC. 33. Section three hundred twenty-four point sixty-four
 2 (324.64), Code 1966, is hereby amended as follows:

- 3 1. By striking from line three (3) the word "treasurer" and insert-
 4 ing in lieu thereof the words "department of revenue".
 5 2. By striking from line five (5) the word "treasurer" and insert-
 6 ing in lieu thereof the words "department of revenue".
 7 3. By striking from line eleven (11) the word "treasurer" and in-
 8 serting in lieu thereof the words "department of revenue".
 9 4. By striking from line eighteen (18) the word "treasurer" and in-
 10 serting in lieu thereof the words "department of revenue".
 11 5. By striking from line twenty (20) the word "treasurer" and in-
 12 serting in lieu thereof the words "department of revenue".

1 SEC. 34. Section three hundred twenty-four point sixty-five
 2 (324.65), Code 1966, is hereby amended as follows:

- 3 1. By striking from line eighteen (18) of subsection one (1) of
 4 such section the word "treasurer" and inserting in lieu thereof the
 5 words "department of revenue".

- 6 2. By striking from line nineteen (19) of subsection one (1) of such
7 section the word "his" and inserting in lieu thereof the words "the
8 lien".
- 9 3. By striking from line one (1) of subsection two (2) of such sec-
10 tion the word "treasurer" and inserting in lieu thereof the words
11 "department of revenue".
- 12 4. By striking from line twelve (12) of subsection two (2) of such
13 section the word "treasurer" and inserting in lieu thereof the words
14 "department of revenue".
- 15 5. By striking from line one (1) of subsection three (3) of such
16 section the word "treasurer" and inserting in lieu thereof the words
17 "department of revenue".
- 18 6. By striking from line three (3) of subsection three (3) of such
19 section the word "him" and inserting in lieu thereof the words "the
20 department".
- 21 7. By striking line thirteen (13) of subsection three (3) of such
22 section and inserting in lieu thereof the following:
23 "the department of revenue shall consent to".
- 24 8. By striking from lines twenty (20) and twenty-one (21) of sub-
25 section three (3) of such section the words "treasurer of state" and
26 inserting in lieu thereof the words "department of revenue".
- 27 9. By striking from line four (4) of subsection five (5) of such
28 section the word "treasurer" and inserting in lieu thereof the words
29 "department of revenue".
- 30 10. By striking from line eleven (11) of subsection five (5) of such
31 section the word "treasurer" and inserting in lieu thereof the words
32 "department of revenue".
- 33 11. By striking from line seventeen (17) of subsection five (5) of
34 such section the words "office of the treasurer" and inserting in lieu
35 thereof the words "department of revenue".
- 36 12. By striking from line one (1) of subsection six (6) of such sec-
37 tion the word "treasurer" and inserting in lieu thereof the words
38 "department of revenue".
- 39 13. By striking from line five (5) of subsection six (6) of such sec-
40 tion the word "treasurer" and inserting in lieu thereof the words
41 "department of revenue".
- 42 14. By striking from line one (1) of subsection seven (7) of such
43 section the word "treasurer" and inserting in lieu thereof the words
44 "department of revenue".
- 1 SEC. 35. Section three hundred twenty-four point sixty-six
2 (324.66), Code 1966, is hereby amended as follows:
3 1. By striking from lines ten (10) and eleven (11) of subsection one
4 (1) of such section the word "treasurer" and inserting in lieu thereof
5 the words "department of revenue".
- 6 2. By striking from line nine (9) of subsection two (2) of such sec-
7 tion the word "treasurer" and inserting in lieu thereof the words
8 "department of revenue".
- 9 3. By striking from line eleven (11) of subsection two (2) of such
10 section the word "treasurer" and inserting in lieu thereof the words
11 "department of revenue".

12 4. By striking from line six (6) of subsection four (4) of such sec-
 13 tion the word "treasurer" and inserting in lieu thereof the words
 14 "department of revenue".

1 SEC. 36. Section three hundred twenty-four point sixty-seven
 2 (324.67), Code 1966, is hereby amended as follows:

3 1. By striking from line fifteen (15) the word "treasurer" and in-
 4 serting in lieu thereof the words "department of revenue".

5 2. By striking from line twenty (20) the word "treasurer" and in-
 6 serting in lieu thereof the words "department of revenue".

7 3. By striking from line twenty-five (25) the word "treasurer" and
 8 inserting in lieu thereof the words "department of revenue".

9 4. By striking from line twenty-nine (29) the word "treasurer" and
 10 inserting in lieu thereof the words "department of revenue".

11 5. By striking from line thirty-three (33) the word "treasurer" and
 12 inserting in lieu thereof the words "department of revenue".

1 SEC. 37. Section three hundred twenty-four point sixty-eight
 2 (324.68), Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the word "treasurer" and insert-
 4 ing in lieu thereof the words "department of revenue".

5 2. By striking lines five (5) through eleven (11) and inserting in
 6 lieu thereof the following:

7 "the state as the department of revenue may direct. The department
 8 of revenue shall have the power to issue sub-".

9 3. By striking line seventeen (17) and inserting in lieu thereof the
 10 words: "the department of revenue".

1 SEC. 38. Section three hundred twenty-four point sixty-nine
 2 (324.69), Code 1966, is hereby amended by striking from line six (6)
 3 the word "treasurer" and inserting in lieu thereof the words "depart-
 4 ment of revenue".

1 SEC. 39. Section three hundred twenty-four point seventy
 2 (324.70), Code 1966, is hereby amended as follows:

3 1. By striking from line thirteen (13) the word "treasurer" and in-
 4 serting in lieu thereof the words "department of revenue".

5 2. By striking from line eighteen (18) the word "treasurer" and
 6 inserting in lieu thereof the words "department of revenue".

7 3. By striking from line twenty-four (24) the word "treasurer" and
 8 inserting in lieu thereof the words "department of revenue".

1 SEC. 40. Section three hundred twenty-four point seventy-one
 2 (324.71), Code 1966, is hereby amended as follows:

3 1. By striking from line four (4) the word "treasurer" and insert-
 4 ing in lieu thereof the words "department of revenue".

5 2. By striking from line seventeen (17) the word "treasurer" and
 6 inserting in lieu thereof the words "department of revenue".

1 SEC. 41. Section three hundred twenty-four point seventy-two
 2 (324.72), Code 1966, is hereby amended by striking from line fourteen
 3 (14) the words "treasurer of state" and inserting in lieu thereof the
 4 words "department of revenue".

1 SEC. 42. Section three hundred twenty-four point seventy-three
2 (324.73), Code 1966, is hereby amended as follows:

3 1. By striking from lines five (5) and six (6) of subsection two (2)
4 of such section the words "treasurer or his representatives" and in-
5 serting in lieu thereof the words "department of revenue".

6 2. By striking from line seven (7) of subsection two (2) of such
7 section the word "treasurer" and inserting in lieu thereof the words
8 "department of revenue".

1 SEC. 43. Section three hundred twenty-four point seventy-four
2 (324.74), Code 1966, is hereby amended by striking from line five (5)
3 the word "treasurer" and inserting in lieu thereof the words "depart-
4 ment of revenue".

1 SEC. 44. Section three hundred twenty-four point seventy-five
2 (324.75), Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the word "treasurer" and insert-
4 ing in lieu thereof the words "department of revenue".

5 2. By striking from line four (4) the word "treasurer" and insert-
6 ing in lieu thereof the words "department of revenue".

7 3. By striking from line eleven (11) the word "treasurer" and in-
8 serting in lieu thereof the words "department of revenue".

9 4. By striking from lines twelve (12) and thirteen (13) the words
10 "treasurer or his representatives" and inserting in lieu thereof the
11 words "department of revenue".

1 SEC. 45. Section three hundred twenty-four point seventy-six
2 (324.76), Code 1966, is hereby repealed and the following section
3 enacted in lieu thereof:

4 "All fees, taxes, interest, and penalties imposed under this chapter
5 must be paid to the department of revenue in the form of remittances
6 payable to the treasurer of state, and the department of revenue shall
7 transmit each payment daily to the state treasurer. The department
8 of revenue shall certify monthly to the state comptroller amounts of
9 refunds of tax approved or determined by the department during each
10 month, and the state comptroller shall draw warrants in such amounts
11 on the motor vehicle fuel fund and transmit them. There is hereby
12 appropriated out of the money received under the provisions of this
13 chapter sufficient funds to pay such refunds as may be authorized in
14 this chapter."

1 SEC. 46. Section three hundred twenty-four point seventy-nine
2 (324.79), Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "treasurer" and inserting
4 in lieu thereof the words "department of revenue".

5 2. By striking from line eleven (11) the word "treasurer" and in-
6 serting in lieu thereof the words "department of revenue".

1 SEC. 47. Section three hundred twenty-four point eighty (324.80),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) of subsection one (1) of such sec-
4 tion the word "treasurer" and inserting in lieu thereof the words
5 "department of revenue".

- 6 2. By striking from line nine (9) of subsection one (1) of such section
7 the word "treasurer" and inserting in lieu thereof the words
8 "department of revenue".
- 9 3. By striking from line thirteen (13) of subsection one (1) of such
10 section the word "treasurer" and inserting in lieu thereof the words
11 "department of revenue".
- 12 4. By striking from line eighteen (18) of subsection one (1) of such
13 section the word "treasurer" and inserting in lieu thereof the words
14 "director of revenue".
- 15 5. By striking from line twenty (20) of subsection one (1) of such
16 section the words "his office" and inserting in lieu thereof the words
17 "the department".
- 18 6. By striking from line five (5) of subsection two (2) of such section
19 the word "treasurer" and inserting in lieu thereof the words
20 "department of revenue".
- 21 7. By striking from lines six (6) and seven (7) of subsection two
22 (2) of such section the word "treasurer" and inserting in lieu thereof
23 the words "department of revenue".
- 24 8. By striking from line eight (8) of subsection two (2) of such
25 section the words "treasurer or his employees" and inserting in lieu
26 thereof the following: "department of revenue or employees of the
27 department".

1 SEC. 48. There is hereby appropriated seven hundred fifty-five
2 thousand six hundred fifty dollars (\$755,650.00) to the department
3 of revenue from the motor vehicle fuel tax fund for the twelve (12)
4 months beginning July 1, 1968, and ending June 30, 1969, or so much
5 thereof as may be necessary to pay the cost of administration and
6 enforcement of the provisions of Chapter three hundred twenty-four
7 (324) of the Code.

1 SEC. 49. Any unencumbered balance remaining as of June 30,
2 1969, of the appropriation of this Act made by the sixty-second general
3 assembly, shall revert to the motor vehicle fuel tax fund as of
4 June 30, 1969.

1 SEC. 50. This Act shall be effective from and after July 1, 1968.
2 All powers, duties, authority and responsibility lodged in or exercised
3 by the treasurer of state in the enforcement and collection of motor
4 vehicle fuel taxes shall hereafter be lodged in and exercised by the
5 department of revenue.

Approved July 25, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 288

MOTOR VEHICLE FUEL

S. F. 742

AN ACT to amend chapter three hundred twenty-four (324), Code 1966, to extend powers and duties of the treasurer of the state, to amend certain definitions, to authorize bond increases, to provide certain regulation of commercial vehicles and to change provision relating to penalties.

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

1 SECTION 1. Section three hundred twenty-four point two (324.2),
2 Code 1966, is hereby amended as follows:

3 1. By inserting in subsection one (1), line nineteen (19), after the
4 word "not" the following:

5 "include special fuel as defined in section three hundred twenty-four
6 point thirty-three (324.33), subsection one (1), of the Code and shall
7 not".

8 2. By inserting in subsection two (2), line seven (7), after the
9 word "resale," the words "and shall include any person who sells
10 special fuel as defined in section three hundred twenty-four point
11 thirty-three (324.33), subsection one (1) of the Code in bulk for
12 highway use".

13 3. By inserting in subsection four (4), line one (1), after the word
14 "Dealer" the words ", 'agent' and 'consignee'".

1 SEC. 2. Section three hundred twenty-four point four (324.4),
2 Code 1966, is hereby amended by inserting in line four (4) after the
3 word "distributor" in lines three (3) and four (4) the words "or to
4 sell special fuel in bulk for highway use".

1 SEC. 3. Section three hundred twenty-four point six (324.6), Code
2 1966, is hereby amended by inserting in line four (4) after the word
3 "effect" the following:

4 "if the licensee is actively engaged in the selling of motor fuel for
5 resale and otherwise acting as a distributor or".

1 SEC. 4. Section three hundred twenty-four point seven (324.7),
2 Code 1966, is hereby amended as follows:

3 1. By striking from subsection one (1), paragraph a, line three (3)
4 the word "one" and inserting in lieu thereof the word "five (5)".

5 2. By striking from subsection three (3), line eight (8), the word
6 "may" and inserting in lieu thereof the word "shall".

7 3. By striking from subsection four (4), line twelve (12), the word
8 "fifty" and inserting in lieu thereof the words "five hundred (500)".

1 SEC. 5. Section three hundred twenty-four point ten (324.10),
2 Code 1966, is hereby amended by inserting in line one (1) after the
3 word "distributor" the words "and special fuel distributor".

1 SEC. 6. Section three hundred twenty-four point eleven (324.11),
2 subsection one (1), Code 1966, is hereby amended as follows:

3 1. By inserting in line twenty-nine (29) after the word "each" the
4 word "registered".

5 2. By striking all of such subsection after the word "others" in line
6 thirty-one (31) and inserting in lieu thereof a period.

1 SEC. 7. Section three hundred twenty-four point sixteen (324.16),
 2 Code 1966, is hereby amended by striking from lines nine (9) and ten
 3 (10) the words "proof as the treasurer may reasonably require" and
 4 inserting in lieu thereof the words "two (2) notarized affidavits cover-
 5 ing circumstances of loss as proof".

1 SEC. 8. Section three hundred twenty-four point thirty-three
 2 (324.33), Code 1966, is hereby amended as follows:

3 1. By striking all of subsection three (3) after the word "vehicle"
 4 in line four (4) and inserting in lieu thereof a period.

5 2. By inserting after subsection four (4) the following new subsec-
 6 tion:

7 " 'Licensed special fuel user' means and includes any person who
 8 dispenses special fuel for highway use from bulk sources owned and
 9 controlled by himself into the fuel supply tank of a motor vehicle or
 10 commercial motor vehicle owned or controlled by himself. A licensed
 11 special fuel user shall make bulk purchases of special fuel for highway
 12 use only from a licensed special fuel distributor."

13 3. By renumbering the remaining subsection.

1 SEC. 9. Section three hundred twenty-four point thirty-four
 2 (324.34), Code 1966, is hereby amended as follows:

3 1. By striking from line twenty-nine (29) the word "may" and in-
 4 serting in lieu thereof the words "licensed special fuel user locations
 5 and shall".

6 2. By inserting in line thirty (30) after the word "stations" the
 7 words "and licensed special fuel user locations".

1 SEC. 10. Section three hundred twenty-four point thirty-six
 2 (324.36), subsection four (4), Code 1966, is hereby amended by strik-
 3 ing in line seven (7) the word "fifty" and inserting in lieu thereof the
 4 words "two hundred (200)".

1 SEC. 11. Section three hundred twenty-four point thirty-eight
 2 (324.38), subsection four (4), Code 1966, is hereby amended by in-
 3 serting in line three (3) after the word "treasurer" the words ", and
 4 at the discretion of the treasurer,".

1 SEC. 12. Section three hundred twenty-four point fifty-two
 2 (324.52), Code 1966, is hereby amended as follows:

3 1. By inserting in line two (2) after the word "a" the word "com-
 4 mercial".

5 2. By inserting in line fourteen (14) after the word "a" the word
 6 "commercial".

7 3. By striking from line fifteen (15) the word "twenty" and insert-
 8 ing in lieu thereof the word "thirty (30)".

1 SEC. 13. Section three hundred twenty-four point fifty-three
 2 (324.53), Code 1966, is hereby amended as follows:

3 1. By inserting in line eight (8) after the word "records." the fol-
 4 lowing:

5 "Persons choosing not to make advance arrangements with the
 6 treasurer by the procuring of a permit are not relieved of their re-
 7 sponsibility to purchase motor fuel and special fuel commensurate
 8 with their use of the state's highway system. The treasurer may audit

9 persons not holding a permit who are suspected of evading the fuel
10 tax on commercial motor vehicles. Audits shall be conducted pursuant
11 to section three hundred twenty-four point fifty-five (324.55) of the
12 Code."

13 2. By inserting in line fourteen (14) after the word "of" the word
14 "commercial".

15 3. By inserting in line twenty-three (23) after the word "section."
16 the following:

17 "A visible sign of a compliance with this section may at the discre-
18 tion of the treasurer be attached to the outside of a commercial motor
19 vehicle."

20 4. By striking from line twenty-four (24) the word "twenty-five"
21 and inserting in lieu thereof the word "fifty (50)".

1 SEC. 14. Section three hundred twenty-four point fifty-four
2 (324.54), Code 1966, is hereby amended as follows:

3 1. By inserting in line four (4) after the word "of" the word "com-
4 mercial".

5 2. By inserting in line twelve (12) after the word "in" the word
6 "commercial".

7 3. By striking in lines twenty-four (24) and twenty-five (25) the
8 words "built up".

9 4. By striking the period (.) in line twenty-seven (27) and by in-
10 sserting in lieu thereof the words "provided that such refund must be in
11 an amount of ten (10) dollars or more."

1 SEC. 15. Section three hundred twenty-four point fifty-five
2 (324.55), Code 1966, is hereby amended by adding thereto the follow-
3 ing:

4 "When, as a result of such audit and examination, fuel taxes unpaid
5 and due are found owing the state of Iowa in an amount exceeding five
6 hundred (500) dollars such audit and expenses shall be without cost
7 to the state of Iowa, the treasurer within a period of one (1) year
8 from the issuance of a permit may audit the records of the permittee
9 for the two (2) years preceding the issuance of the permit. The treas-
10 urer shall collect all taxes due had the permittee been licensed for the
11 two (2) years prior to the issuance of the permit and shall refund all
12 excess credit that would have been paid pursuant to section three hun-
13 dred twenty-four point fifty-four (324.54) of the Code."

1 SEC. 16. Section three hundred twenty-four point fifty-six
2 (324.56), Code 1966, is hereby repealed and the following enacted in
3 lieu thereof:

4 "The provisions of this division shall not be required of a distributor
5 licensed under division one (I) of this chapter who elects to report
6 and pay tax on motor fuel as is set out in division one (1)* and on
7 special fuel as is set out in division two (II) of this chapter, provided
8 that a distributor so electing shall also report and pay Iowa fuel tax
9 on motor fuel and special fuel purchased in another state which is used
10 to propel a commercial motor vehicle owned or leased by the distribu-
11 tor on the highways of this state. Such distributor shall be allowed to
12 enter this state with thirty (30) gallons or more fuel in the supply

*According to enrolled Act.

13 tank of a commercial motor vehicle, but shall not be allowed any other
14 provision of this division."

1 SEC. 17. Section three hundred twenty-four point fifty-seven
2 (324.57), Code 1966, is hereby amended as follows:

3 1. By inserting in subsection three (3), line twenty-six (26), after
4 the word "attached." the following:

5 "Mobile machinery or equipment originally designed as motor ve-
6 hicles which are owned by the counties, cities, and towns of Iowa shall
7 not be exempt from payment of fuel taxes on fuel used when operating
8 on the public highways."

9 2. By adding thereto the following new subsections:

10 a. "'Commercial motor vehicle' means a passenger vehicle that has
11 seats for more than nine (9) passengers in addition to the driver, any
12 road tractor, any truck tractor, or any truck having two (2) or more
13 axles which passenger vehicle, road tractor, truck tractor, or truck is
14 propelled on the public highways by either motor fuel or special fuel."

15 b. "'Carrier' means and includes any person who operates or causes
16 to be operated any commercial motor vehicle on any public highway in
17 this state."

1 SEC. 18. Chapter three hundred twenty-four (324), Code 1966, is
2 hereby amended by adding thereto the following new section im-
3 mediately after section three hundred twenty-four point fifty-seven
4 (324.57) of the Code, and renumbering the remaining sections:

5 "Every commercial motor vehicle as defined in section seventeen
6 (17) of this Act leased to a carrier shall be subject to the provisions
7 of this division and rules and regulations enforced pursuant thereto to
8 the same extent and in the same manner as commercial vehicles owned
9 by such carrier.

10 "A lessor of a commercial motor vehicle shall be deemed a carrier
11 with respect to such vehicles leased to others by him and motor fuel
12 or special fuel consumed thereby if the lessor supplies or pays for the
13 motor fuel or special fuel consumed by such vehicle or makes rental or
14 other charges calculated to include the cost of such fuel.

15 "The provisions of this section shall govern the primary liability
16 pursuant to this section if either lessor or lessee primarily fails in
17 whole or in part to discharge this liability. Such failing party as lessor
18 or lessee party to the transaction shall be jointly and severally respon-
19 sible and liable for the provisions of division three (III) of this chap-
20 ter and for payment of any tax unpaid and due pursuant thereto, pro-
21 vided that any taxes collected by this state shall not exceed the total
22 amount or amounts of the taxes due on account of the transaction in
23 question and such penalties and costs, if any, as may be imposed."

1 SEC. 19. Section three hundred twenty-four point fifty-nine
2 (324.59), Code 1966, is hereby amended by inserting in line eight (8)
3 after the word "interstate" the word "commercial".

1 SEC. 20. Section three hundred twenty-four point sixty-four
2 (324.64), Code 1966, is hereby amended by striking from lines six (6)
3 and seven (7) the words "ten percent of the tax unpaid and due" and
4 inserting in lieu thereof the following:

5 "two (2) percent of the tax unpaid and due to twelve (12) o'clock
6 a.m. of the third (3rd) day after due date and an additional three (3)
7 percent of the tax unpaid and due from twelve (12) o'clock a.m. of the
8 third (3rd) day to twelve (12) o'clock a.m. of the tenth (10th) day
9 after due date, and an additional five (5) percent of the tax unpaid
10 and due after twelve (12) o'clock a.m. of the tenth (10th) day after
11 due date".

1 SEC. 21. Section three hundred twenty-four point sixty-seven
2 (324.67), Code 1966, is hereby amended by inserting in line eighteen
3 (18) after the word "address." the following paragraph:

4 "If a licensee shall at any time abuse the privileges for which the
5 license was issued, fail to produce records reasonably requested by the
6 treasurer or his deputies, or fail to extend reasonable cooperation to
7 the treasurer or his deputies, the licensee shall be advised in writing
8 of a hearing scheduled to determine if said license shall be cancelled.
9 The treasurer upon the presentation of a preponderance of evidence
10 shall be allowed to cancel a license for cause."

1 SEC. 22. Section three hundred twenty-four point seventy-four
2 (324.74), Code 1966, is hereby amended as follows:

- 3 1. By inserting in line two (2) after the word "certificate" the
4 words ", false fuel invoice, false fuel receipt, or false fuel sales ticket".
- 5 2. By striking from line three (3) the words "or claim" and insert-
6 ing in lieu thereof the words ", claim, or evidence".

1 SEC. 23. Section three hundred twenty-four point seventeen
2 (324.17), Code 1966, is hereby amended by adding thereto the follow-
3 ing new subsection:

4 "Refunds shall be made of motor vehicle fuel taxes paid on motor
5 fuel placed in motor vehicles and used, other than on public highways,
6 in the extraction and processing of natural deposits, without regard to
7 whether such motor vehicles are registered under section three hun-
8 dred twenty-one point eighteen (321.18) of the Code. An applicant
9 for a refund under this subsection must maintain adequate records
10 for a period of three (3) years beyond the filing of the claim. The
11 treasurer will pay the claim upon the presentation of proof which he
12 may reasonably require."

Approved June 22, 1967.

CHAPTER 289

FUEL OIL PUMPS

H. F. 60

AN ACT relating to rules of the department of agriculture in regard to fuel oil pumps.

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

- 1 SECTION 1. Section three hundred twenty-four point thirty-four
- 2 (324.34), Code 1966, is amended by inserting in line thirty-one (31)
- 3 after the word "dispensed," the word "be".

Approved March 9, 1967.

CHAPTER 290

REGISTRATION OF AIRCRAFT

H. F. 679

AN ACT relating to the registration of aircraft.

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

- 1 SECTION 1. Section three hundred twenty-eight point thirty-five
- 2 (328.35), Code 1966, is hereby amended by striking therefrom subsec-
- 3 tion three (3).

Approved May 23, 1967.

CHAPTER 291

MILEAGE OF COUNTY SUPERVISORS

S. F. 750

AN ACT relating to the mileage allowance for members of the board of supervisors.

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

- 1 SECTION 1. Section three hundred thirty-one point twenty-two
- 2 (331.22), Code 1966, is hereby amended by striking from line seven
- 3 (7) the word "seven" and inserting in lieu thereof the word "ten
- 4 (10)".

Approved June 29, 1967.

See also ch. 440.

CHAPTER 292

PERPETUAL FLOWAGE EASEMENTS

S. F. 463

AN ACT to authorize state agencies and county boards of supervisors to grant perpetual flowage easements over state and county owned lands and buildings to the United States of America.

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 subsection seventeen (17), Code 1966, is amended by inserting after
 3 the word "purposes" in line two (2) the following:
 4 "State agencies and the county board of supervisors having juris-
 5 diction and control over state and county owned land and buildings,
 6 which land and buildings may be affected by a federal water resources
 7 project, may grant, sell, exchange or convey to the United States of
 8 America the perpetual right, privilege and easement to overflow, flood
 9 and submerge such lands and buildings".

Approved May 18, 1967.

CHAPTER 293

COUNTY AMBULANCE SERVICE

S. F. 51

AN ACT to permit county boards of supervisors to provide ambulance service.

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 1966, is hereby amended by adding thereto the following new
 3 subsection.
 4 "To purchase, lease, equip, maintain and operate an ambulance or
 5 ambulances to provide necessary and sufficient ambulance service or to
 6 contract for such vehicles, equipment, maintenance or service. There
 7 shall be a sufficient charge assessed to the user of this service to sub-
 8 stantially cover the cost of operation, maintenance, and depreciation
 9 of said ambulance."

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 New
 3 Hampton Tribune, a newspaper published in New Hampton, Iowa,
 4 and in The Times Plain Dealer, a newspaper published in Cresco,
 5 Iowa.

Approved March 10, 1967.

I hereby certify that the foregoing Act, Senate File 51, was published in the New Hampton Tribune, New Hampton, Iowa, on March 16, 1967, and in The Times Plain Dealer, Cresco, Iowa, on March 22, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 294

VIET NAM VETERANS' NEWSSTANDS

S. F. 10

AN ACT relating to veterans' newsstands in courthouses.

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

1 SECTION 1. Section three hundred thirty-two point five (332.5),
2 Code 1966, is amended by inserting in line twelve (12) after the
3 word "inclusive," the words "and including the Viet Nam Conflict
4 at any time between August 5, 1964 and ending on the date the
5 armed forces of the United States are directed by formal order of the
6 government of the United States to cease hostilities, both dates inclu-
7 sive,".

Approved February 8, 1967.

CHAPTER 295

COUNTY OFFICERS ERRORS AND OMISSIONS INSURANCE

S. F. 779

AN ACT relating to errors and omissions insurance for county officers and deputies and employees of county offices.

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

1 SECTION 1. Chapter three hundred thirty-two (332), Code 1966, is
2 hereby amended by adding thereto the following new section:
3 "The board of supervisors shall purchase and pay premiums on in-
4 surance covering and insuring county officers, including sheriffs and
5 their employees, which insurance shall insure against personal liability
6 as a result of errors and omissions in the performance of official duties.
7 The premiums shall be paid from the county general fund. Minimum
8 liability limits for such insurance shall be fixed by the attorney gen-
9 eral. In the event that the liability of any county officer for any error
10 or omission is not fully indemnified by insurance, the board of super-
11 visors may elect to pay any loss, for which any county officer may be
12 found liable, from the general fund of the county."

Approved June 19, 1967.

CHAPTER 296

RECORDING DISCHARGES OF VIET NAM VETERANS

S. F. 8

AN ACT relating to the recording of Viet Nam veterans' discharges.

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

- 1 SECTION 1. Section three hundred thirty-five point four (335.4),
- 2 Code 1966, is amended by inserting in line twenty (20) after the
- 3 word "inclusive," the words "and the Viet Nam Conflict beginning
- 4 August 5, 1964 and ending on the date the armed forces of the
- 5 United States are directed by formal order of the government of the
- 6 United States to cease hostilities, both dates inclusive,".

Approved February 8, 1967.

CHAPTER 297

COURTHOUSES OPEN FOR BUSINESS

S. F. 12

AN ACT to repeal the statute relating to the time for keeping courthouses open for business.

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

- 1 SECTION 1. Section three hundred forty point six (340.6), Code
- 2 1966, is hereby repealed.
- 1 SEC. 2. This Act, being deemed of immediate importance, shall
- 2 take effect and be in full force from and after its publication in the
- 3 Cedar Falls Daily Record, a newspaper published in Cedar Falls, Iowa,
- 4 and in the Neola Gazette-Reporter, a newspaper published in Neola,
- 5 Iowa.

Approved March 10, 1967.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3.9, Code of Iowa 1966, there being no newspaper by the name of Cedar Falls Daily Record, published at Cedar Falls, Iowa, I hereby designate the Daily Record, published at Cedar Falls, Iowa, to publish the foregoing Act, Senate File 12.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, Senate File 12, was published in the Daily Record, Cedar Falls, Iowa, on March 15, 1967, and in the Neola Gazette-Reporter, Neola, Iowa, on March 16, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 298

COUNTY OFFICERS COMPENSATION

H. F. 562

AN ACT relating to compensation of county officers and their deputies and assistants.

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

1 SECTION 1. Chapter three hundred forty (340), Code 1966, is
 2 hereby amended by adding thereto the following new section:
 3 "The principal elected official of any county office and his first
 4 deputy or first assistant, in counties having two courthouses, may
 5 enter into a written agreement for a division of the salaries to be paid.
 6 No such division shall allow payment to the official and his first deputy
 7 or assistant which is greater than the sum of the two (2) salaries
 8 authorized under this chapter. Upon certification to the board of
 9 supervisors by the elected officials concerned, the board shall certify to
 10 the county auditor the annual salaries certified by the elected officials."

Approved June 30, 1967.

CHAPTER 299

COUNTY HEALTH CENTERS

S. F. 335

AN ACT authorizing certain counties to acquire by purchase, lease or construction and to reconstruct, complete, equip, improve, repair, remodel, operate, control, maintain and manage health centers and additions thereto, to acquire and improve property therefor, to levy taxes for the maintenance and operation thereof, to borrow money and issue bonds and to refund bonds and to levy taxes to pay bonds and interest thereon.

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

1 SECTION 1. When used in this Act, unless the context otherwise
 2 requires:
 3 1. "Board" means the board of supervisors of the county.
 4 2. "Health Center" means a building or buildings, together with
 5 necessary equipment, furnishings, facilities, accessories and appurte-
 6 nances and the site or sites therefor used primarily for the purposes
 7 of providing centralized locations at which a county having a popula-
 8 tion as required by section two (2) of this Act may:
 9 (1) Provide those health, welfare and social services which such a
 10 county is presently or hereafter authorized or required by law to pro-
 11 vide;
 12 (2) Lease space in such building or buildings to other public cor-
 13 porations, public agencies and private nonprofit agencies which pro-
 14 vide health, welfare and social services.
 15 3. "Project" shall mean the acquisition by purchase or construction
 16 of health centers, additions thereto and facilities therefor, the recon-
 17 struction, completion, equipment, improvement, repair or remodeling
 18 of health centers, additions thereto and facilities therefor, and the

19 acquisition of property therefor of every kind and description,
 20 whether real, personal or mixed by gift, purchase, lease, condemnation
 21 or otherwise and the improvement of the same.

1 SEC. 2. Subject to and in accordance with the provisions of this
 2 Act, counties having a population over one hundred thousand (100,-
 3 000), as determined by the last official United States census, are hereby
 4 authorized to undertake and carry out any project as hereinbefore
 5 defined, and the boards thereof are authorized to operate, control,
 6 maintain and manage health centers and additions thereto and facili-
 7 ties therefor. The boards thereof are further authorized to appoint
 8 such committees, groups, or operating boards as they may deem neces-
 9 sary and advisable to facilitate the operation and management of such
 10 health centers, additions and facilities. The board is further author-
 11 ized to lease space in any health center to other public corporations,
 12 public agencies and private nonprofit agencies engaged in furnishing
 13 health, welfare and social services which lease shall be on such terms
 14 and conditions as the board may deem advisable. All contracts for the
 15 construction, reconstruction, completion, equipment, improvement, re-
 16 pair or remodeling of any buildings, additions or facilities shall be let
 17 in accordance with the provisions of sections three hundred thirty-two
 18 point seven (332.7), three hundred thirty-two point eight (332.8), and
 19 chapter twenty-three (23) of the Code. To pay the cost of operating,
 20 maintaining and managing a health center the board of any such
 21 county is authorized to levy an annual tax not exceeding two (2) mills
 22 per annum on all the taxable property in the county, said levy to be in
 23 addition to all other levies authorized by law for similar purposes.

1 SEC. 3. To pay all or any part of the cost of carrying out any proj-
 2 ect said counties are authorized to borrow money and to issue and sell
 3 general obligation bonds and to refund bonds issued for any project
 4 or for refunding purposes at the same rate or at a lower rate or rates
 5 and from time to time as often as the board shall find it advisable and
 6 necessary so to do. It shall not be necessary to submit to the voters
 7 the proposition of issuing bonds for refunding purposes, but prior to
 8 the issuance of bonds for other purposes the board shall submit to the
 9 voters of the county the proposition of issuing the bonds, and in this
 10 connection the board is hereby authorized to call a special election,
 11 on its own motion, at which the proposition shall be submitted to the
 12 voters. Notice of said election shall be published once each week for
 13 at least four (4) consecutive weeks in a newspaper published and hav-
 14 ing a general circulation in the county, which notice shall state the
 15 date of the election, the hours of opening and closing the polls and the
 16 location thereof, as well as the question to be submitted. The election
 17 shall be held on a date not less than five (5) nor more than twenty
 18 (20) days after the last publication of the notice. At such election the
 19 ballot shall be prepared and used in substantially the form for submit-
 20 ting special questions at general elections and the form of proposition
 21 shall be substantially as follows:

22 "Shall the county of _____, in the state of Iowa issue bonds in
 23 the amount of _____ for the purpose of _____?"
 24 No such proposition shall be declared carried unless the vote in favor
 25 of the issuance of the bonds is equal to at least sixty (60) percent of

26 the total vote cast for and against the proposition at the election.
27 Before the issuance of bonds under this Act, the board shall adopt a
28 resolution providing for the levy of annual taxes sufficient to pay
29 maturing installments of the principal of and interest on said bonds
30 in accordance with the provisions of chapter seventy-six (76) of the
31 Code, and said bonds shall mature within a period not exceeding
32 twenty (20) years from date of issue, shall bear interest at a rate or
33 rates not exceeding five (5) percent per annum and shall be of such
34 form as the board shall by resolution provide, but the aggregate in-
35 debtedness of any such county shall not exceed five (5) percent of the
36 actual value of the taxable property within the county as ascertained
37 by the last preceding state and county tax lists.

38 Bonds issued pursuant to the provisions of this Act shall be sold by
39 the board in the manner prescribed by chapter seventy-five (75) of the
40 Code; provided however, that refunding bonds may either be sold and
41 the proceeds thereof applied to the payment of the bonds being re-
42 funded, or the refunding bonds may be issued in exchange for and
43 upon surrender and cancellation of the bonds being refunded.

1 SEC. 4. The board of any such county is authorized to apply for
2 and accept federal aid or non-federal gifts or grants of funds and to
3 use the same to pay all or any part of the cost of carrying out any
4 project or of operating and maintaining the same. All bonds issued
5 under the terms of this Act shall be exempt from taxation by the state
6 of Iowa and the interest thereon shall be exempt from the state income
7 tax.

1 SEC. 5. This Act shall be construed as providing an alternative and
2 independent method for carrying out any project, for the issuance and
3 sale or exchange of bonds in connection therewith and for refunding
4 bonds pertinent thereto, without reference to any other statute, and
5 shall not be construed as an amendment of or subject to the provisions
6 of any other law, and no other or further proceeding in respect to the
7 issuance or sale or exchange of bonds under this Act shall be required,
8 except such as are prescribed by this Act, any provisions of other stat-
9 utes of the state to the contrary notwithstanding.

1 SEC. 6. This Act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Cedar Rapids Gazette, a newspaper published at Cedar Rapids,
4 Iowa and in The Des Moines Register, a newspaper published at Des
5 Moines, Iowa.

Approved June 26, 1967.

I hereby certify that the foregoing Act, Senate File 335, was published in the Cedar Rapids Gazette, Cedar Rapids, Iowa, June 29, 1967, and in The Des Moines Register, Des Moines, Iowa, June 30, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 300

CERTAIN COUNTY HOSPITALS

H. F. 495

AN ACT relating to the millage levy for improvements and maintenance of county hospitals in counties having a population of two hundred twenty-five thousand (225,000) inhabitants or over.

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

1 SECTION 1. Section three hundred forty-seven point seven (347.7),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines ten (10) and eleven (11) the words "one
4 hundred thirty-five thousand" and inserting in lieu thereof the words
5 "two hundred twenty-five thousand (225,000)".

6 2. By striking from line thirteen (13) the word "four" and insert-
7 ing in lieu thereof the word* "four and one half (4½)".

1 SEC. 2. Section three hundred forty-seven point thirteen (347.13),
2 subsection fourteen (14), Code 1966, is hereby amended by inserting
3 in line eight (8) after the word "employees" the following: "The
4 names, addresses, salaries, and job classification of all employees paid
5 in whole or in part from a millage levy shall be a public record and
6 open to inspection at reasonable times as designated by the board of
7 trustees."

1 SEC. 3. Section three hundred forty-seven point seven (347.7),
2 Code 1966, is further amended by striking the period in line fifteen
3 (15) and inserting the following: "and such fund shall be subject to
4 review by the board of supervisors in counties over two hundred
5 twenty-five thousand (225,000)".

Approved June 29, 1967.

*According to enrolled Act.

CHAPTER 301

COUNTY HOSPITAL FUNDS

H. F. 690

AN ACT relating to county public hospital funds, the control and investment thereof.

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

1 SECTION 1. Section three hundred forty-seven point eleven
2 (347.11), Code 1966, is hereby amended by inserting in line four (4)
3 after the word "them," the words "except as hereafter provided,".

4 Further amend said section by striking the period after the word
5 "secretary" in line six (6) and inserting in lieu thereof the following:
6 " , and one as treasurer. The secretary and treasurer shall each file
7 with the chairman of the board a surety bond in such penal sum as the
8 board of trustees may require and with sureties to be approved by the
9 board for the use and benefit of the county public hospital. The reason-

10 able cost of such bonds shall be paid from operating funds of the hos-
 11 pital. The secretary shall report to the county auditor and treasurer
 12 the names of the chairman, secretary and treasurer of the board of
 13 hospital trustees as soon as practicable after the qualification of each."

1 SEC. 2. Section three hundred forty-seven point twelve (347.12),
 2 Code 1966, is hereby repealed and the following enacted in lieu there-
 3 of:

4 "The treasurer of the county hospital shall receive and disburse all
 5 funds. Warrants shall be drawn by the secretary and countersigned
 6 by the chairman of the board after the claim has been certified by the
 7 board.

8 "The treasurer of the county hospital shall keep an accurate account
 9 of all receipts and disbursements and shall register all orders drawn
 10 and reported to him by the secretary, showing the number, date, to
 11 whom drawn, the fund upon which drawn, the purpose and amount.

12 "The secretary of the hospital board of trustees shall file monthly
 13 on or before the tenth day of each month with such board a complete
 14 statement of all receipts and disbursements from all funds during the
 15 preceding month, and also the balance remaining on hand in such
 16 funds at the close of the period covered by said statement.

17 "Before the third Monday of each month in each year, the county
 18 treasurer shall give notice to the chairman of the board of hospital
 19 trustees of the amount of revenue collected for each fund of the hos-
 20 pital to the first day of such month, and the chairman shall draw his
 21 draft therefor countersigned by the secretary, upon the county treas-
 22 urer, who shall pay such taxes to the treasurer of the hospital, only
 23 on such draft."

1 SEC. 3. Section four hundred fifty-three point one (453.1), Code
 2 1966, is hereby amended as follows:

3 1. By inserting after the word "town," in line two (2) the words
 4 "county public hospital, merged area hospital".

5 2. By inserting after the word "council," in line ten (10) the words
 6 "board of hospital trustees,".

1 SEC. 4. Section four hundred fifty-three point four (453.4), Code
 2 1966, is hereby amended by inserting after the word "officer" in line
 3 three (3) the words "or county public hospital officer or merged area
 4 hospital officer".

1 SEC. 5. Section four hundred fifty-three point eleven (453.11),
 2 Code 1966, is hereby amended by inserting after the word "town" in
 3 line two (2) the words ", county public hospital, merged area hos-
 4 pital".

Approved June 29, 1967.

CHAPTER 302

PRIVATE FACILITIES AND COUNTY HOSPITALS

S. F. 766

AN ACT relating to the acquisition of existing privately owned property and facilities in connection with the establishment of 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 1966, is hereby amended by adding thereto a new section reading as
3 follows:

4 "Any county undertaking to acquire, construct, equip, operate, and
5 maintain a county hospital under the provisions of this chapter may
6 enter into agreements with the board of directors or board of trustees
7 of any corporation owning and operating existing hospital facilities in
8 the county under which all assets of the corporation shall be conveyed
9 to the county and the county shall assume and pay any existing in-
10 debtedness and liability of such corporation. A county may further
11 acquire, by gift or purchase, existing privately owned property and
12 hospital facilities located in the county to operate and maintain such
13 property and facilities in conjunction with the hospital established
14 under the provisions of this chapter and may issue revenue bonds pur-
15 suant to provisions of this chapter to pay all or any part of the pur-
16 chase price of any such property and facilities.

17 "The provisions of sections five hundred sixty-five point eight
18 (565.8) through five hundred sixty-five point eleven (565.11) of the
19 Code shall not apply to the acquisition of property and facilities as
20 authorized in this Act."

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 De-
3 corah Journal, a newspaper published in Decorah, Iowa, and in The
4 Fayette County Union, a newspaper published in West Union, Iowa.

Approved June 19, 1967.

I hereby certify that the foregoing Act, Senate File 766, was published in The Decorah Journal, Decorah, Iowa, June 22, 1967, and in The Fayette County Union, West Union, Iowa, June 22, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 303

COST OF PUBLIC PRINTING

S. F. 97

AN ACT relating to the cost of printing of certain proceedings, reports, and lists.

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

1 SECTION 1. Section three hundred forty-nine point seventeen
2 (349.17), Code 1966, is amended by striking from line three (3) the
3 word "one-half" and by inserting in lieu thereof the word "three-
4 fifths ($\frac{3}{5}$)".

1 SEC. 2. Section two hundred seventy-nine point thirty-four
 2 (279.34), Code 1966, is amended by striking from line twenty-two
 3 (22) the word "one-half" and by inserting in lieu thereof the word
 4 "three-fifths ($\frac{3}{5}$)".

1 SEC. 3. Section four hundred forty-six point ten (446.10), Code
 2 1966, is amended by striking from line two (2) the word "sixty" and
 3 by inserting in lieu thereof the word "seventy-five (75)".

Approved April 21, 1967.

CHAPTER 304

RELEASE OF CERTAIN PRISONERS

H. F. 305

AN ACT relating to periodic release of prisoners sentenced by municipal courts.

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

1 SECTION 1. Section three hundred fifty-six point thirty-three
 2 (356.33), Code 1966, is hereby amended by striking from line fourteen
 3 (14) the words "not exceeding fifteen days".

Approved June 9, 1967.

CHAPTER 305

INSPECTION OF COUNTY JAILS

H. F. 61

AN ACT relating to inspection of county jails by the state board of control.

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

1 SECTION 1. Section three hundred fifty-six point forty-three
 2 (356.43), Code 1966, is amended by inserting the following new para-
 3 graphs at the beginning of said section:

4 "The state board of control shall have general charge and supervi-
 5 sion of the provisions of sections three hundred fifty-six point thirty-
 6 seven (356.37) to three hundred fifty-six point forty-four (356.44),
 7 inclusive, of the Code. The state board of control and its inspectors
 8 and agents shall have the power and duty to make periodic inspections
 9 of each such jail, and officially to notify the county board of super-
 10 visors in writing to comply fully with the provisions of sections three
 11 hundred fifty-six point thirty-seven (356.37) to three hundred fifty-
 12 six point forty-four (356.44), inclusive.

13 "The board of control may order the governing body of a political
 14 subdivision to either correct any violations found in the inspection of
 15 a jail within a designated period, or may prohibit the confinement of
 16 prisoners in the jail. If the governing body fails to comply with the
 17 order within the period designated, the board of control may schedule

18 a hearing on the alleged violation. The board may subpoena witnesses,
 19 documents, and other information deemed necessary to determine the
 20 validity of the alleged violation. The board shall upon written request
 21 from the governing body of the political subdivision grant representa-
 22 tives of the political subdivision the right to appear before the board
 23 at the hearing. Such representatives shall have the right to counsel
 24 and may produce witnesses and present statements, documents, and
 25 other information with respect to the alleged violation for considera-
 26 tion at the hearing.

27 "The board after the hearing shall affirm, revoke, or modify the
 28 original order. If the order is upheld, the board may include a schedule
 29 for correction of the violation or violations and designate the date
 30 before each violation shall be corrected.

31 "If the political subdivision does not comply with the order within
 32 the designated period, the board may petition the attorney general to
 33 institute proceedings to enjoin the political subdivision from confining
 34 prisoners in the jail and require the transfer of prisoners to a jail
 35 declared by the director to be suitable for confinement. The county or
 36 municipality from which prisoners are transferred shall be liable for
 37 the cost of transfer and expenditures incurred in the confinement of
 38 prisoners in the jail to which transferred."

Approved June 15, 1967.

CHAPTER 306

BENEFITED FIRE DISTRICTS

H. F. 30

AN ACT relating to addition of territory to benefited fire districts.

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

1 SECTION 1. Chapter three hundred fifty-seven A (357A), Code
 2 1966, is hereby amended by adding the following new sections:

3 "The owner or owners of any property immediately contiguous to
 4 the boundaries of any established fire district may petition the board
 5 of supervisors to be included in the district. Upon receipt of such peti-
 6 tion the board shall submit the request to a competent disinterested
 7 civil engineer to investigate the feasibility of adding such additional
 8 territory and to make a report to the board. If, on receipt of a favor-
 9 able report, the board agrees that said property should be added to the
 10 district, the tax levy for the next year shall be applied to said prop-
 11 erty and on the first day of the said next year said property shall be
 12 considered a part of the district. In the event the fire district lies in
 13 more than one county the joint action of the boards of supervisors
 14 shall be required to add additional territory."

1 SEC. 2. The owner or owners of any property joining an estab-
 2 lished fire district pursuant to the provisions of section one (1) of this
 3 Act shall pay to the board of trustees of said fire district an initial fee
 4 not to exceed a fair and reasonable amount as established by said

5 trustees. The computation of the fee shall be determined on the basis
 6 of the number of owners joining said fire district. The funds paid to
 7 the district trustees shall be used to help defray the cost and mainte-
 8 nance of said district's fire fighting equipment.

Approved May 5, 1967.

CHAPTER 307

COMPENSATION OF TRUSTEES OF SANITARY DISTRICTS

S. F. 121

AN ACT changing the amount of compensation for trustees for sanitary sewer districts.

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

1 SECTION 1. Section three hundred fifty-eight point twelve
 2 (358.12), Code 1966, is hereby amended by striking lines twenty-five
 3 (25) through twenty-eight (28) inclusive and by inserting in lieu
 4 thereof the following: "not to exceed ten (10) dollars per day for
 5 each day the board is actually in session and ten (10) dollars per day
 6 when not in session but employed on committee service, and ten (10)
 7 cents fer".

Approved March 15, 1967.

CHAPTER 308

FIRE PROTECTION IN TOWNSHIPS

S. F. 219

AN ACT to permit township trustees to purchase fire protection for a portion of the township and to levy a tax therefor.

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

1 SECTION 1. Section three hundred fifty-nine point forty-two
 2 (359.42), Code 1966, is hereby amended as follows:

3 1. By inserting in line two (2) after the word "may" the following:
 4 " , for the township or portion thereof, exclusive of any portion in-
 5 cluded in a benefited fire district,".
 6 2. By inserting in line nine (9) after the word "townships," the
 7 words "or portions thereof,".

1 SEC. 2. Section three hundred fifty-nine point forty-three
 2 (359.43), Code 1966, is hereby amended by inserting in line four (4)
 3 after the word "township," in lines three (3) and four (4) the words
 4 "or portion thereof,".

1 SEC. 3. Section three hundred fifty-nine point forty-four (359.44),
 2 Code 1966, is hereby amended as follows:

3 1. By inserting in line eight (8) after the word "township" the
4 words ", or portion thereof,".

5 2. By inserting in line fourteen (14) after the word "township,"
6 the words "or portion thereof,".

7 3. By adding thereto the following new paragraph:

8 "If such proposal or petition does not include the entire township,
9 exclusive of any area included in a benefited fire district, a public
10 hearing shall be held on the proposal or petition before the election.
11 Notice of said hearing shall be given by posting in three (3) public
12 places in the portion of the township affected not less than ten (10)
13 days prior to the time of such hearing. The township trustees may
14 approve, disapprove, amend the plan, or make changes in the bound-
15 daries."

1 SEC. 4. Section three hundred twenty-one point four hundred
2 ninety-six (321.496), Code 1966, is hereby amended by inserting in
3 line twenty-eight (28) after the word "townships" the words ", or
4 portions thereof".

Approved May 22, 1967.

CHAPTER 309

CONSOLIDATION OF CITIES AND TOWNS

S. F. 337

AN ACT relating to the consolidation of cities and towns.

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

1 SECTION 1. Section three hundred sixty-two point nineteen
2 (362.19), Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the words "be annexed to" and
4 inserting in lieu thereof the words "consolidate with".

5 2. By striking from line five (5) the word "annexation" and insert-
6 ing in lieu thereof the word "consolidation".

1 SEC. 2. Section three hundred sixty-two point twenty (362.20),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line three (3) the word "annexation" and in-
4 serting in lieu thereof the word "consolidation".

5 2. By striking from line four (4) the word "to" and inserting in
6 lieu thereof the word "with".

7 3. By striking from line six (6) the word "annexation" and insert-
8 ing in lieu thereof the word "consolidation".

9 4. By striking from line nine (9) the word "annexation" and in-
10 serting in lieu thereof the word "consolidation".

11 5. By striking from line ten (10) the words "to which such annexa-
12 tion" and inserting in lieu thereof the words "with which such con-
13 solidation".

1 SEC. 3. Section three hundred sixty-two point twenty-one
2 (362.21), Code 1966, is hereby repealed and the following enacted in
3 lieu thereof:

4 "When certified copies of the proceedings are so filed, the consolida-
5 tion shall be complete, and both municipal corporations involved in the
6 consolidation shall pass such ordinances as will carry into effect the
7 consolidation.

8 The population of the municipal corporation formed by the consoli-
9 dation shall be the total population in accordance with the last decen-
10 nial census of the combined municipal corporations."

1 SEC. 4. Section three hundred sixty-two point twenty-two
2 (362.22), Code 1966, is hereby repealed and the following enacted in
3 lieu thereof:

4 "A citizen of either of the municipal corporations involved in the
5 consolidation may maintain legal proceedings to compel the municipal
6 corporation, and the council thereof, to execute such terms and con-
7 ditions, but the consolidation shall not affect or impair any rights or
8 liabilities then existing for or against either of the municipal corpo-
9 rations, and they may be enforced as hereinafter provided."

1 SEC. 5. Sections three hundred sixty-two point twenty-three
2 (362.23) and three hundred sixty-two point twenty-four (362.24),
3 Code 1966, are hereby repealed and the following enacted in lieu
4 thereof:

5 "The indebtedness of each municipal corporation involved in the
6 consolidation shall be paid by the municipal corporation which in-
7 curred the indebtedness. The indebtedness shall be paid by a tax to be
8 levied by the consolidated municipality exclusively upon the property
9 subject to taxation within the limits of the municipal corporation
10 which incurred the indebtedness as it existed prior to the consolida-
11 tion. None of the real estate or property embraced within the limits
12 of the other municipal corporation shall ever be subjected in any way
13 to the payment of any part of said indebtedness."

1 SEC. 6. Section three hundred sixty-two point twenty-five
2 (362.25), Code 1966, is hereby repealed and the following enacted in
3 lieu thereof:

4 "Suits to enforce claims or demands existing at the time of consoli-
5 dation against either municipal corporation may be prosecuted or
6 brought against the municipal corporation formed by the consolida-
7 tion, and judgments obtained shall be paid as provided in this Act for
8 the payment of the indebtedness."

Approved May 18, 1967.

CHAPTER 310

SANITARY SEWERS IN ANNEXED TERRITORY

S. F. 482

AN ACT relating to the acquisition by cities or towns of sanitary sewer systems or facilities situated within and serving any part of territory annexed by such city or town and to provide for the method of payment therefor.

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

1 SECTION 1. Chapter three hundred sixty-two (362), Code 1966, is
 2 hereby amended by adding thereto the following new section:
 3 "Any city or town which shall annex adjoining territory or con-
 4 solidate with an adjoining city or town may acquire by grant, pur-
 5 chase, or condemnation any sanitary sewer system or facilities situ-
 6 ated within such city or town or territory and thereafter operate such system or
 7 such city or town or territory and thereafter operate such system or
 8 facilities as a part of the municipality's sanitary sewer system. The
 9 procedure for condemnation shall be that provided by sections three
 10 hundred ninety-seven point twenty (397.20) through three hundred
 11 ninety-seven point twenty-five (397.25) of the Code. Such city or
 12 town is hereby authorized to issue bonds under the provisions of sec-
 13 tion three hundred ninety-six point twenty-two (396.22) of the Code
 14 or revenue bonds under the provisions of chapter three hundred
 15 ninety-four (394) of the Code, or both, to pay all or any part of the
 16 cost of acquiring such sanitary sewer system or facilities."

Approved May 18, 1967.

CHAPTER 311

CITY-MANAGER WARD FORM OF GOVERNMENT

H. F. 280

AN ACT providing for an optional form of municipal government.

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

1 SECTION 1. Section three hundred sixty-three point one (363.1),
 2 Code 1966, is hereby amended as follows:
 3 1. By inserting in line six (6) after the word "manager" the words
 4 "-at-large".
 5 2. By adding thereto the following new subsection:
 6 "Council-manager ward form by popular election."
 1 SEC. 2. Section three hundred sixty-three point nine (363.9), Code
 2 1966, is hereby amended by striking in line five (5) the word "plan"
 3 and inserting in lieu thereof the words "at large form by popular elec-
 4 tion, and the members of the council and mayor in council-manager-
 5 ward form".
 1 SEC. 3. Section three hundred sixty-three point twenty-seven
 2 (363.27), Code 1966, is hereby amended by striking in line three (3)

3 the word "plan" and inserting in lieu thereof the words "-at-large
4 form".

1 SEC. 4. Section three hundred sixty-three point thirty-nine
2 (363.39), Code 1966, is hereby amended by striking in line six (6)
3 the word "form" and inserting in lieu thereof the word "forms".

1 SEC. 5. Section three hundred sixty-three C point one (363C.1),
2 Code 1966, is hereby amended by adding in line two (2) after the
3 words "council-manager" the words "-at-large".

1 SEC. 6. Section three hundred sixty-three C point fourteen
2 (363C.14), Code 1966, is hereby amended by striking in line five (5)
3 the words "city manager plan" and inserting in lieu thereof the words
4 "council-manager forms".

1 SEC. 7. Chapter three hundred sixty-three C (363C), Code 1966,
2 is hereby amended by adding thereto the following new section:

3 "A city operating under the council-manager-at-large form by popu-
4 lar election may by ordinance provide that section eight (8) of this
5 Act shall apply to such city. Such ordinance shall provide for the divi-
6 sion of the city into four (4) wards pursuant to section three hundred
7 sixty-three point seven (363.7) of the Code and shall further provide
8 for the election of the mayor and council thereunder at the next regu-
9 lar municipal election."

1 SEC. 8. The Code of Iowa is hereby amended by adding thereto the
2 following new chapter:

3 "Cities operating under the council-manager-ward form of municipi-
4 pal government shall be governed by a council consisting of a mayor
5 and two (2) councilmen elected at large, and one (1) councilman by
6 and from each of four (4) wards of as nearly equal population as is
7 practicable.

8 "The compensation of the council shall be fixed by ordinance as
9 provided in section three hundred sixty-three C point two (363C.2)
10 of the Code except that the compensation of the mayor may be in-
11 creased to an amount not exceeding one and one-half (1½) that of
12 other members of the council.

13 "In all cities operating under the council-manager-ward form by
14 popular election the mayor shall have the right and power to vote on
15 any and all matters of city business including ordinances, resolutions,
16 appropriations and expenditures.

17 "Sections three hundred sixty-three C point three (363C.3) through
18 three hundred sixty-three C point sixteen (363C.16), inclusive, are
19 hereby made applicable to cities organized under this section."

Approved June 30, 1967.

CHAPTER 312
MUNICIPAL ELECTIONS

H. F. 608

AN ACT relating to municipal elections in cities over ten thousand (10,000) population providing the option of a run-off election in lieu of a primary.

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

- 1 SECTION 1. Chapter three hundred sixty-three (363), Code 1966,
2 is hereby amended by adding thereto the following new section:
3 "The council of any city having a population of more than ten thou-
4 sand (10,000) may by ordinance provide that sections three hundred
5 sixty-three point sixteen (363.16) through three hundred sixty-three
6 point twenty-one (363.21), section three hundred sixty-three point
7 twenty-four (363.24), and section three hundred sixty-three point
8 twenty-five (363.25) of the Code shall not apply to such city if the
9 ordinance provides for a run-off election as set forth in this section.
10 Any such run-off election shall be held two (2) weeks after the regular
11 municipal election if the following conditions result:
12 1. If no candidate for a single office receives a majority of the votes
13 cast, the two (2) candidates receiving the largest number of votes
14 shall be placed upon the run-off ballot.
15 2. Where candidates for council or other bodies run at large, the
16 results shall be ranked in order of votes received. If any of the top
17 candidates, to the number of positions to be filled, receive less than a
18 majority of the votes cast at the election, those candidates receiving a
19 majority of the votes cast shall be declared elected. Those candidates
20 receiving the next highest number of votes but not having a majority,
21 to the number of twice the number of unfilled positions, shall be placed
22 on the run-off ballot.
23 All provisions for conducting municipal elections shall apply to run-
24 off elections except that there shall be no added voter registrations
25 accepted for said election but transfers may be accepted until ten (10)
26 days before the election, as now provided under law.

Approved June 22, 1967.

CHAPTER 313
DEPUTY CITY CLERK

H. F. 253

AN ACT authorizing municipalities to appoint a deputy city clerk.

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

- 1 SECTION 1. Section three hundred sixty-three C point one
2 (363C.1), Code 1966, is hereby amended by inserting in line eight (8)
3 after the word "clerk," the words "and a deputy clerk if deemed neces-
4 sary,".

1 SEC. 2. Section three hundred sixty-five point six (365.6), Code
2 1966, is hereby amended by inserting in line one (1) of paragraph a.
3 after the word "clerk," the words "deputy city clerk,".

1 SEC. 3. Section three hundred sixty-eight A point one (368A.1),
2 Code 1966, is hereby amended by striking from subparagraph two (2),
3 line four (4), the words "or clerk", and inserting in lieu thereof the
4 words "clerk, or deputy clerk where one has been appointed,".

1 SEC. 4. Section three hundred sixty-eight A point one (368A.1),
2 Code 1966, is hereby amended by inserting in line two (2) of para-
3 graph seven (7) after the word "clerk," the words "deputy city
4 clerk,".

1 SEC. 5. Section three hundred sixty-eight A point three (368A.3),
2 Code 1966, is hereby amended by adding thereto a new subsection as
3 follows:
4 "Where the council has appointed a deputy clerk, then in case of
5 absence or inability of the clerk and during the period for which the
6 council has appointed such deputy as acting clerk, he shall act as and
7 perform all the duties of the clerk."

Approved June 20, 1967.

CHAPTER 314

CIVIL SERVICE EMPLOYEES

S. F. 484

AN ACT relating to rights of civil service employees.

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

1 SECTION 1. Section three hundred sixty-five point twenty-nine
2 (365.29), Code 1966, is hereby amended by adding thereto the follow-
3 ing:

4 "Nothing in this section shall prohibit any employee or group of
5 employees, individually or collectively, from expressing honest opin-
6 ions and convictions, or making statements and comments concerning
7 their wages or other conditions of their employment."

1 SEC. 2. Section three hundred sixty-five point twenty-nine
2 (365.29), Code 1966, is further amended by striking in line eight (8)
3 the word "privately".

1 SEC. 3. Section three hundred sixty-five point twenty-nine
2 (365.29), Code 1966, is hereby further amended by adding thereto the
3 following:

4 "Any employee who shall become a candidate for any partisan elec-
5 tive office for remuneration shall, commencing thirty (30) days prior
6 to the date of the primary or general election and continuing until such
7 person is eliminated as a candidate, either voluntarily or otherwise,
8 automatically receive leave of absence without pay and during such

9 period shall perform no duties connected with the office or position so
10 held.”

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 Bettendorf News, a newspaper published at Bettendorf, Iowa and
4 in the Jackson Sentinel, a newspaper published at Maquoketa, Iowa.

Approved July 20, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 484, was published in the Bettendorf News, Bettendorf, Iowa, July 27, 1967, and in the Jackson Sentinel, Maquoketa, Iowa, July 27, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 315

REFUSE AND GARBAGE

H. F. 150

AN ACT relating to the collection and disposal of refuse and garbage in cities and towns.

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

1 SECTION 1. Section three hundred sixty-eight point twenty-four
2 (368.24), Code 1966, is hereby amended by striking from lines seven
3 (7) and eight (8) the words “of twenty thousand or more population”
4 and inserting in lieu thereof the words “and towns”.

1 SEC. 2. Section three hundred sixty-eight point twenty-four
2 (368.24), Code 1966, is hereby further amended by substituting for
3 the word “city” whenever it appears in said section the words “city
4 or town”.

Approved May 18, 1967.

CHAPTER 316

SANITARY SEWERS OUTSIDE CITIES

S. F. 483

AN ACT authorizing cities and towns to extend and to enter into contracts for the operation of sanitary sewer facilities outside the corporate limits.

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

1 SECTION 1. Section three hundred sixty-eight point twenty-six
2 (368.26), Code 1966, is hereby amended by adding the following sub-
3 sections:

- 4 1. "They shall have power to extend their sanitary sewer systems
5 and provide sanitary sewer facilities to areas not more than ten (10)
6 miles beyond their corporate limits."
7 2. "They shall have power to enter into contracts with any person
8 operating sanitary sewer facilities serving areas outside of the cor-
9 porate limits to discharge sewage collected through such facilities into
10 those of the municipal corporation, to grant to such person the right
11 to provide sanitary sewer facilities to areas within such municipal
12 corporation and adjacent to the areas so served but not served by the
13 sanitary sewer system of the municipal corporation, to permit such
14 person to use the alleys and streets of the municipal corporation for
15 such purposes and to prescribe the terms and conditions therefor."

Approved May 18, 1967.

CHAPTER 317

NURSING HOMES AND CUSTODIAL HOMES

S. F. 72

AN ACT relating to the establishment and operation of municipal hospitals, nursing homes and custodial homes.

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

- 1 SECTION 1. Section three hundred sixty-eight point twenty-seven
2 (368.27), Code 1966, is hereby amended by adding thereto the follow-
3 ing: "They shall also have the power to establish a nursing home or
4 custodial home but only if a fully constructed and equipped nursing
5 home or custodial home is presented to the city or town as a gift."
- 1 SEC. 2. Section three hundred eighty point six (380.6), Code 1966,
2 is hereby amended as follows:
3 1. By inserting in line four (4) after the word "hospital" the words
4 ", nursing home, or custodial home".
5 2. By inserting in line eight (8) after the word "hospital" the
6 words ", nursing home, or custodial home".
7 3. By inserting in line ten (10) after the word "hospital" the words
8 ", nursing home, or custodial home".
9 4. By inserting in line eleven (11) after the word "hospital" the
10 words ", nursing home, or custodial home".
11 5. By inserting in line twenty-three (23) after the word "hospital"
12 the words ", nursing home, or custodial home".
13 6. By inserting in line thirty-five (35) after the word "hospital" the
14 words ", nursing home, or custodial home".
15 7. By striking from line twenty-one (21) the word "hospital".
- 1 SEC. 3. Section three hundred eighty point seven (380.7), Code
2 1966, is hereby amended as follows:
3 1. By inserting in line three (3) after the word "hospital" the
4 words ", nursing home, or custodial home".
5 2. By inserting in line seven (7) after the word "hospital" the
6 words ", nursing homes, or custodial homes".

1 SEC. 4. Section three hundred eighty point eight (380.8), Code
2 1966, is hereby amended by inserting in line two (2) after the word
3 "hospital" the words ", nursing home, or custodial home".

1 SEC. 5. Chapter three hundred eighty (380), Code 1966, is hereby
2 amended by adding thereto the following new section:
3 "As used in this chapter, 'nursing home' and 'custodial home' shall
4 be defined as in section one hundred thirty-five C point one (135C.1)
5 of the Code."

1 SEC. 6. Section four hundred four point ten (404.10), Code 1966,
2 is hereby amended as follows:

3 By inserting after the word "hospital" in line two (2) of subsection
4 seven (7) the words ", a municipal nursing home, a municipal cus-
5 todial home, or any combination thereof."

1 SEC. 7. Section three hundred eighty point one (380.1), Code 1966,
2 is hereby amended as follows:

3 1. By striking line one (1) and substituting in lieu thereof the fol-
4 lowing:

5 "If an institution as provided for in this chapter is established pur-
6 suant to section three hundred sixty-eight point twenty-seven (368.27)
7 of the Code, cities or towns shall by".

8 2. By striking from line three (3) the word "hospital".

9 3. By adding the following:

10 "A board of trustees elected pursuant to this section and section
11 three hundred eighty point two (380.2) of the Code, shall serve as the
12 sole and only board of trustees for any and all institutions established
13 by a city or town as provided for in this chapter."

1 SEC. 8. Section three hundred eighty point two (380.2), Code 1966,
2 is hereby amended by striking lines one (1), two (2) and three (3)
3 and substituting in lieu thereof the following:

4 "Cities or towns maintaining an institution as provided for in this
5 chapter which have a board of trustees con-".

1 SEC. 9. Section three hundred eighty point three (380.3), Code
2 1966, is hereby amended by striking from line four (4) the word
3 "hospital".

1 SEC. 10. Chapter three hundred eighty (380), Code 1966, is here-
2 by further amended by adding a new section as follows:

3 "Boards of trustees of institutions provided for in this chapter are
4 hereby granted all of the powers and duties necessary for the manage-
5 ment, control and government of such institutions, specifically includ-
6 ing but not limited to any applicable powers and duties granted boards
7 of trustees under other provisions of the Code relating to hospitals,
8 nursing homes, and custodial homes irrespective of the chapter of the
9 Code under which such institutions are established, organized, oper-
10 ated or maintained."

Approved April 28, 1967.

CHAPTER 318

JOINT COUNTY-CITY OR TOWN BUILDINGS

H. F. 537

AN ACT relating to the authority for joint county-city or town buildings.

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

1 SECTION 1. Section three hundred sixty-eight point fifty-five
2 (368.55), Code 1966, is amended by striking from lines four (4) to
3 eight (8), inclusive, all beginning with the words "for the purpose"
4 and ending with the words "sites therefor" and inserting in lieu there-
5 of the words "for the purpose of acquiring, constructing, demolishing,
6 improving, enlarging, equipping, furnishing, repairing, maintaining
7 and operating a public building or buildings, and to acquire and pre-
8 pare the necessary site or sites therefor, including demolition of any
9 structures thereon".

1 SEC. 2. Section three hundred sixty-eight point fifty-nine (368.59),
2 Code 1966, is amended as follows:

3 1. Insert in line four (4) after the word "county" the words "from
4 the area outside of the county seat".

5 2. Insert in line six (6) after the word "town" the words "from the
6 area inside the city or town".

7 3. Insert in line fourteen (14) after the word "terms." a new sen-
8 tence as follows:

9 "Of the first appointees, or at the expiration of the terms of com-
10 missioners existing on the effective date of this Act, the member ap-
11 pointed by the board of supervisors shall be for a term of two (2)
12 years; the member appointed by the city or town council shall be for
13 a term of four (4) years and the member appointed by the joint action
14 of the board and council shall be for a term of six (6) years."

1 SEC. 3. Section three hundred sixty-eight point sixty-three
2 (368.63), Code 1966, is amended by adding in line four (4) after the
3 word "personal," the words "including gratuitous lease thereof,".

1 SEC. 4. Section three hundred sixty-eight point sixty-four
2 (368.64), Code 1966, is amended as follows:

3 1. Add after the word "authority" in line five (5) of subsection two
4 (2) the words ", or to take possession of such real estate by lease".

5 2. Strike from line four (4) of subsection three (3) the words "and
6 other facilities".

7 3. Strike from line eight (8) of subsection three (3) the words "and
8 other facilities".

9 4. Strike from line four (4) of subsection six (6) the words "and
10 other facilities".

11 5. Strike from line two (2) of subsection eight (8) the words "
12 buildings or other facilities" and insert in lieu thereof the words "or
13 buildings".

14 6. Strike from line four (4) of subsection ten (10) the words "or
15 lessor".

16 7. Add at the end of subsection ten (10) the words "The bidding
17 procedures provided for in section twenty-three point eighteen (23.18)
18 of the Code shall be utilized in the procurement of such insurance."

19 8. Strike from line ten (10) of subsection twelve (12) the words
20 "and other facilities".

21 9. Strike all of subsection nine (9).

1 SEC. 5. Section three hundred sixty-eight point sixty-five
2 (368.65), Code 1966, is amended as follows:

3 1. Strike from line three (3) the words "an original" and insert in
4 lieu thereof the word "any".

5 2. Add in line three (3) after the word "bonds" the following:
6 "(except refunding bonds)".

7 3. Insert in line five (5) after the word "submit" the words "in a
8 single county-wide election".

9 4. Add at the end of said section the following:

10 "The authority shall call this election with the concurrence of both
11 incorporating units, and it shall establish the voting precincts and
12 polling places, and appoint the election judges, and in so doing such
13 election procedures shall be in accordance with the provisions of chap-
14 ters forty-nine (49) and fifty (50) of the Code."

1 SEC. 6. Section three hundred sixty-eight point sixty-six (368.66),
2 Code 1966, is amended as follows:

3 1. Insert in line three (3) after the word "division," the words
4 "subject to the election requirements of section three hundred sixty-
5 eight point sixty-five (368.65) of the Code as amended."

6 2. Strike from line nine (9) the word "estimated" and insert in lieu
7 thereof the words "limit of the".

8 3. Strike from lines one (1) and two (2) of the fourth (4th) para-
9 graph the words ", whether original issue or issues, or refunding,".

10 4. Strike from lines four (4) and five (5) of the fifth (5th) para-
11 graph the words "or other facilities".

12 5. Strike from line eight (8) of the fifth (5th) paragraph the word
13 "facilities,".

14 6. Strike from lines eight (8) and nine (9) of the eighth (8th)
15 paragraph the words "or other facilities".

16 7. Strike from lines five (5) and six (6) of the last paragraph the
17 words "or other facilities".

18 8. Strike from line eight (8) of the first [1st]* paragraph of said
19 section the words "or other facilities".

1 SEC. 7. Section three hundred sixty-eight point seventy-one
2 (368.71), Code 1966, is amended by adding at the end thereof a new
3 sentence as follows:

4 "The proposition of whether such conveyance shall be made shall be
5 submitted to the legal voters of said city or town and county, utilizing
6 the election procedures prescribed in section three hundred sixty-eight
7 point sixty-five (368.65) of the Code as amended, and an affirmative
8 vote equal to at least sixty (60) percent of the total votes cast on said
9 proposition shall be required to authorize such conveyance. If the
10 proposition does not carry, the authority shall continue to operate,
11 maintain and manage said building or buildings under a lease arrange-
12 ment with the incorporating units."

*Number supplied by editor, §3.1(3).

1 SEC. 8. This Act being deemed of immediate importance shall be
 2 in effect from and after its publication in the Marshalltown Times-
 3 Republican, a newspaper published at Marshalltown, Iowa, and in The
 4 New Hampton Tribune, a newspaper published at New Hampton,
 5 Iowa.

Approved May 5, 1967.

I hereby certify that the foregoing Act, House File 537, was published in the Marshalltown Times-Republican, Marshalltown, Iowa, May 11, 1967, and in The New Hampton Tribune, New Hampton, Iowa, May 10, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 319

GIFTS TO MUNICIPALITIES

H. F. 136

AN ACT relating to gifts to municipalities.

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

1 SECTION 1. Chapter three hundred sixty-eight (368), Code 1966,
 2 is amended by the addition of the following new section thereto:
 3 "City and town councils may, with the concurrence of the park
 4 board of such city or town, if any such board exists, consent to and
 5 provide a site in any park or public grounds for the location of build-
 6 ings and appurtenant facilities and landscaping, to be used for and in
 7 connection with a library, art gallery or museum, conservatory, ob-
 8 servatory or science museum, to be erected, owned and maintained by
 9 individuals, associations or corporations, for public use and not for
 10 private profit."

Approved April 24, 1967.

CHAPTER 320

MUNICIPAL RECORDS

H. F. 203

AN ACT relating to the retention of municipal records.

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 1966, is amended in subsection five (5) by adding
 3 thereto the following new sentence:
 4 "The council may provide for photographic, photostatic, microfilm,
 5 microcard, or other accurately reproduced copies of all municipal
 6 records and papers and, except for the permanent records named in
 7 this subsection, for the subsequent disposal of the originals at an
 8 earlier date."

Approved May 25, 1967.

CHAPTER 321

COMPENSATION OF PARK COMMISSIONERS

S. F. 397

AN ACT relating to the compensation of park commissioners.

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

- 1 SECTION 1. Section three hundred seventy point five (370.5), Code
 2 1966, is hereby amended as follows:
 3 1. By striking the words "in the aggregate" in lines three (3) and
 4 four (4).
 5 2. By striking in line four (4) the word "ten" and inserting in lieu
 6 thereof the word "twenty".
 7 3. By striking the comma (,) in line six (6) after the word "census"
 8 and inserting in lieu thereof the words "or one thousand (1000) dol-
 9 lars, whichever is the smaller,".

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 322

CITY OR TOWN PARK IMPROVEMENTS

H. F. 192

AN ACT to authorize cities and towns to contract indebtedness and to issue general obligation bonds to provide funds to pay the cost of park improvements.

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

- 1 SECTION 1. Section three hundred seventy point seven (370.7),
 2 Code 1966, is amended by striking from line five (5) the words "and
 3 permanent improvement" and inserting in lieu thereof the words "or
 4 permanent improvement or both".

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 323

MUNICIPAL RECREATIONAL FACILITIES

S. F. 546

AN ACT to amend chapter three hundred seventy (370), Code 1966, relating to the control of municipal recreational facilities.

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

- 1 SECTION 1. Chapter three hundred seventy (370), Code 1966, is
 2 hereby amended by adding at the end thereof the following new sec-
 3 tion:

4 "The board of park commissioners and the city or town council of
 5 any city or town may by resolution agree that the city or town council
 6 of said city or town shall have exclusive control over any swimming
 7 pool or golf course, the construction of which is financed in whole or
 8 in part by means of the issuance of bonds of said city or town payable
 9 from the revenues derived from the operation of such swimming pool
 10 or golf course for a period not to exceed forty (40) years, whether
 11 such swimming pool or golf course is located on land owned by said
 12 city or town or on land held in the name of said board of park com-
 13 missioners, either within or without the corporate limits of said city
 14 or town, if said board of park commissioners and said city or town
 15 council determine that such exclusive control by said city or town
 16 council will facilitate the orderly operation of such swimming pool or
 17 golf course and the efficient management of the revenues derived from
 18 the operation thereof, any other statute to the contrary notwithstand-
 19 ing."

1 SEC. 2. This Act being deemed of immediate importance shall be
 2 in full force and effect from and after its passage and publication in
 3 The West Des Moines Express, a newspaper published at West Des
 4 Moines, Iowa, and in The Times-Plain Dealer, a newspaper published
 5 at Cresco, Iowa, without expense to the state.

Approved June 14, 1967.

I hereby certify that the foregoing Act, Senate File 546, was published in The West Des Moines Express, West Des Moines, Iowa, July 6, 1967, and in The Times-Plain Dealer, Cresco, Iowa, July 5, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 324

TRANSPORTING LIBRARY BOOKS

H. F. 222

AN ACT relating to contracts by boards of trustees of public libraries.

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

1 SECTION 1. Section three hundred seventy-eight point twelve
 2 (378.12), subsection three (3), Code 1966, is hereby amended by strik-
 3 ing in line two (2) the word "wagon" and inserting in lieu thereof the
 4 word "mobile".

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 325
CITY CIVIC CENTER

S. F. 776

AN ACT to authorize certain cities to lease and operate a civic center and levy taxes therefor.

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

1 SECTION 1. When used in this Act, unless the context otherwise
2 requires:

3 1. "Building" may include the equipment thereof and the site upon
4 which located, not to exceed five (5) acres in size.

5 2. "Complex of buildings" means two (2) or more individual build-
6 ings located upon a single site not exceeding five (5) acres in size and
7 may include the equipment thereof and the site upon which located.

8 3. "Civic center" means a building or complex of buildings used
9 primarily as auditoriums, concert halls, music halls, opera houses,
10 theatres, sports arenas, field houses, exhibit halls, meeting rooms,
11 recreation rooms and convention halls, or any combination of such
12 primary uses, and may include parking facilities, either indoors or
13 outdoors, to the extent that such parking facilities are beneficial to
14 the successful operation of such building or complex of buildings for
15 such primary uses, and may also include restaurants and retail shops
16 to the extent that such facilities are beneficial to the successful oper-
17 ation of such building or complex of buildings for such primary uses,
18 provided that the space devoted to such restaurants and retail shops
19 is not currently needed for any of such primary uses, but under no
20 circumstances shall the amount of floor space devoted to such restau-
21 rants and retail shops exceed twenty (20) percent of the total floor
22 space of the building or complex of buildings being used as a civic
23 center.

1 SEC. 2. It is hereby found, determined, and declared that urban
2 living conditions in cities of more than ninety thousand (90,000) pop-
3 ulation create a need for certain recreational facilities not required by
4 municipalities of smaller size and that the operation of civic centers
5 by cities having a population of more than ninety thousand (90,000)
6 will promote the health, happiness, and general welfare of the inhabi-
7 tants of such cities and will be for a public purpose.

1 SEC. 3. Any city now having or hereafter attaining a population
2 in excess of ninety thousand (90,000), as determined by the most
3 recent certified and published general federal census, is hereby author-
4 ized and empowered to lease from any nonprofit corporation which is
5 then organized under or has then voluntarily adopted the provisions
6 of chapter five hundred four A (504A) of the Code and operate a
7 building or complex of buildings as a civic center, either within or
8 without its corporate limits; provided, that, no member, director, or
9 officer of such lessor nonprofit corporation shall be an official, officer,
10 or employee of such lessee city.

1 SEC. 4. Any such lease of a building or complex of buildings pur-
2 suant to the authority granted by this Act shall be for such period of

3 time, not to exceed thirty (30) years, as the governing body of such
4 city shall determine to be reasonable and proper, taking into account
5 the probable duration of the necessity for such lease. The lease shall
6 provide for such rental payments as the governing body of such city
7 shall determine to be reasonable and proper, taking into account the
8 value of the building or complex of buildings, the benefit to be de-
9 rived by such city and its inhabitants from the operation of such build-
10 ing or complex of buildings as a civic center, and the extent to which
11 and the terms upon which a building or complex of buildings adequate
12 to satisfy the needs of such city and its inhabitants is available or
13 unavailable from an alternative source. The lease may provide that
14 the cost of maintaining and repairing such building or complex of
15 buildings, including the cost of insurance and all taxes and assess-
16 ments levied against or on account of such property, shall be borne
17 by the lessor nonprofit corporation, in which event the cost thereof
18 may be taken into account in determining the lease rental payments,
19 or such lease may provide that the city will bear the cost of maintain-
20 ing and repairing such building or complex of buildings, including the
21 cost of insurance and all taxes and assessments levied against or on
22 account of such property. The lease may contain provisions permit-
23 ting but not obligating the city to renew such lease at the time of its
24 expiration for a period of time not exceeding twenty (20) years and
25 may contain provisions granting to the city an option to purchase
26 such building or complex of buildings, or any part of a complex of
27 buildings, but not obligating the city to exercise such option, and
28 any renewals of such lease may contain similar provisions. The rental
29 payments required to be made under such lease shall be for and in
30 consideration of the use and occupancy of the building or complex of
31 buildings and the continued quiet use and enjoyment thereof. The
32 lease shall not provide for the payment of any lease rentals until the
33 building or complex of buildings is completed and ready for occu-
34 pancy, but it may be executed prior to the actual construction of the
35 building or complex of buildings. The lease shall provide that during
36 any period in which there is a substantial interference with the use
37 of all or any portion of the building or complex of buildings by reason
38 of damage or destruction the rental payments required thereunder
39 shall be proportionately abated on a reasonable basis to be specified
40 in such lease, including total abatement of such rental payments dur-
41 ing any period in which there is a substantial interference with the
42 use of the entire building or complex of buildings by reason of dam-
43 age or destruction. The lease may provide that in the event of the
44 partial or total abatement of the rental payments as a result of dam-
45 age or destruction, such lease shall nevertheless continue in full force
46 and effect, the city and the lessor nonprofit corporation thereby waiv-
47 ing any and all rights to the contrary, and that the term of the lease
48 shall be extended by a period equal to the period during which the
49 rental payments were abated, which additional period may cause the
50 term of the lease as extended to run beyond the maximum term here-
51 inbefore specified. The lease shall provide that it will terminate if
52 substantially the entire building or complex of buildings is taken
53 under the power of eminent domain, but such lease may provide that
54 it will continue in full force and effect in the event that less than sub-

55 substantially the entire building or complex of buildings is taken under
 56 the power of eminent domain, the city and the lessor nonprofit cor-
 57 poration thereby waiving any and all rights to the contrary, in which
 58 event the rental payments shall be proportionately abated on a reason-
 59 able basis to be specified in such lease. The lease may contain an
 60 agreement by the city not to condemn all or any portion of such build-
 61 ing or complex of buildings for the same or any similar use. The lease
 62 may contain an agreement by the city not to condemn all or any por-
 63 tion of such building or complex of buildings for the same or any simi-
 64 lar use. The lease may contain any additional agreements and provi-
 65 sions as would customarily be included in the lease of a building or
 66 complex of buildings.

1 SEC. 5. After the governing body of any such city has determined
 2 that it will promote the health, happiness and general welfare of the
 3 inhabitants of such city to lease a building or complex of buildings and
 4 operate the same as a civic center, and after the terms of such lease
 5 have been agreed upon, the governing body of such city shall call a
 6 special election to vote upon the question of entering into such lease.
 7 The proposition submitted to the voters at such election shall be in
 8 substantially the following form:

9 "Shall the City of _____, Iowa, lease a building
 10 (or complex of buildings) from _____ to be
 11 operated as a civic center under the terms of a lease now on
 12 file in the office of the city clerk (or recorder) of the City
 13 of _____, Iowa?"

14 Notice of such election shall state the date of the election, the hours
 15 of opening and closing the polls, the precincts and polling places there-
 16 for and the proposition to be submitted, and such notice shall also con-
 17 tain a brief summary of the principal terms of the proposed lease, a
 18 general description of the building or complex of buildings and the
 19 location thereof, a brief summary of the uses to which the building or
 20 complex of buildings is to be devoted, the term of the lease, including
 21 a reference to any provisions for renewal, the rental payments re-
 22 quired to be made by the city under such lease, and whether or not
 23 such lease contains provisions permitting the city to purchase such
 24 building or complex of buildings. Such notice shall be published once
 25 each week for at least four (4) consecutive weeks in a newspaper of
 26 general circulation in the city, the last publication of such notice to
 27 appear not less than five (5) nor more than twenty (20) days prior to
 28 the date of such election. Such notice shall be sufficient and shall be
 29 in lieu of the notice required by any other statute. The proposition of
 30 entering into such lease shall be considered to be approved by the vot-
 31 ers if the votes cast in favor of such proposition are equal to at least
 32 a majority of the total number of votes cast for and against such prop-
 33 osition at such election, and in the event of a favorable vote as afore-
 34 said, such city shall be authorized to enter into such lease. If the
 35 proposition of entering into such lease is not approved by the voters
 36 as herein provided, such city shall not be authorized to enter into such
 37 lease unless the voters of such city approve the same at a subsequent
 38 election held as herein provided. When a proposition of entering into
 39 a lease of a building or complex of buildings pursuant to authority
 40 contained in this Act is disapproved by the voters at an election, no

41 subsequent election on a proposition of entering into the same or
42 any similar lease shall be held in such city on a date earlier than three
43 months from and after the date of the election at which such proposi-
44 tion was disapproved.

1 SEC. 6. Any such city which leases a building or complex of build-
2 ings for operation as a civic center is hereby authorized and empow-
3 ered to levy by resolution an annual tax on all the taxable real and
4 personal property in such city, exclusive of moneys and credits, in
5 amounts sufficient to pay the installments of rent required to be paid
6 under such lease as the same become due and to pay the costs of main-
7 taining and repairing such building or complex of buildings, including
8 the cost of insurance and all taxes or assessments levied against or
9 on account of such property, to the extent that the same are not in-
10 cluded in the lease rental payments. A certified copy of the resolution
11 shall be filed with the county auditor of the county in which such city
12 is located and the filing thereof shall impose a duty upon such county
13 auditor to enter such tax annually for collection, and such annual tax
14 shall be collected by the county treasurer as other taxes are collected.
15 The proceeds derived from such annual tax collections shall be depos-
16 ited in a separate and distinct fund to be used solely and only to pay
17 the cost of maintaining and repairing such building or complex of
18 buildings and to pay the installments of rent becoming due under such
19 lease and for no other purpose whatsoever; provided, that moneys on
20 hand in such fund and not currently needed for the authorized pur-
21 poses of such fund may be invested in accordance with the laws of the
22 state of Iowa regarding investment of public funds. Such annual tax
23 shall be in addition to all other taxes and shall not be included within
24 any statutory limitation as to rate or amount.

1 SEC. 7. Any such city which has leased and is operating a building
2 or complex of buildings as a civic center is hereby authorized and
3 empowered to impose and prescribe by resolution reasonable rates and
4 charges for the use of any or all of the facilities, products, and serv-
5 ices afforded by such civic center, including the parking facilities,
6 restaurants, and retail shops, and to revise such rates and charges
7 from time to time by resolution.

1 SEC. 8. Any such city which has leased and is operating a building
2 or complex of buildings as a civic center is hereby authorized and
3 empowered to sublease any portion of such building or complex of
4 buildings for operation consistent with the uses to which the building
5 or complex of buildings is devoted or to be devoted consistent with the
6 provisions of this Act, upon such terms and rentals as the governing
7 body of such city shall by resolution determine to be reasonable and
8 proper and for the best interests of such city and its inhabitants.

1 SEC. 9. The rental payments required to be made by any city
2 under the terms of a lease entered into pursuant to the provisions of
3 this Act and the cost of maintaining and repairing such building or
4 complex of buildings, including the cost of insurance and all taxes and
5 assessments levied against or on account of such property, shall be
6 payable solely and only out of the income derived from the operation
7 of such building or complex of buildings as a civic center and the

8 special annual tax herein authorized, and neither such special annual
 9 tax nor said lease nor the rental payments required to be made there-
 10 under nor any obligations incurred by the lessor nonprofit corporation
 11 shall be in any manner whatsoever a general obligation of such city
 12 or an indebtedness of such city within the meaning of any statutory
 13 or constitutional debt limitation.

1 SEC. 10. No action shall be brought questioning the legality of any
 2 lease entered into pursuant to authority contained in this Act more
 3 than three (3) months from and after the date of execution of such
 4 lease, and no action shall be brought questioning the legality of any
 5 levy of taxes authorized by this Act more than three (3) months from
 6 and after the date of filing of the resolution levying such taxes in the
 7 office of the county auditor.

1 SEC. 11. This Act shall be construed as granting additional powers
 2 to cities now having or hereafter attaining a population in excess of
 3 ninety thousand (90,000), as shown by the then most recent certified
 4 and published general federal census, without limiting the powers al-
 5 ready existing in such cities.

1 SEC. 12. If any one (1) or more sentences, clauses, phrases, pro-
 2 visions, or sections of this Act or the application thereof to any set of
 3 circumstances shall be held by final judgment of any court of compe-
 4 tent jurisdiction to be invalid, the remaining sentences, clauses,
 5 phrases, provisions, and sections hereof and the application of this
 6 Act to other sets of circumstances shall nevertheless continue to be
 7 valid and effective, all provisions of this Act being hereby declared to
 8 be severable.

Approved July 20, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 326

URBAN TRANSIT COMPANIES

S. F. 289

AN ACT relating to urban transit companies.

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

1 SECTION 1. Section three hundred eighty-six C point one (386C.1),
 2 Code 1966, is hereby amended by striking from line two (2) the words
 3 "is one" and inserting in lieu thereof the words "means any person,
 4 firm, corporation, company, or municipality".

1 SEC. 2. Section three hundred eighty-six C point two (386C.2),
 2 Code 1966, is hereby amended by inserting in line eight (8) after the
 3 word "fund." the following:
 4 "Any urban transit company operated by a municipality shall not be
 5 required to pay such registration fees. The motor vehicle department,
 6 in accordance with section three hundred twenty-one point nineteen

7 (321.19) of the Code, shall furnish distinguishing plates for vehicles
8 used by urban transit companies operated by a municipality.”

1 SEC. 3. Section three hundred twenty-one point nineteen (321.19),
2 Code 1966, is hereby amended as follows:

3 1. By inserting in line eight (8) after the word “government” the
4 words “including vehicles used by an urban transit company operated
5 by a municipality as authorized under chapter three hundred eighty-
6 six C (386C) of the Code”.

7 2. By inserting in line eleven (11) after the word “freight” the
8 words “other than those used by an urban transit company operated
9 by a municipality”.

Approved May 18, 1967.

CHAPTER 327

SIDEWALK REPAIRS

S. F. 442

AN ACT relating to sidewalks in cities and towns.

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

1 SECTION 1. Section three hundred eighty-nine point thirty-eight
2 (389.38), Code 1966, is hereby amended as follows:

3 1. By striking in lines two (2) and three (3) the words “repair
4 sidewalks without notice to the property owner” and inserting in lieu
5 thereof the words “require the abutting property owner to repair,
6 replace, or reconstruct sidewalks, but in the event that such work is
7 not completed within thirty (30) days of date of deposit in the mails
8 of notice to the property owner as shown in the records of the county
9 auditor, by certified mail, then the council may cause such work to be
10 done”.

11 2. By striking in line five (5) the words “repairs are made” and
12 inserting in lieu thereof the words “work is done”.

13 3. By striking in line six (6) the word “repair”.

Approved June 19, 1967.

CHAPTER 328

PUBLIC PARK FACILITIES

H. F. 437

AN ACT relating to the issuance and sale by cities and towns of anticipatory warrants
for the acquisition of real estate for public parking facilities.

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

1 SECTION 1. Chapter three hundred ninety A (390A), Code 1966,
2 is amended by the addition of the following new section thereto:

3 "Cities and towns may purchase real estate to be used for public
 4 parking facilities and make payment therefor in warrants drawn on
 5 any fund from which payment for such facilities may be made, and
 6 such warrants, unless paid upon presentation, shall draw interest at
 7 the rate of five (5) percent per annum from and after the date of pre-
 8 sentation for payment. If such fund is depleted, anticipatory warrants
 9 may be issued, and if collection of taxes or special assessments or
 10 income from the sale of bonds applicable to the public parking facility
 11 shall be after the end of the fiscal year in which the warrants are
 12 issued, said warrants shall not constitute a violation of section four
 13 hundred four point nineteen (404.19) of the Code. In the event the
 14 treasurer of such city or town is able to arrange for the private sale
 15 of such warrants at a rate of interest lower than five (5) percent,
 16 such warrants may be so sold."

Approved May 25, 1967.

CHAPTER 329

ASPHALT STABILIZATION

S. F. 255

AN ACT relating to special assessments for asphalt stabilization.

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

1 SECTION 1. Section three hundred ninety-one point two (391.2),
 2 subsection one (1), Code 1966, is hereby amended by inserting in line
 3 three (3) after the word "macadamizing," the words "asphalt stabili-
 4 zation,".

Approved May 22, 1967.

CHAPTER 330

STREET ASSESSMENTS

S. F. 782

AN ACT relating to special assessments for street improvements.

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

1 SECTION 1. Section three hundred ninety-one A point one
 2 (391A.1), Code 1966, is hereby amended as follows:
 3 1. By inserting in subsection four (4), paragraph *i*, line one (1),
 4 after the word "plazas" the word ", arcades,".
 5 2. By inserting in subsection seven (7), line three (3), after the
 6 word "plaza," the word "arcade,".

Approved June 29, 1967.

CHAPTER 331

WATER RENTALS AND SEWER CHARGES

H. F. 53

AN ACT to provide for collection of sewer charges with water rentals or charges.

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

- 1 SECTION 1. Section three hundred ninety-three point five (393.5),
- 2 Code 1966, is hereby amended by striking from line one (1) the word
- 3 "may" and inserting in lieu thereof the word "shall".

Approved June 8, 1967.

CHAPTER 332

SEWER CONNECTION CHARGES OR FEES

H. F. 410

AN ACT relating to the establishment of sewer connection charges or fees.

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

- 1 SECTION 1. Chapter three hundred ninety-three (393), Code 1966,
- 2 is hereby amended by adding thereto the following new section:
- 3 "Cities and towns may by ordinance establish a schedule of reason-
- 4 able and equitable sewer connection charges or fees to be paid to such
- 5 city or town by every person, firm, or corporation whose premises will
- 6 be served by connecting to the municipal sanitary utilities. Such ordi-
- 7 nance shall be certified by the city or town and filed of record in the
- 8 office of the county recorder of the county wherein the city or town is
- 9 situated. The charges or fees shall be due and payable when a sewer
- 10 connection application is filed. No sewer connection charge or fee
- 11 established by said ordinance shall exceed the equitable portion of the
- 12 total original cost to the city or town of extending the sanitary utilities
- 13 to the near vicinity of the property less any part of said cost which has
- 14 been previously assessed or paid to the city or town under chapters
- 15 three hundred ninety-one (391), three hundred ninety-one A (391A),
- 16 or four hundred seventeen (417) of the Code. Any and all charges
- 17 or fees collected under this Act shall be remitted to the city or town
- 18 treasurer. All moneys collected shall be kept in a separate and distinct
- 19 part of the sanitation fund, to be known as the 'Sewer Connection
- 20 Fund', and shall only be disbursed and used for the purposes author-
- 21 ized in section three hundred ninety-three point seven (393.7) of the
- 22 Code."

- 1 SEC. 2. This Act being deemed of immediate importance shall take
- 2 effect and be in full force from and after its publication in the Betten-

3 dorf News, a newspaper published in Bettendorf, Iowa, and in The
4 Cedar Rapids Gazette, a newspaper published in Cedar Rapids, Iowa.

Approved June 14, 1967.

I hereby certify that the foregoing Act, House File 410, was published in the Bettendorf News, Bettendorf, Iowa, June 22, 1967, and in The Cedar Rapids Gazette, Cedar Rapids, Iowa, June 19, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 333

ISSUANCE OF BONDS FOR FLOOD EXPENSES

H. F. 769

AN ACT relating to the issuance of bonds by cities and towns for flood expenses.

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

1 SECTION 1. Chapter three hundred ninety-five (395), Code 1966,
2 is hereby amended by adding thereto the following new section:
3 "Cities and towns are hereby authorized to issue general obligation
4 bonds to pay expenses incurred in combating any flood or resulting
5 from any flood. Such bonds may be issued for the payment of any
6 purchase, construction, or repair of any emergency flood-prevention
7 controls or devices utilized in combating any flood and for any emer-
8 gency construction or repairs necessary and resulting from flood dam-
9 age.
10 "Taxes for the payment of said bonds shall be levied in accordance
11 with chapter seventy-six (76) of the Code and said bonds shall be pay-
12 able through the debt-service fund in not more than twenty (20)
13 years, and bear interest at a rate not exceeding five (5) percent per
14 annum, and shall be of such form as the city or town council shall by
15 resolution provide, but no city or town shall become so indebted in an
16 amount which, together with all other indebtedness of said municipal-
17 ity, shall exceed five (5) percent of the actual value of the taxable
18 property within said city or town as shown by the last state and county
19 tax lists previous to incurring such indebtedness. The indebtedness
20 incurred for the purpose herein provided shall not be considered an
21 indebtedness incurred for general or ordinary purposes within the
22 meaning and application of section four hundred seven point one
23 (407.1) of the Code, and shall not be charged against or counted as
24 part of the one and one-fourth (1¼) percent available for general or
25 ordinary purposes until the other three and three-fourths (3¾) per-
26 cent of the five (5) percent of indebtedness permitted by statute has
27 been exhausted.
28 "This section shall be construed as granting additional power with-
29 out limiting the power already existing in cities and towns.
30 "The provisions of this section shall be applicable to all municipal
31 corporations regardless of form of government or manner of incor-
32 poration.

Approved July 20, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 334

CONTRACTS FOR STREET IMPROVEMENTS

S. F. 244

AN ACT relating to contracts for public improvements.

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

1 SECTION 1. Section four hundred one point six (401.6), Code
 2 1966, is hereby amended by inserting in line six (6) after the word
 3 "inclusive," the words "for sewers,".

1 SEC. 2. Section three hundred ninety A point fifteen (390A.15),
 2 Code 1966, is hereby amended by inserting in line two (2) after the
 3 word "inclusive," the words "pertaining to streets".

Approved June 14, 1967.

CHAPTER 335

STREET EQUIPMENT AND MACHINERY

H. F. 207

AN ACT relating to the purchase of street equipment and machinery by cities and towns.

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

1 SECTION 1. Section four hundred four point seven (404.7), sub-
 2 section twelve (12), Code 1966, is hereby amended by striking in line
 3 three (3) the words "ten percent" and inserting in lieu thereof the
 4 words "twelve percent".

5 Further amend said subsection, line four (4), by striking the words
 6 "twenty thousand" and inserting in lieu thereof the words "twenty-
 7 five thousand".

Approved June 14, 1967.

CHAPTER 336

MUNICIPAL PUBLIC LIBRARIES

S. F. 25

AN ACT to authorize city and town councils to finance the purchasing, remodeling, or purchasing and remodeling, of building or buildings for a public library from the proceeds of a bond issue.

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

1 SECTION 1. Section four hundred seven point three (407.3), Code
 2 1966, is hereby amended by inserting in line one (1) of subsection six
 3 (6) after the word "Erecting" the words ", purchasing, remodeling,
 4 or purchasing and remodeling".

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 Perry Daily Chief, a newspaper published in Perry, Iowa, and in
 4 the Guthrie County Vedette, a newspaper published in Panora, Iowa.

Approved March 10, 1967.

I hereby certify that the foregoing Act, Senate File 25, was published in The Perry Daily Chief, Perry, Iowa, on March 17, 1967, and in the Guthrie County Vedette, Panora, Iowa, on March 23, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 337

BONDS FOR TRAFFIC DEVICES

S. F. 671

AN ACT relating to street bonds.

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

1 SECTION 1. Section four hundred eight point seventeen (408.17),
 2 Code 1966, is hereby amended by inserting in line nine (9) after the
 3 word "improvement" the words "or traffic control device".

Approved June 14, 1967.

CHAPTER 338

MULTIPLE DWELLINGS

H. F. 272

AN ACT relating to the number of stories in height of multiple dwellings and the construction of stair halls in such dwellings over two stories.

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

1 SECTION 1. Section four hundred thirteen point thirty-nine
 2 (413.39), Code 1966, is amended by striking from line three (3) the
 3 word "two" and inserting in lieu thereof the word "three (3)"; also
 4 by adding at the end of said section the following: "Multiple dwell-
 5 ings two stories in height having more than three thousand (3,000)
 6 square feet of floor area above the first floor and three-story multiple
 7 dwellings shall be of not less than one-hour fire-resistive construction
 8 throughout."

1 SEC. 2. Section four hundred thirteen point forty (413.40), Code
 2 1966, is amended by striking from line three (3) the word "two" and
 3 inserting in lieu thereof the word "three (3)"; also by adding at the
 4 end of said section the following: "In multiple dwellings two stories
 5 in height with more than three thousand (3,000) square feet of floor
 6 area above the first floor and in multiple dwellings three stories in
 7 height, stair halls shall be of one-hour fire-resistive construction."

1 SEC. 3. Section four hundred thirteen point forty-six (413.46),
 2 Code 1966, is amended by striking from line three (3) the word "two"
 3 and inserting in lieu thereof the word "three (3)".

1 SEC. 4. Section four hundred thirteen point thirty-five (413.35),
 2 Code 1966, is hereby repealed and the following is enacted in lieu
 3 thereof:

4 "In any county, city or town which has been authorized by law to
 5 adopt a building code and which has adopted and is enforcing a nation-
 6 ally recognized standard building code, said county or municipality
 7 shall enforce all requirements for fire-resistive construction and exits
 8 in such a code in lieu of the requirements of this division consisting of
 9 sections 413.35 to 413.46, inclusive of the Code."

1 SEC. 5. Section four hundred thirteen point three (413.3), Code
 2 1966, is amended by striking subsection seventeen (17) thereof and
 3 enacting in lieu thereof the following:

4 "Fire-resistive materials. Fire-resistive materials as used in this
 5 chapter shall mean brick, stone, concrete, concrete block, tile, any com-
 6 bination thereof, or any assembly of materials equal to but in no case
 7 less than one-hour fire-resistive construction as rated by a nationally
 8 recognized testing laboratory such as the Underwriters' Laboratories,
 9 Incorporated, and as set out in the national fire codes published by the
 10 National Fire Protection Association, and approved fire-resistive ma-
 11 terial."

Approved June 30, 1967.

CHAPTER 339

MUNICIPAL SUPPORT OF PRIVATE COLLEGES

H. F. 383

AN ACT relating to municipal support of private colleges and universities.

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

1 SECTION 1. Section four hundred nineteen point one (419.1), sub-
 2 section two (2), Code 1966, is hereby amended as follows:

3 1. By inserting in line five (5) after the word "use" the words "of
 4 any private college or university, whether for the establishment or
 5 maintenance of such college or university, or".

6 2. By inserting in line fourteen (14) after the word "in" the words
 7 "a private college or university enterprise or".

1 SEC. 2. Section four hundred nineteen point two (419.2), Code
 2 1966, is hereby amended by inserting in line four (4) after the word
 3 "projects" the words "or private college or university projects".

1 SEC. 3. Section four hundred nineteen point eight (419.8), Code
 2 1966, is hereby amended by inserting in line eight (8) after the word
 3 "acquired" the words "for development of a private college or univer-
 4 sity or".

1 SEC. 4. Section four hundred nineteen point eleven (419.11), Code
 2 1966, is hereby amended by adding thereto the following:
 3 "This section shall not be applicable to any municipality acquiring,
 4 purchasing, constructing, reconstructing, improving, or extending any
 5 buildings for the purpose of establishing, maintaining, or assisting any
 6 private college or university."

Approved June 16, 1967.

CHAPTER 340

KOREAN AND VIET NAM SERVICE OF FIREMEN AND POLICEMEN

S. F. 4

AN ACT relating to Korean and Viet Nam Conflict veterans and the disabled and retired firemen and policemen Act.

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

1 SECTION 1. Section four hundred ten point seven (410.7), Code
 2 1966, is amended by inserting in line ten (10) after the word "inclu-
 3 sive," the following:
 4 "or in the Korean Conflict at any time between June 27, 1950, and
 5 July 27, 1953, both dates inclusive, or in the Viet Nam Conflict at
 6 any time between August 5, 1964 and ending on the date the armed
 7 forces of the United States are directed by formal order of the gov-
 8 ernment of the United States to cease hostilities, both dates inclu-
 9 sive,".

1 SEC. 2. Section four hundred ten point seven (410.7), Code 1966,
 2 is amended by inserting after the word "the" in line four (4) the
 3 following: "United States air force or air force reserve,".

Approved February 10, 1967.

CHAPTER 341

MUNICIPAL INDUSTRIAL PROJECTS

H. F. 289

AN ACT relating to municipal support of industrial projects.

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

1 SECTION 1. Section four hundred nineteen point nine (419.9),
 2 Code 1966, is hereby amended by striking all of said section following
 3 the word "shall" in line three (3) thereof and inserting in lieu thereof
 4 the following: "conduct a public hearing on the proposal to issue said
 5 bonds. Notice of intention to issue the bonds, specifying the amount
 6 and purpose thereof and the time and place of hearing, shall be pub-
 7 lished at least once not less than fifteen (15) days prior to the date
 8 fixed for the hearing in a newspaper published and having a general

9 circulation within the municipality. If there is no newspaper pub-
 10 lished therein, the notice shall be published in a newspaper published
 11 in the county and having a general circulation in the municipality.
 12 At the time and place fixed for the public hearing the governing body
 13 of the municipality shall give all local residents who appear at the
 14 hearing an opportunity to express their views for or against the pro-
 15 posal to issue the bonds and at the hearing, or any adjournment there-
 16 of, shall adopt a resolution determining whether or not to proceed with
 17 the issuance of the bonds."

1 SEC. 2. Section four hundred nineteen point thirteen (419.13),
 2 Code 1966, is hereby repealed and the following enacted in lieu there-
 3 of:

4 "The provisions of sections twenty-three point twelve (23.12) to
 5 twenty-three point sixteen (23.16) inclusive, Code 1966, and of chap-
 6 ter four hundred eight A (408A), Code 1966, shall not apply to bonds
 7 issued under the provisions of this chapter."

Approved May 18, 1967.

CHAPTER 342

DEPARTMENT OF REVENUE

S. F. 743

AN ACT creating a department of revenue in lieu of the state tax commission, to be headed by a director of revenue.

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

1 SECTION 1. Sections four hundred twenty-one point one (421.1)
 2 through four hundred twenty-one point eight (421.8), Code 1966, are
 3 hereby repealed. There is hereby established within the department
 4 of revenue for administrative and budgetary purposes a state board
 5 of tax review for the state of Iowa. The state board of tax review,
 6 hereinafter called the state board, shall consist of three members.

7 The members of the state board shall be qualified electors of the
 8 state and shall hold no other elective or appointive public office.

9 Except for the first appointees, the terms of members of the state
 10 board shall be for six years beginning on the first day of July follow-
 11 ing their appointment. No member who is appointed for a six-year
 12 term shall be permitted to succeed himself.

13 Members shall be appointed by the governor subject to confirmation
 14 by two thirds of the members of the senate. Appointments to the board
 15 shall be bipartisan and of the first appointees, one shall be for two
 16 years, one shall be for four years and one shall be for six years.

17 The members of the state board shall qualify by taking the regular
 18 oath of office as prescribed by law for state officers. A vacancy on the
 19 board shall be filled by appointment by the governor in the same man-
 20 ner as the original appointment.

21 The members of the state board shall be allowed a per diem of forty
 22 dollars and their necessary travel and expenses while engaged in their

23 official duties. They shall organize the board and select one of their
24 members as chairman.

25 The place of office of the state board shall be in the office of the tax
26 department in the capitol of the state.

27 The state board shall hold at least six regular meetings each year,
28 the first of which shall be on the second secular day of July. Special
29 meetings of the state board may be called by the chairman on five days
30 notice given to each member. All meetings shall be held at the office
31 of the tax department unless a different place within the state is desig-
32 nated by the state board or in the notice of the meeting.

33 It shall be the responsibility of the state board to exercise the fol-
34 lowing general powers and duties:

35 1. Determine and adopt such policies as are authorized by law and
36 are necessary for the more efficient operation of any phase of tax
37 review.

38 2. Perform such duties prescribed by law as it may find necessary
39 for the improvement of the state system of taxation in carrying out
40 the purposes and objectives of the tax laws.

41 3. Review for approval or rejection all rules and regulations for the
42 collection of taxes by the department and revision of tax forms pro-
43 posed by the director of revenue.

44 4. Employ, pursuant to the Iowa merit system, adequate clerical
45 help to keep such records as are necessary to set forth clearly all
46 actions and proceedings of the state board.

47 5. Advise and counsel with the director of revenue concerning the
48 tax laws and the regulations adopted pursuant thereto; and, upon
49 their own motion or upon appeal by any affected taxpayer, review the
50 record evidence and the decisions of, and any orders or directive is-
51 sued by, the director of revenue for the assessment and collection of
52 taxes by the department or an order to reassess or to raise assessments
53 to any local assessor and shall expeditiously affirm, modify, reverse or
54 remand the same. In order for any appeal to the board to be valid,
55 written notice thereof must be given to the department within thirty
56 (30) days of the rendering of the decision, order or directive from
57 which such appeal is taken. The director shall thereafter cause to be
58 certified to the board the record, documents, reports, audits and all
59 other information pertinent to the decision, order or directive from
60 which such appeal is taken.

61 The affected taxpayer and the department shall be given at least
62 fifteen (15) days written notice by the board of the date the appeal
63 shall be heard and both parties may be present at such hearing if they
64 desire. The board shall adopt and promulgate, pursuant to chapter
65 seventeen A (17A) of the Code, rules and regulations for the conduct
66 of appeals by the board. The record and all documents, reports, audits
67 and all other information certified to the board by the director, and
68 hearings held by the board pursuant to the appeal and the decision of
69 the board thereon shall be open to the public notwithstanding the
70 provisions of sections four hundred twenty-two point sixty-five
71 (422.65), subsection one (1), and four hundred twenty-two point
72 twenty (422.20) of the Code; except that the board upon the applica-
73 tion of the affected taxpayer may order the record and all documents,
74 reports, audits, and all other information certified to it by the director,

75 or so much thereof as it deems necessary, held confidential, if the
76 public disclosure of same would reveal trade secrets or any other con-
77 fidential information that would give the affected taxpayer's com-
78 petitor a competitive advantage. Any deliberation of the board in
79 reaching a decision on any appeal shall be confidential.

80 6. Adopt a long-range program for the state system of tax reform
81 based upon special studies, surveys, research, and recommendations
82 submitted by or proposed under the direction of the director of reve-
83 nue.

84 The state board shall constitute a continuing research commission
85 as to tax matters in the state and cause to be prepared and submitted
86 to each regular session of the general assembly a report containing
87 such recommendations as to revisions, amendments, and new provi-
88 sions of the law as the state board has decided should be submitted to
89 the legislature for its consideration.

1 SEC. 2. There is hereby created a department of revenue. The de-
2 partment shall be administered by a director of revenue who shall be
3 appointed by the governor with the approval of two-thirds ($\frac{2}{3}$) of the
4 members of the senate and shall serve at the pleasure of the governor.
5 If the office of the director becomes vacant during a session of the
6 general assembly, the vacancy shall be filled in the same manner as
7 provided for the original appointment. Any such vacancy occurring
8 while the general assembly is not in session shall be filled by appoint-
9 ment by the governor, which appointment shall expire thirty (30) days
10 after the general assembly next convenes. Within said thirty (30)
11 days the governor shall transmit an appointment to the senate. The
12 director may establish, abolish, and consolidate departments within
13 the department of revenue when necessary for the efficient perform-
14 ance of the various functions and duties of the department of revenue.

1 SEC. 3. The director of revenue shall not hold any other office
2 under the laws of the United States or of this or any other state or
3 hold any other position of profit. The director shall not engage in any
4 occupation, business, or profession interfering with or inconsistent
5 with his duties, serve on or under any committee of any political
6 party, or contribute to the campaign fund of any person or political
7 party. The director shall be of high moral character, shall be recog-
8 nized for his executive and administrative capacity, and shall possess
9 expert knowledge and skills in the fields of taxation and property tax
10 assessment. The director shall devote his entire time to the duties of
11 his position.

1 SEC. 4. The director may appoint deputy directors and may desig-
2 nate one (1) or more of the deputies as acting director. Any deputy
3 designated to serve in the absence of the director shall have all of the
4 powers possessed by the director. The director may employ certified
5 public accountants, engineering and technical assistants, and such
6 other employees necessary to protect the interests of the state and
7 any political subdivision. He shall create a separate property tax
8 division for which he shall appoint a deputy director who shall ad-
9 minister all functions of the department of revenue relating to the
10 assessment, levy and collection of property taxes as provided by law.

11 All independent contracts and fees provided for in this section shall
12 be subject to the approval of the governor.

1 SEC. 5. The director may compromise and settle doubtful and dis-
2 puted claims for taxes or tax liability of doubtful collectibility not-
3 withstanding the provisions of section nineteen point nine (19.9) of
4 the Code. Whenever such a compromise and settlement is made or any
5 other compromise and settlement in excess of the director's authority
6 is made, the director shall make a complete record of the case showing
7 the tax assessed, recommendations, reports, and audits of depart-
8 mental personnel if any, the taxpayer's grounds for dispute or contest
9 together with all evidence thereof, and the amounts, conditions, and
10 settlement or compromise of same.

1 SEC. 6. The director shall further prescribe by rule and regulation
2 the manner and methods by which all departments and agencies of the
3 state who collect money for and in behalf of the state shall cause the
4 money to be deposited with the treasurer of state or in a depository
5 designated by the state treasurer. All such monies collected shall be
6 deposited at such times and in such depositories to permit the state of
7 Iowa to deposit the funds in a manner consistent with the state's in-
8 vestment policies. All such monies shall be promptly deposited, as
9 directed, even though the individual amount remitted may not be cor-
10 rect. If any individual amount remitted is in excess of the amount
11 required, the department or agency receiving the same shall refund
12 the excess amount thereof. If the individual amount remitted is in-
13 sufficient, the person, firm, or corporation concerned shall be immedi-
14 ately billed for the amount of the deficiency.

1 SEC. 7. Sections four hundred twenty-one point nine (421.9)
2 through four hundred twenty-one point thirteen (421.13), Code 1966,
3 are hereby repealed and the following enacted in lieu thereof:

4 1. "The director of revenue or a designated deputy shall sign on
5 behalf of the department all orders, subpoenas, warrants, and other
6 documents of like character issued by the department."

7 2. "The office of the department shall be maintained at the seat of
8 government in this state. The department shall be deemed to be in
9 continuous session and open for the transaction of business except
10 Saturdays, Sundays and legal holidays. The director of revenue may
11 hold sessions in conducting investigations any place within the state
12 when necessary to facilitate and render more thorough the perform-
13 ance of the director's duties."

14 3. "The director of revenue shall appoint a secretary, who shall:

15 "1. Keep full and correct minutes of all hearings, transactions, and
16 proceedings conducted by the director.

17 "2. Keep an assessment record, wherein shall be recorded the de-
18 tailed proceedings relating to valuations and assessments of properties
19 made, taxes levied, and levies determined by the director.

20 "3. Certify to the several county auditors all property assessments
21 and levies so made by the director, when such certification is required
22 by law.

23 "4. Keep a complete and accurate record of all tax assessments com-
24 promised or settled.

25 "5. Perform such other duties as may be required by the director."

1 SEC. 8. Section eight point six (8.6), Code 1966, is hereby amend-
2 ed by striking from line three (3) of subsection thirteen (13) the
3 words "state tax commission" and inserting in lieu thereof the words
4 "department of revenue".

1 SEC. 9. Section thirteen point five (13.5), Code 1966, is hereby
2 amended as follows:

3 1. By striking from line four (4) the words "state tax commission"
4 and inserting in lieu thereof the words "department of revenue".

5 2. By striking from line eight (8) the words "state tax commission"
6 and inserting in lieu thereof the words "department of revenue".

7 3. By striking from line nine (9) the words "state tax commission"
8 and inserting in lieu thereof the words "department of revenue".

1 SEC. 10. Section seventeen point twenty (17.20), Code 1966, is
2 hereby amended by striking from line one (1) of subsection three (3)
3 the words "state tax commission" and inserting in lieu thereof the
4 words "department of revenue".

1 SEC. 11. Section nineteen point twenty-five (19.25), Code 1966,
2 is hereby amended by striking all of subsection thirty-five (35) and
3 inserting in lieu thereof the following subsection:
4 "Department of revenue."

1 SEC. 12. Section thirty-five A point twelve (35A.12), Code 1966,
2 is hereby amended as follows:

3 1. By striking from lines fourteen (14) and fifteen (15) the words
4 "state tax commission" and inserting in lieu thereof the words "de-
5 partment of revenue".

6 2. By striking from line nineteen (19) the words "state tax com-
7 mission" and inserting in lieu thereof the words "department of reve-
8 nue".

1 SEC. 13. Section thirty-five B point eleven (35B.11), Code 1966,
2 is hereby amended as follows:

3 1. By striking from line thirty-three (33) the words "state tax
4 commission" and inserting in lieu thereof the words "department of
5 revenue".

6 2. By striking from line thirty-eight (38) the words "state tax
7 commission" and inserting in lieu thereof the words "department of
8 revenue".

1 SEC. 14. Section seventy-eight point two (78.2), Code 1966, is
2 hereby amended by striking from line three (3) of subsection seven
3 (7) the words "state tax commission" and inserting in lieu thereof
4 the words "department of revenue".

1 SEC. 15. Section ninety-eight point one (98.1), Code 1966, is here-
2 by amended as follows:

3 1. By striking from line three (3) of subsection five (5) the word
4 "commission" and inserting in lieu thereof the word "director".

5 2. By striking from line four (4) of subsection five (5) the word
6 "it" and inserting in lieu thereof the words "the department".

7 3. By striking from line ten (10) of subsection five (5) the word
8 "commission" and inserting in lieu thereof the word "director".

- 9 4. By striking from line seven (7) of subsection six (6) the word
10 "commission" and inserting in lieu thereof the word "director".
- 11 5. By striking from line nine (9) of subsection six (6) the word
12 "it" and inserting in lieu thereof the words "the department".
- 13 6. By striking from line one (1) of subsection ten (10) the word
14 "commission" and inserting in lieu thereof the word "Director".
- 15 7. By striking from lines one (1) and two (2) of subsection ten
16 (10) the words "state tax commission or its" and inserting in lieu
17 thereof the words "director of revenue or his".
- 18 8. By striking from line two (2) of subsection seventeen (17) the
19 word "commission" and inserting in lieu thereof the word "depart-
20 ment".
- 21 9. By striking from line two (2) of subsection nineteen (19) the
22 word "commission" and inserting in lieu thereof the word "depart-
23 ment".
- 24 10. By striking from line two (2) of subsection twenty (20) the
25 word "commission" and inserting in lieu thereof the word "depart-
26 ment".
- 27 11. By adding thereto the following subsection:
28 " 'Department' means the department of revenue."

1 SEC. 16. Section ninety-eight point six (98.6), Code 1966, is here-
2 by amended as follows:

- 3 1. By striking from line three (3) of subsection one (1) the word
4 "commission" and inserting in lieu thereof the word "department".
- 5 2. By striking from line two (2) of subsection three (3) the word
6 "commission" and inserting in lieu thereof the word "department".
- 7 3. By striking from line eight (8) of subsection three (3) the word
8 "commission" and inserting in lieu thereof the word "director".

1 SEC. 17. Section ninety-eight point seven (98.7), Code 1966, is
2 hereby amended as follows:

- 3 1. By striking from line six (6) the word "commission" and insert-
4 ing in lieu thereof the word "director".
- 5 2. By striking from line twelve (12) the words "of the commis-
6 sion".
- 7 3. By striking from line thirteen (13) the word "it" and inserting
8 in lieu thereof the words "the department".
- 9 4. By striking from line fifteen (15) the word "commission" and
10 inserting in lieu thereof the word "department".

1 SEC. 18. Section ninety-eight point eight (98.8), Code 1966, is
2 hereby amended as follows:

- 3 1. By striking from line two (2) of subsection one (1) the words
4 "commission only. The commission" and inserting in lieu thereof the
5 words "department only. The department".
- 6 2. By striking from lines two (2) and three (3) of subsection two
7 (2) the words "commission, and it shall be the duty of the commission
8 to" and inserting in lieu thereof the words "department which shall".
- 9 3. By striking from line five (5) of subsection two (2) the word
10 "commission" and inserting in lieu thereof the word "director".
- 11 4. By striking from lines two (2) and three (3) of subsection three
12 (3) the words ", with the commission," and inserting in lieu thereof
13 the words "with the department".

14 5. By striking from line four (4) of subsection three (3) the words
15 "commission shall be authorized to" and inserting in lieu thereof the
16 words "department may".

17 6. By striking from line eight (8) of subsection three (3) the words
18 "said commission" and inserting in lieu thereof the words "the de-
19 partment".

20 7. By striking from lines ten (10) and eleven (11) of subsection
21 three (3) the words "said commission" and inserting in lieu thereof
22 the words "the department".

23 8. By striking from line thirteen (13) of subsection three (3) the
24 word "commission" and inserting in lieu thereof the word "depart-
25 ment".

26 9. By striking from line sixteen (16) of subsection three (3) the
27 word "commission" and inserting in lieu thereof the word "director".

28 10. By striking from line nineteen (19) the word "commission" and
29 inserting in lieu thereof the word "director".

30 11. By striking from lines one (1) and two (2) of subsection four
31 (4) the words "the commission shall have the power and authority"
32 and inserting in lieu thereof the words "the department may".

33 12. By striking from line three (3) of subsection four (4) the word
34 "to".

35 13. By striking from line four (4) of subsection four (4) the words
36 "it and" and inserting in lieu thereof the words "the department and".

37 14. By striking from lines four (4) and five (5) of subsection four
38 (4) the words "it shall be the duty of said commission" and inserting
39 in lieu thereof the words "the department shall".

40 15. By striking from line six (6) of subsection four (4) the word
41 "to".

42 16. By striking from line ten (10) of subsection four (4) the words
43 "said commission" and inserting in lieu thereof the words "the depart-
44 ment".

45 17. By striking from line one (1) of subsection five (5) the word
46 "commission" and inserting in lieu thereof the word "department".

47 18. By striking all of subsection five (5) after the word "stamps"
48 in line two (2) and inserting in lieu thereof the words "sold or ex-
49 changed by the department and of all refunds made by the depart-
50 ment."

1 SEC. 19. Section ninety-eight point nine (98.9), Code 1966, is
2 hereby amended by striking from line three (3) the word "commis-
3 sion" and inserting in lieu thereof the word "director".

1 SEC. 20. Section ninety-eight point eleven (98.11), Code 1966, is
2 hereby amended as follows:

3 1. By striking from lines five (5) and six (6) the word "commis-
4 sion" and inserting in lieu thereof the word "department".

5 2. By striking from line eight (8) the words "commission may di-
6 rect and" and inserting in lieu thereof the words "director may".

7 3. By striking from line eleven (11) the words ", in its judgment,".

1 SEC. 21. Section ninety-eight point twelve (98.12), Code 1966, is
2 hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the word "commis-
4 sion" and inserting in lieu thereof the word "department".

- 5 2. By striking from line fifteen (15) the word "commission" and
6 inserting in lieu thereof the word "director".
7 3. By striking from line seventeen (17) the word "commission" and
8 inserting in lieu thereof the word "director".
9 4. By striking from lines twenty-three (23) and twenty-four (24)
10 the word "commission" and inserting in lieu thereof the word "depart-
11 ment".

1 SEC. 22. Section ninety-eight point thirteen (98.13), Code 1966,
2 is hereby amended as follows:

- 3 1. By striking from line one (1) of subsection two (2) the word
4 "commission" and inserting in lieu thereof the word "department".
5 2. By striking from lines twelve (12) and thirteen (13) of subsec-
6 tion two (2) the word "commission" and inserting in lieu thereof the
7 word "department".
8 3. By striking from lines five (5) and six (6) of subsection three
9 (3) the words "state tax commission" and inserting in lieu thereof the
10 word "department".
11 4. By striking from lines four (4) and five (5) of paragraph *a* of
12 subsection four (4) the words "state tax commission" and inserting
13 in lieu thereof the word "department".
14 5. By striking from line five (5) of paragraph *b* of subsection four
15 (4) the words "state tax commission" and inserting in lieu thereof the
16 word "department".
17 6. By striking from line five (5) of paragraph *c* of subsection four
18 (4) the words "said state tax commission" and inserting in lieu there-
19 of the word "department".
20 7. By striking from line five (5) of subsection five (5) the word
21 "commission" and inserting in lieu thereof the word "department".
22 8. By striking from line one (1) of paragraph *d* of subsection five
23 (5) the word "commission" and inserting in lieu thereof the word
24 "director".
25 9. By striking from lines seven (7) and eight (8) of subsection
26 seven (7) the word "commission" and inserting in lieu thereof the
27 word "director".
28 10. By striking from line nine (9) of subsection nine (9) the word
29 "commission" and inserting in lieu thereof the word "department".
30 11. By striking from line nine (9) of subsection ten (10) the words
31 "the commission" and inserting in lieu thereof the words "any agent
32 of the department".

1 SEC. 23. Section ninety-eight point fourteen (98.14), Code 1966,
2 is hereby amended as follows:

- 3 1. By striking from lines four (4) and five (5) of subsection one
4 (1) the word "commission" and inserting in lieu thereof the word
5 "director".
6 2. By striking from line fourteen (14) of subsection one (1) the
7 word "commission" and inserting in lieu thereof the word "director".
8 3. By striking from line six (6) of subsection two (2) the word
9 "commission" and inserting in lieu thereof the word "director".
10 4. By striking from line nine (9) of subsection two (2) the word
11 "commission" and inserting in lieu thereof the word "director".

12 5. By striking from line fifteen (15) of subsection two (2) the word
13 "commission" and inserting in lieu thereof the word "director".

14 6. By striking from line two (2) of subsection three (3) the word
15 "commission" and inserting in lieu thereof the word "director".

16 7. By striking from lines eight (8) and nine (9) of subsection three
17 (3) the words "commission shall have the power and the authority to"
18 and inserting in lieu thereof the words "director may".

1 SEC. 24. Section ninety-eight point fifteen (98.15), Code 1966, is
2 hereby amended as follows:

3 1. By striking from line one (1) of subsection one (1) the word
4 "commission" and inserting in lieu thereof the word "director".

5 2. By striking from line six (6) of subsection one (1) the words
6 "it deems necessary. The commission" and inserting in lieu thereof
7 the words "deemed necessary. The director".

8 3. By striking from lines fourteen (14) and fifteen (15) of subsec-
9 tion one (1) the word "commission" and inserting in lieu thereof the
10 word "department".

11 4. By striking from line one (1) of subsection three (3) the word
12 "commission" and inserting in lieu thereof the word "director".

13 5. By striking from line four (4) of subsection three (3) the word
14 "commission" and inserting in lieu thereof the word "department".

15 6. By striking from line seven (7) of subsection three (3) the word
16 "commission" and inserting in lieu thereof the word "director".

17 7. By striking from line two (2) of subsection four (4) the word
18 "commission" and inserting in lieu thereof the word "department".

19 8. By striking from line three (3) of subsection four (4) the word
20 "commission" and inserting in lieu thereof the word "department".

21 9. By striking from line five (5) of subsection four (4) the word
22 "commission" and inserting in lieu thereof the word "department".

23 10. By striking from lines eight (8) and nine (9) of subsection five
24 (5) the word "commission" and inserting in lieu thereof the word
25 "department".

26 11. By striking from line nine (9) of subsection five (5) the word
27 "it" and inserting in lieu thereof the words "the department".

28 12. By striking from line seven (7) of subsection six (6) the word
29 "commission" and inserting in lieu thereof the word "director".

30 13. By striking from line ten (10) of subsection six (6) the word
31 "commission" and inserting in lieu thereof the word "director".

32 14. By striking from line fourteen (14) of subsection six (6) the
33 words "commission or its representative" and inserting in lieu thereof
34 the word "department".

35 15. By striking from lines sixteen (16) and seventeen (17) the
36 words "such representative" and inserting in lieu thereof the words
37 "the agent of the department making the audit".

1 SEC. 25. Section ninety-eight point sixteen (98.16), Code 1966, is
2 hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "commis-
4 sion may, at its discretion, and" and inserting in lieu thereof the words
5 "department may,".

6 2. By striking from line six (6) the word "commission" and insert-
7 ing in lieu thereof the word "director".

8 3. By striking from line nine (9) the word "commission" and in-
9 serting in lieu thereof the word "department".

1 SEC. 26. Section ninety-eight point seventeen (98.17), Code 1966,
2 is hereby amended as follows:

3 1. By striking from lines seven (7) and eight (8) of subsection one
4 (1) the word "commission" and inserting in lieu thereof the word
5 "department".

6 2. By striking from lines nine (9) and ten (10) of subsection one
7 (1) the word "commission" and inserting in lieu thereof the word
8 "director".

9 3. By striking from line twenty (20) of subsection one (1) the word
10 "commission" and inserting in lieu thereof the word "director".

11 4. By striking from line twenty-one (21) of subsection one (1) the
12 words "it may desire".

13 5. By striking from line three (3) of subsection two (2) the word
14 "commission" and inserting in lieu thereof the word "department".

1 SEC. 27. Section ninety-eight point eighteen (98.18), Code 1966,
2 is hereby amended as follows:

3 1. By striking from line two (2) the word "commission" and insert-
4 ing in lieu thereof the word "department".

5 2. By striking from lines eleven (11) and twelve (12) the word
6 "commission" and inserting in lieu thereof the word "director".

7 3. By striking from line thirteen (13) the word "commission" and
8 inserting in lieu thereof the word "director".

9 4. By striking from line fourteen (14) the words "commission may,
10 in its discretion" and inserting in lieu thereof the words "director
11 may".

1 SEC. 28. Section ninety-eight point nineteen (98.19), Code 1966,
2 is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) of subsection one
4 (1) the word "commission" and inserting in lieu thereof the word
5 "department".

6 2. By striking from line five (5) of subsection one (1) the word
7 "it" and inserting in lieu thereof the words "the department".

8 3. By striking from line three (3) of subsection three (3) the word
9 "commission" and inserting in lieu thereof the word "department".

1 SEC. 29. Section ninety-eight point twenty (98.20), Code 1966, is
2 hereby amended as follows:

3 1. By striking from line three (3) the word "commission" and in-
4 serting in lieu thereof the word "director".

5 2. By striking from lines eleven (11) and twelve (12) the word
6 "commission" and inserting in lieu thereof the word "director".

1 SEC. 30. Section ninety-eight point twenty-two (98.22), Code
2 1966, is hereby amended as follows:

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

5 2. By striking from line five (5) of subsection one (1) the word
6 "commission" and inserting in lieu thereof the word "department".

7 3. By striking from line ten (10) of subsection one (1) the word
8 "commission" and inserting in lieu thereof the word "department".

9 4. By striking from line twenty-three (23) of subsection one (1)
10 the word "commission" and inserting in lieu thereof the word "de-
11 partment".

12 5. By striking from line twenty-four (24) of subsection one (1) the
13 word "it" and inserting in lieu thereof the words "the department".

1 SEC. 31. Section ninety-eight point twenty-three (98.23), Code
2 1966, is hereby amended as follows:

3 1. By striking from lines two (2) and three (3) of subsection one
4 (1) the word "commission" and inserting in lieu thereof the word
5 "department".

6 2. By striking from lines thirteen (13) and fourteen (14) of sub-
7 section one (1) the word "commission" and inserting in lieu thereof
8 the word "director".

9 3. By striking from line three (3) of subsection two (2) the word
10 "commission" and inserting in lieu thereof the word "department".

11 4. By striking from lines four (4) and five (5) of subsection three
12 (3) the words "commission. The commission" and inserting in lieu
13 thereof the words "department. The department".

1 SEC. 32. Section ninety-eight point twenty-four (98.24), Code
2 1966, is hereby amended by striking from line four (4) the word
3 "commission" and inserting in lieu thereof the word "department".

1 SEC. 33. Section ninety-eight point twenty-five (98.25), Code
2 1966, is hereby amended as follows:

3 1. By striking from line one (1) of subsection one (1) the word
4 "commission" and inserting in lieu thereof the word "director".

5 2. By striking from lines two (2) and three (3) of subsection one
6 (1) the words "it is hereby made the duty of the commission" and
7 inserting in lieu thereof the word "shall".

8 3. By striking from lines one (1) and two (2) of subsection two
9 (2) the words "Said commission also shall have the power and au-
10 thority to" and inserting in lieu thereof the words "The director may".

11 4. By striking from line five (5) of subsection two (2) the word
12 "to".

13 5. By striking from line six (6) of subsection two (2) the word
14 "to".

15 6. By striking from line seven (7) of subsection two (2) the word
16 "commission" and inserting in lieu thereof the word "director".

17 7. By striking from line one (1) of subsection three (3) the words
18 "state tax commission" and inserting in lieu thereof the word "direc-
19 tor".

20 8. By striking from lines six (6) and seven (7) of subsection three
21 (3) the words "state tax commission may call to its aid" and inserting
22 in lieu thereof the words "director may request aid from".

23 9. By striking from line nine (9) of subsection three (3) the word
24 "commission" and inserting in lieu thereof the word "director".

1 SEC. 34. Section ninety-eight point twenty-eight (98.28), Code
2 1966, is hereby amended as follows:

3 1. By striking from line three (3) the word "commission" and in-
4 serting in lieu thereof the word "department".

5 2. By striking from lines seven (7) and eight (8) the word "com-
6 mission" and inserting in lieu thereof the word "department".

7 3. By striking from line thirteen (13) the word "commission" and
8 inserting in lieu thereof the word "director".

1 SEC. 35. Section ninety-eight point twenty-nine (98.29), Code
2 1966, is hereby amended by striking from line one (1) the word "com-
3 mission" and inserting in lieu thereof the word "department".

1 SEC. 36. Section ninety-eight point thirty (98.30), Code 1966, is
2 hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the word "commis-
4 sion" and inserting in lieu thereof the word "department".

5 2. By striking from lines nine (9) and ten (10) the word "commis-
6 sion" and inserting in lieu thereof the word "department".

1 SEC. 37. Section ninety-eight point thirty-one (98.31), Code 1966,
2 is hereby amended as follows:

3 1. By striking from line nine (9) the word "commission" and in-
4 serting in lieu thereof the word "department".

5 2. By striking from lines ten (10) and eleven (11) the words "said
6 commission" and inserting in lieu thereof the words "the department".

1 SEC. 38. Section ninety-eight point thirty-two (98.32), Code 1966,
2 is hereby amended as follows:

3 1. By striking from line sixteen (16) of subsection one (1) the
4 word "commission" and inserting in lieu thereof the word "depart-
5 ment".

6 2. By striking from line twenty-six (26) of subsection one (1) the
7 word "commission" and inserting in lieu thereof the word "depart-
8 ment".

9 3. By striking from line one (1) of subsection two (2) the word
10 "commission" and inserting in lieu thereof the word "department".

11 4. By striking from lines thirteen (13) and fourteen (14) of sub-
12 section two (2) the word "commission" and inserting in lieu thereof
13 the word "director".

14 5. By striking from line two (2) of subsection three (3) the word
15 "commission" and inserting in lieu thereof the word "director".

16 6. By striking from line twenty-one (21) of subsection three (3)
17 the word "commission" and inserting in lieu thereof the word "direc-
18 tor".

19 7. By striking from line four (4) of subsection five (5) the word
20 "commission" and inserting in lieu thereof the word "department".

1 SEC. 39. Section ninety-eight point thirty-four (98.34), Code 1966,
2 is hereby amended as follows:

3 1. By striking from line three (3) the words "state tax commis-
4 sion" and inserting in lieu thereof the word "department".

5 2. By striking from line four (4) the word "it" and inserting in
6 lieu thereof the words "the department".

1 SEC. 40. Section ninety-eight point thirty-five (98.35), Code 1966,
2 is hereby amended by striking from lines four (4) and five (5) the
3 words "by the commission from all permits issued by it" and inserting
4 in lieu thereof the words "from all permits issued by the department".

1 SEC. 41. Section ninety-eight point thirty-six (98.36), Code 1966,
2 is hereby amended as follows:

3 1. By striking from line nine (9) of subsection two (2) the words
4 "the commission" and inserting in lieu thereof the words "an agent
5 of the department".

6 2. By striking from lines seven (7) and eight (8) of subsection
7 three (3) the words "state tax commission" and inserting in lieu
8 thereof the word "department".

9 3. By striking from lines eight (8) and nine (9) of subsection three
10 (3) the words "said commission" and inserting in lieu thereof the
11 words "the department".

1 SEC. 42. Section ninety-eight point thirty-nine (98.39), Code 1966,
2 is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "commis-
4 sion may, in its discretion," and inserting in lieu thereof the words
5 "director may".

6 2. By striking from lines ten (10) and eleven (11) the word "com-
7 mission" and inserting in lieu thereof the word "director".

1 SEC. 43. Section one hundred twenty-four point two (124.2),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines two (2) and three (3) of subsection three
4 (3) the words "chairman of the state tax commission" and inserting
5 in lieu thereof the words "director of the department of revenue".

6 2. By striking from line two (2) of subsection seven (7) the words
7 "state tax commission" and inserting in lieu thereof the words "de-
8 partment of revenue".

1 SEC. 44. Section one hundred twenty-four point three (124.3),
2 Code 1966, is hereby amended by striking from lines twenty-one (21)
3 and twenty-two (22) the words "chairman of the state tax commis-
4 sion" and inserting in lieu thereof the words "director of the depart-
5 ment of revenue".

1 SEC. 45. Section one hundred twenty-four point five (124.5),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the words "state tax commission"
4 and inserting in lieu thereof the words "department of revenue".

5 2. By striking from line thirty-two (32) the words "state tax com-
6 mission" and inserting in lieu thereof the words "department of
7 revenue".

1 SEC. 46. Section one hundred twenty-four point eight (124.8),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines two (2) and three (3) of subsection three
4 (3) the words "state tax commission" and inserting in lieu thereof
5 the words "department of revenue".

6 2. By striking from line four (4) of subsection three (3) the words
7 "state tax commission" and inserting in lieu thereof the words "di-
8 rector of revenue".

1 SEC. 47. Section one hundred twenty-four point nine (124.9),
2 Code 1966, is hereby amended by striking from lines two (2) and three

3 (3) of subsection three (3) the words "state tax commission" and
4 inserting in lieu thereof the words "department of revenue".

1 SEC. 48. Section one hundred twenty-four point ten (124.10),
2 Code 1966, is hereby amended by striking from line three (3) of sub-
3 section three (3) the words "state tax commission" and inserting in
4 lieu thereof the words "department of revenue".

1 SEC. 49. Section one hundred twenty-four point eleven (124.11),
2 Code 1966, is hereby amended by striking from line two (2) the words
3 "state tax commission" and inserting in lieu thereof the words "de-
4 partment of revenue".

1 SEC. 50. Section one hundred twenty-four point fourteen (124.14),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line five (5) the words "state tax commission"
4 and inserting in lieu thereof the words "department of revenue".

5 2. By striking from lines six (6) and seven (7) the words "state
6 tax commission" and inserting in lieu thereof the words "department
7 of revenue".

8 3. By striking from line seventeen (17) the words "state tax com-
9 mission" and inserting in lieu thereof the words "director of revenue".

10 4. By striking from line twenty-nine (29) the words "state tax
11 commission" and inserting in lieu thereof the words "department of
12 revenue".

13 5. By striking from line thirty-one (31) the words "state tax com-
14 mission" and inserting in lieu thereof the words "director of revenue".

1 SEC. 51. Section one hundred twenty-four point twenty-four
2 (124.24), Code 1966, is hereby amended by striking from lines thirty-
3 two (32) and thirty-three (33) the words "state tax commission. The
4 state tax commission" and inserting in lieu thereof the words "depart-
5 ment of revenue. The department of revenue".

1 SEC. 52. Section one hundred twenty-four point twenty-six
2 (124.26), Code 1966, is hereby amended as follows:

3 1. By striking from line six (6) the words "state tax commission"
4 and inserting in lieu thereof the words "department of revenue".

5 2. By striking from line seven (7) the word "it" and inserting in
6 lieu thereof the words "the department".

7 3. By striking from lines thirteen (13) and fourteen (14) the words
8 "state tax commission" and inserting in lieu thereof the words "direc-
9 tor of revenue".

10 4. By striking from line sixteen (16) the words "state tax commis-
11 sion" and inserting in lieu thereof the words "department of revenue".

12 5. By striking from line twenty-one (21) the word "commission"
13 and inserting in lieu thereof the word "department".

1 SEC. 53. Section one hundred twenty-four point twenty-seven
2 (124.27), Code 1966, is hereby amended as follows:

3 1. By striking from line six (6) the words "state tax commission
4 or its" and inserting in lieu thereof the words "director of revenue
5 or his".

6 2. By striking from lines fourteen (14) and fifteen (15) the words
7 "state tax commission or its" and inserting in lieu thereof the words
8 "director of revenue or his".

1 SEC. 54. Section one hundred twenty-four point thirty-three
2 (124.33), Code 1966, is hereby amended by striking from line two (2)
3 of subsection two (2) the words "state tax commission" and inserting
4 in lieu thereof the words "department of revenue".

1 SEC. 55. Section two hundred eighty-four point seven (284.7),
2 Code 1966, is hereby amended by striking from lines three (3) and
3 four (4) the words "state tax commission" and inserting in lieu there-
4 of the words "department of revenue".

1 SEC. 56. Section three hundred thirty-four point nineteen
2 (334.19), Code 1966, is hereby amended by striking from lines four
3 (4) and five (5) the words "state tax commission, and the said com-
4 mission" and inserting in lieu thereof the words "director of revenue
5 who".

1 SEC. 57. Section three hundred thirty-five point sixteen (335.16),
2 Code 1966, is hereby amended by striking from line nine (9) the words
3 "state tax commission" and inserting in lieu thereof the words "de-
4 partment of revenue".

1 SEC. 58. Section three hundred forty point three (340.3), Code
2 1966, is hereby amended by striking from line eight (8) the words
3 "state tax commission" and inserting in lieu thereof the words "de-
4 partment of revenue".

1 SEC. 59. Section three hundred forty-six point sixteen (346.16),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line nine (9) the words "state tax commission"
4 and inserting in lieu thereof the words "department of revenue".

5 2. By striking from line eleven (11) the words "said commission"
6 and inserting in lieu thereof the words "the director of revenue".

1 SEC. 60. Section three hundred forty-six point seventeen (346.17),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) through four (4) and inserting
4 in lieu thereof the following:

5 "The director of revenue shall at each annual equalization, add to
6 the state tax to".

7 2. By striking from line fifteen (15) the words "said commission"
8 and inserting in lieu thereof the words "director of revenue".

1 SEC. 61. Section four hundred twenty point two hundred five
2 (420.205), Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the words "state tax commission"
4 and inserting in lieu thereof the words "department of revenue".

5 2. By striking from lines five (5) and six (6) the words "state tax
6 commission" and inserting in lieu thereof the words "department of
7 revenue".

1 SEC. 62. Section four hundred twenty-one point fourteen (421.14),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the word "commis-
4 sion" and inserting in lieu thereof the word "director".

5 2. By striking from line five (5) the word "its" and inserting in
6 lieu thereof the words "the director's".

7 3. By striking from line seven (7) the words "said commission"
8 and inserting in lieu thereof the words "the department".

1 SEC. 63. Section four hundred twenty-one point fifteen (421.15),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "commission" and insert-
4 ing in lieu thereof the word "director".

5 2. By striking from line three (3) the words "it may, under its" and
6 inserting in lieu thereof the words "the director may, under his".

7 3. By striking from line four (4) the word "its" and inserting in
8 lieu thereof the word "the".

1 SEC. 64. Section four hundred twenty-one point sixteen (421.16),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "members
4 of the commission" and inserting in lieu thereof the words "director,
5 deputy directors".

6 2. By striking from line five (5) the word "commission" and insert-
7 ing in lieu thereof the word "department".

8 3. By striking from lines seven (7) and eight (8) the words "a
9 majority of the members of the commission" and inserting in lieu
10 thereof the words "the director".

11 4. By striking from lines ten (10) and eleven (11) the words "mem-
12 bers, the" and inserting in lieu thereof the words "director, deputy
13 directors,".

14 5. By striking from lines eleven (11) and twelve (12) the word
15 "commission" and inserting in lieu thereof the word "department".

1 SEC. 65. Section four hundred twenty-one point seventeen
2 (421.17), Code 1966, is hereby amended as follows:

3 1. By striking from lines two (2) and three (3) the words "state
4 tax commission, said commission" and inserting in lieu thereof the
5 words "director of revenue, the director".

6 2. By striking from lines six (6) and seven (7) of subsection two
7 (2) the words "state tax commission shall have the power to" and
8 inserting in lieu thereof the words "director may".

9 3. By striking from line eleven (11) of subsection two (2) the
10 words "state tax commission" and inserting in lieu thereof the word
11 "director".

12 4. By striking from line fourteen (14) of subsection two (2) the
13 words "state tax commission" and inserting in lieu thereof the word
14 "director".

15 5. By striking from line twenty-two (22) of subsection two (2) the
16 words "state tax commission" and inserting in lieu thereof the word
17 "director".

18 6. By striking from line eight (8) of subsection three (3) the word
19 "It" and inserting in lieu thereof the words "The department of reve-
20 nue".

21 7. By striking from line eleven (11) of subsection three (3) the
22 word "it" and inserting in lieu thereof the words "the director".

- 23 8. By striking from line thirteen (13) of subsection three (3) the
24 word "it" and inserting in lieu thereof the words "the director".
- 25 9. By striking from lines thirteen (13) and fourteen (14) of sub-
26 section five (5) the words "state tax commission" and inserting in lieu
27 thereof the words "department of revenue".
- 28 10. By striking from line six (6) of subsection six (6) the word
29 "commission" and inserting in lieu thereof the word "department".
- 30 11. By striking from line seven (7) of subsection six (6) the word
31 "commission" and inserting in lieu thereof the word "director".
- 32 12. By striking from line nine (9) of subsection six (6) the word
33 "commission" and inserting in lieu thereof the word "director".
- 34 13. By striking from line twelve (12) of subsection six (6) the word
35 "commission" and inserting in lieu thereof the word "director".
- 36 14. By striking from line twenty (20) of subsection six (6) the
37 word "commission" and inserting in lieu thereof the word "director".
- 38 15. By striking from line twenty-one (21) of subsection six (6) the
39 word "commission" and inserting in lieu thereof the word "depart-
40 ment".
- 41 16. By striking from line twenty-two (22) of subsection six (6) the
42 word "commission" and inserting in lieu thereof the word "depart-
43 ment".
- 44 17. By striking from line eight (8) of subsection seven (7) the
45 word "commission" and inserting in lieu thereof the word "director".
- 46 18. By striking from line six (6) of subsection eight (8) the words
47 "of the commission" and inserting in lieu thereof the words "of the
48 director".
- 49 19. By striking from lines five (5) and six (6) of subsection nine
50 (9) the words "commission, and members or employees thereof," and
51 inserting in lieu thereof the words "director or employees of the de-
52 partment".
- 53 20. By striking from lines three (3) and four (4) of subsection ten
54 (10) the words "state tax commission" and inserting in lieu thereof
55 the word "director".
- 56 21. By striking from line seventeen (17) of subsection ten (10) the
57 word "commission" and inserting in lieu thereof the word "director".
- 58 22. By striking from lines twenty-one (21) and twenty-two (22) of
59 subsection ten (10) the words "state tax commission shall have the
60 power to" and inserting in lieu thereof the words "director may".
- 61 23. By striking from line twenty-four (24) of subsection ten (10)
62 the word "it" and inserting in lieu thereof the words "the director".
- 63 24. By striking from line twenty-seven (27) of subsection ten (10)
64 the words "state tax commission" and inserting in lieu thereof the
65 word "director".
- 66 25. By striking from lines thirty-four (34) and thirty-five (35) of
67 subsection ten (10) the words "tax commission" and inserting in lieu
68 thereof the word "director".
- 69 26. By striking from lines thirty-nine (39) and forty (40) of sub-
70 section ten (10) the words "state tax commission shall have the power
71 to" and inserting in lieu thereof the words "director may".
- 72 27. By striking from line forty-three (43) of subsection ten (10)
73 the word "it" and inserting in lieu thereof the words "the director".

74 28. By striking from line eight (8) of subsection twelve (12) the
75 word "its" and inserting in lieu thereof the words "the director's".

76 29. By striking from line four (4) of subsection thirteen (13) the
77 word "commission" and inserting in lieu thereof the word "director".

78 30. By striking from lines six (6) and seven (7) of subsection thir-
79 teen (13) the words "commission, its" and inserting in lieu thereof
80 the word "director".

81 31. By striking from lines one (1) and two (2) of subsection fifteen
82 (15) the word "commission" and inserting in lieu thereof the word
83 "director".

1 SEC. 66. Section four hundred twenty-one point eighteen
(421.18), Code 1966, is hereby amended as follows:

3 1. By striking from line three (3) the word "commission" and in-
4 serting in lieu thereof the words "director of revenue".

5 2. By striking from line five (5) the word "commission" and insert-
6 ing in lieu thereof the word "director".

7 3. By striking from line six (6) the words "commission in its" and
8 inserting in lieu thereof the word "director's".

1 SEC. 67. Section four hundred twenty-one point nineteen (421.19),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line five (5) the word "commission" and insert-
4 ing in lieu thereof the words "director of revenue".

5 2. By striking from line six (6) the word "commission" and insert-
6 ing in lieu thereof the word "director".

7 3. By striking all of such section after the word "litigation" in lines
8 six (6) and seven (7) and inserting in lieu thereof the words "arising
9 from the discharge of the director's duties."

1 SEC. 68. Section four hundred twenty-one point twenty (421.20),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "commission" and insert-
4 ing in lieu thereof the words "director of revenue".

5 2. By striking from lines five (5) and six (6) the words "said com-
6 mission" and inserting in lieu thereof the words "the director".

7 3. By striking from lines eight (8) and nine (9) the words "Said
8 commission" and inserting in lieu thereof the words "The director".

1 SEC. 69. Section four hundred twenty-one point twenty-one
2 (421.21), Code 1966, is hereby amended as follows:

3 1. By striking all of lines one (1) through six (6) and inserting in
4 lieu thereof the following:

5 "The director of revenue, or his deputies and other employees of the
6 department when duly authorized by the director, shall have the power
7 to administer all oaths authorized and required under the provisions
8 of this chapter."

9 2. By striking from line eleven (11) the word "commission" and
10 inserting in lieu thereof the word "director".

1 SEC. 70. Section four hundred twenty-one point twenty-three
2 (421.23), Code 1966, is hereby amended by striking from line three

3 (3) the word "commission" and inserting in lieu thereof the word
4 "department".

1 SEC. 71. Section four hundred twenty-one point twenty-four
2 (421.24), Code 1966, is hereby amended by striking from line one (1)
3 the words "tax commission" and inserting in lieu thereof the word
4 "director".

1 SEC. 72. Section four hundred twenty-two point three (422.3),
2 Code 1966, is hereby amended as follows:

3 1. By striking all of subsection one (1).

4 2. By adding thereto the following subsections.

5 a. "'Department' means the department of revenue."

6 b. "'Court' means the district court in the county of the taxpayer's
7 residence."

8 c. "'Director' means the director of revenue."

1 SEC. 73. Section four hundred twenty-two point seven (422.7),
2 Code 1966, is hereby amended by striking from lines seven (7) and
3 eight (8) of subsection three (3) the words "state tax commission"
4 and inserting in lieu thereof the word "director".

1 SEC. 74. Section four hundred twenty-two point eight (422.8),
2 Code 1966, is hereby amended by striking from line two (2) the words
3 "state tax commission" and inserting in lieu thereof the word "direc-
4 tor".

1 SEC. 75. Section four hundred twenty-two point nine (422.9),
2 Code 1966, is hereby amended by striking from line seven (7) of sub-
3 section four (4) the words "state tax commission" and inserting in
4 lieu thereof the word "director".

1 SEC. 76. Section four hundred twenty-two point fourteen
2 (422.14), Code 1966, is hereby amended by striking from line one (1)
3 of subsection two (2) the word "commission" and inserting in lieu
4 thereof the word "director".

1 SEC. 77. Section four hundred twenty-two point fifteen (422.15),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line seventeen (17) of subsection one (1) the
4 words "thereof to the commission,".

5 2. By striking from line twenty (20) of subsection one (1) the word
6 "it" and inserting in lieu thereof the words "the director".

1 SEC. 78. Section four hundred twenty-two point sixteen (422.16),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line thirteen (13) of subsection one (1) the
4 words "state tax commission" and inserting in lieu thereof the word
5 "department".

6 2. By striking from line fifteen (15) of subsection one (1) the
7 words "state tax commission" and inserting in lieu thereof the word
8 "department".

9 3. By striking from lines eight (8) and nine (9) of subsection two
10 (2) the words "state tax commission" and inserting in lieu thereof the
11 word "director".

12 4. By striking from lines nine (9) and ten (10) of subsection two
13 (2) the words "state tax commission" and inserting in lieu thereof the
14 word "department".

15 5. By striking from lines nineteen (19) and twenty (20) of subsec-
16 tion two (2) the words "state tax commission" and inserting in lieu
17 thereof the word "department".

18 6. By striking from line twenty-two (22) of subsection two (2)
19 the words "state tax commission" and inserting in lieu thereof the
20 word "director".

21 7. By striking from line thirty-four (34) of subsection two (2) the
22 words "state tax commission" and inserting in lieu thereof the word
23 "director".

24 8. By striking from line thirty-seven (37) of subsection two (2) the
25 word "it" and inserting in lieu thereof the words "the director".

26 9. By striking from lines forty (40) and forty-one (41) of subsec-
27 tion two (2) the words "state tax commission" and inserting in lieu
28 thereof the word "director".

29 10. By striking from line forty-six (46) of subsection two (2) the
30 word "it" and inserting in lieu thereof the words "the director".

31 11. By striking from line forty-seven (47) of subsection two (2)
32 the word "it" and inserting in lieu thereof the words "the director".

33 12. By striking from line fifty-one (51) of subsection two (2) the
34 word "commission" and inserting in lieu thereof the word "depart-
35 ment".

36 13. By striking from line two (2) of subsection four (4) the word
37 "commission" and inserting in lieu thereof the word "department".

38 14. By striking from line two (2) of subsection five (5) the word
39 "commission" and inserting in lieu thereof the word "department".

40 15. By striking from line one (1) of subsection six (6) the words
41 "state tax commission" and inserting in lieu thereof the word "direc-
42 tor".

43 16. By striking from line four (4) of subsection six (6) the words
44 "state tax commission" and inserting in lieu thereof the word "de-
45 partment".

46 17. By striking from line thirty-seven (37) of subsection seven (7)
47 the words "state tax commission" and inserting in lieu thereof the
48 word "director".

49 18. By striking from line fifteen (15) of subsection eight (8) the
50 words "state tax commission" and inserting in lieu thereof the word
51 "department".

52 19. By striking from line six (6) of subsection nine (9) the words
53 "state tax commission" and inserting in lieu thereof the word "de-
54 partment".

55 20. By striking from line thirty (30) of subsection nine (9) the
56 words "state tax commission" and inserting in lieu thereof the word
57 "director".

58 21. By striking from lines thirty-one (31) and thirty-two (32) of
59 subsection nine (9) the words "state tax commission" and inserting
60 in lieu thereof the word "department".

61 22. By striking from line seven (7) of paragraph *b* of subsection
62 ten (10) the words "tax commission" and inserting in lieu thereof the
63 word "department".

64 23. By striking from line thirteen (13) of paragraph *b* of subsec-
65 tion ten (10) the word "commission" and inserting in lieu thereof the
66 word "department".

67 24. By striking from line seven (7) of paragraph *c* of subsection
68 ten (10) the words "state tax commission" and inserting in lieu there-
69 of the word "department".

70 25. By striking from lines eight (8) and nine (9) of paragraph *c*
71 of subsection ten (10) the words "commission may, in its discretion"
72 and inserting in lieu thereof the words "director may".

73 26. By striking from line one (1) of paragraph *d* of subsection ten
74 (10) the words "tax commission," and inserting in lieu thereof the
75 word "department".

76 27. By striking from line six (6) of paragraph *d* of subsection ten
77 (10) the words "tax commission" and inserting in lieu thereof the
78 word "department".

79 28. By striking from lines fourteen (14) and fifteen (15) of para-
80 graph *a* of subsection eleven (11) the words "state tax commission"
81 and inserting in lieu thereof the word "director".

82 29. By striking from line four (4) of paragraph *c* of subsection
83 eleven (11) the words "state tax commission" and inserting in lieu
84 thereof the word "director".

85 30. By striking from line thirteen (13) of subsection twelve (12)
86 the words "state tax commission" and inserting in lieu thereof the
87 word "department".

88 31. By striking from lines one (1) and two (2) of subsection thir-
89 teen (13) the words "tax commission may, in its discretion," and
90 inserting in lieu thereof the words "director may".

91 32. By striking from line three (3) of subsection thirteen (13) the
92 word "its" and inserting in lieu thereof the words "the director's".

93 33. By striking from line one (1) of subsection fourteen (14) the
94 words "tax commission is hereby authorized and directed to" and in-
95 serting in lieu thereof the words "director shall".

1 SEC. 79. Section four hundred twenty-two point seventeen
2 (422.17), Code 1966, is hereby amended by striking from lines twelve
3 (12) and thirteen (13) the words "state tax commission" and insert-
4 ing in lieu thereof the word "department".

1 SEC. 80. Section four hundred twenty-two point twenty (422.20),
2 Code 1966, is hereby amended by striking from line twenty-eight (28)
3 the words "state tax commission" and inserting in lieu thereof the
4 word "director".

1 SEC. 81. Section four hundred twenty-two point twenty-one
2 (422.21), Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the word "commission" and insert-
4 ing in lieu thereof the word "director".

5 2. By striking from line four (4) the word "commission" and in-
6 serting in lieu thereof the word "department".

7 3. By striking from line seven (7) the words ", in its judgment,".

8 4. By striking from line eight (8) the word "commission" and in-
9 serting in lieu thereof the word "director".

10 5. By striking from line nine (9) the word "commission" and in-
11 serting in lieu thereof the word "director".

12 6. By striking from line sixteen (16) the words "state tax commis-
13 sion" and inserting in lieu thereof the word "department".

14 7. By striking from lines twenty-five (25) and twenty-six (26) the
15 words "state tax commission is hereby authorized and directed" and
16 inserting in lieu thereof the words "department shall".

17 8. By striking from line thirty-eight (38) the words "state tax
18 commission" and inserting in lieu thereof the word "department".

19 9. By striking from lines forty-eight (48) and forty-nine (49) the
20 word "commission" and inserting in lieu thereof the word "director".

21 10. By striking from line fifty (50) the words "it deems it" and
22 inserting in lieu thereof the word "deemed".

23 11. By striking from line fifty-five (55) the word "commission" and
24 inserting in lieu thereof the word "department".

25 12. By striking from lines sixty-three (63) and sixty-four (64) the
26 words "A space shall be provided by the tax commission," and insert-
27 ing in lieu thereof the words "The department shall provide space".

1 SEC. 82. Section four hundred twenty-two point twenty-two
2 (422.22), Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the word "commis-
4 sion" and inserting in lieu thereof the word "director".

5 2. By striking from line six (6) the word "it" and inserting in lieu
6 thereof the words "the director".

7 3. By striking from line eight (8) the word "it" and inserting in
8 lieu thereof the words "the director".

9 4. By striking from lines thirteen (13) and fourteen (14) the word
10 "commission" and inserting in lieu thereof the word "director".

11 5. By striking from line sixteen (16) the word "it" and inserting in
12 lieu thereof the words "the director".

13 6. By striking from line twenty-three (23) the word "commission"
14 and inserting in lieu thereof the word "director".

1 SEC. 83. Section four hundred twenty-two point twenty-three
2 (422.23), Code 1966, is hereby amended as follows:

3 1. By striking from line nineteen (19) the words "state tax com-
4 mission" and inserting in lieu thereof the word "director".

5 2. By striking from lines thirty (30) and thirty-one (31) the words
6 "state tax commission" and inserting in lieu thereof the word "direc-
7 tor".

1 SEC. 84. Section four hundred twenty-two point twenty-five
2 (422.25), Code 1966, is hereby amended as follows:

3 1. By striking from line three (3) of subsection one (1) the word
4 "commission" and inserting in lieu thereof the word "department".

5 2. By striking from line five (5) of subsection one (1) the word
6 "commission" and inserting in lieu thereof the word "department".

7 3. By striking from lines eighteen (18) and nineteen (19) of sub-
8 section one (1) the word "commission" and inserting in lieu thereof
9 the word "department".

10 4. By striking from line twenty-three (23) of subsection one (1)
11 the word "its" and inserting in lieu thereof the word "the".

12 5. By striking from line twenty-six (26) of subsection one (1) the
13 words "tax commission" and inserting in lieu thereof the word "de-
14 partment".

- 15 6. By striking from line thirty-one (31) of subsection one (1) the
16 word "commission" and inserting in lieu thereof the word "depart-
17 ment".
- 18 7. By striking from line two (2) of subsection two (2) the word
19 "commission" and inserting in lieu thereof the word "department".
- 20 8. By striking from line two (2) of subsection three (3) the word
21 "commission" and inserting in lieu thereof the word "department".
- 22 9. By striking from line seven (7) of subsection three (3) the word
23 "commission" and inserting in lieu thereof the word "director".
- 24 10. By striking from line one (1) of subsection six (6) the word
25 "commission" and inserting in lieu thereof the word "director".
- 26 11. By striking from line four (4) of subsection seven (7) the
27 words "state tax commission" and inserting in lieu thereof the word
28 "department".

1 SEC. 85. Section four hundred twenty-two point twenty-six
2 (422.26), Code 1966, is hereby amended as follows:

- 3 1. By striking from line eighteen (18) the word "commission" and
4 inserting in lieu thereof the word "director".
- 5 2. By striking from line forty-one (41) the word "commission" and
6 inserting in lieu thereof the word "department".
- 7 3. By striking from line forty-five (45) the word "commission" and
8 inserting in lieu thereof the word "director".
- 9 4. By striking from line forty-six (46) the word "commission" and
10 inserting in lieu thereof the word "director".
- 11 5. By striking from line fifty-one (51) the word "commission" and
12 inserting in lieu thereof the word "department".
- 13 6. By striking from lines sixty-one (61) and sixty-two (62) the
14 words "state tax commission" and inserting in lieu thereof the word
15 "department".
- 16 7. By striking from line sixty-nine (69) the word "commission"
17 and inserting in lieu thereof the word "director".
- 18 8. By striking from line seventy-seven (77) the word "commission"
19 and inserting in lieu thereof the word "director".

1 SEC. 86. Section four hundred twenty-two point twenty-seven
2 (422.27), Code 1966, is hereby amended as follows:

- 3 1. By striking from line nine (9) of subsection one (1) the word
4 "commission" and inserting in lieu thereof the word "director".
- 5 2. By striking from line three (3) of subsection two (2) the word
6 "commission" and inserting in lieu thereof the word "director".

1 SEC. 87. Section four hundred twenty-two point twenty-eight
2 (422.28), Code 1966, is hereby amended as follows:

- 3 1. By striking from line two (2) the word "commission" and insert-
4 ing in lieu thereof the word "director".
- 5 2. By striking from line seven (7) the word "commission" and in-
6 sserting in lieu thereof the word "director".
- 7 3. By striking from line eight (8) the word "it" and inserting in
8 lieu thereof the words "the director".
- 9 4. By striking from line ten (10) the word "it" and inserting in
10 lieu thereof the words "the director".
- 11 5. By striking from line thirteen (13) the word "commission" and
12 inserting in lieu thereof the word "director".

13 6. By striking from lines fourteen (14) and fifteen (15) the words
14 "its findings" and inserting in lieu thereof the words "the result of
15 the hearing".

16 7. By striking from line seventeen (17) the word "it" and inserting
17 in lieu thereof the words "the director".

1 SEC. 88. Section four hundred twenty-two point twenty-nine
2 (422.29), Code 1966, is hereby amended as follows:

3 1. By striking from lines nine (9) and ten (10) of subsection one
4 (1) the words "from the commission of its determination" and insert-
5 ing in lieu thereof the words "of a determination by the director".

6 2. By striking from line two (2) of subsection two (2) the words
7 "chairman of the commission" and inserting in lieu thereof the word
8 "director".

9 3. By striking from line seven (7) of subsection two (2) the word
10 "commission" and inserting in lieu thereof the word "director".

11 4. By striking from line four (4) of subsection three (3) the word
12 "commission" and inserting in lieu thereof the word "director".

13 5. By striking from line seven (7) of subsection three (3) the word
14 "commission" and inserting in lieu thereof the word "director".

15 6. By striking from line ten (10) of subsection three (3) the word
16 "commission" and inserting in lieu thereof the word "director".

1 SEC. 89. Section four hundred twenty-two point thirty (422.30),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the word "commis-
4 sion" and inserting in lieu thereof the word "director".

5 2. By striking from line four (4) the word "commission" and in-
6 serting in lieu thereof the word "director".

7 3. By striking from line twelve (12) the word "commission" and
8 inserting in lieu thereof the word "director".

9 4. By striking from line eighteen (18) the word "commission" and
10 inserting in lieu thereof the word "director".

1 SEC. 90. Section four hundred twenty-two point thirty-three
2 (422.33), Code 1966, is hereby amended as follows:

3 1. By striking from line eleven (11) of paragraph *b* of subsection
4 one (1) the word "commission" and inserting in lieu thereof the word
5 "director".

6 2. By striking from line three (3) of subsection two (2) the word
7 "commission" and inserting in lieu thereof the word "director".

8 3. By striking from line nine (9) of subsection two (2) the word
9 "commission" and inserting in lieu thereof the word "director".

10 4. By striking from line fourteen (14) of subsection two (2) the
11 word "commission" and inserting in lieu thereof the word "director".

12 5. By striking from line fifteen (15) of subsection two (2) the word
13 "commission" and inserting in lieu thereof the word "director".

14 6. By striking from line eighteen (18) of subsection two (2) the
15 word "it" and inserting in lieu thereof the words "the director".

1 SEC. 91. Section four hundred twenty-two point thirty-five
2 (422.35), Code 1966, is hereby amended as follows:

3 1. By striking from lines seven (7) and eight (8) of subsection
4 three (3) the words "state tax commission" and inserting in lieu
5 thereof the word "director".

6 2. By striking from lines twenty-nine (29) and thirty (30) of sub-
7 section five (5) the words "state tax commission" and inserting in lieu
8 thereof the word "director".

1 SEC. 92. Section four hundred twenty-two point thirty-six
2 (422.36), Code 1966, is hereby amended as follows:

3 1. By striking from line twenty-four (24) of subsection two (2) the
4 word "commission" and inserting in lieu thereof the word "depart-
5 ment".

6 2. By striking from line one (1) of subsection three (3) the words
7 "state commission" and inserting in lieu thereof the word "director".

8 3. By striking from line eleven (11) of subsection three (3) the
9 word "it" and inserting in lieu thereof the words "the director".

10 4. By striking from line twelve (12) of subsection three (3) the
11 words "it deems" and inserting in lieu thereof the word "are".

12 5. By striking from lines sixteen (16) and seventeen (17) of sub-
13 section three (3) the word "commission" and inserting in lieu thereof
14 the word "director".

1 SEC. 93. Section four hundred twenty-two point thirty-seven
2 (422.37), Code 1966, is hereby amended as follows:

3 1. By striking from line eight (8) of subsection one (1) the word
4 "commission" and inserting in lieu thereof the word "director".

5 2. By striking from line nine (9) of subsection one (1) the word
6 "commission" and inserting in lieu thereof the word "director".

7 3. By striking from line thirteen (13) of subsection one (1) the
8 word "commission" and inserting in lieu thereof the word "director".

9 4. By striking from line fourteen (14) of subsection one (1) the
10 word "commission" and inserting in lieu thereof the word "depart-
11 ment".

12 5. By striking from line one (1) of subsection two (2) the word
13 "commission" and inserting in lieu thereof the word "director".

14 6. By striking from line fifteen (15) of subsection two (2) the word
15 "commission" and inserting in lieu thereof the word "director".

16 7. By striking from line one (1) of subsection three (3) the word
17 "commission" and inserting in lieu thereof the word "director".

18 8. By striking from line six (6) of subsection three (3) the words
19 "commission is authorized and empowered" and inserting in lieu there-
20 of the words "director may".

21 9. By striking from line eight (8) of subsection three (3) the word
22 "it" and inserting in lieu thereof the words "the director".

23 10. By striking from line eighteen (18) of subsection four (4) the
24 word "commission" and inserting in lieu thereof the word "director".

25 11. By striking from lines eighteen (18) and nineteen (19) of sub-
26 section four (4) the words "it deems" and inserting in lieu thereof the
27 word "are".

28 12. By striking from line twenty-five (25) of subsection four (4)
29 the word "commission" and inserting in lieu thereof the word "direc-
30 tor".

1 SEC. 94. Section four hundred twenty-two point forty (422.40),
2 Code 1966, is hereby amended as follows:

- 3 1. By striking from lines twelve (12) and thirteen (13) of subsection
4 one (1) the words "commission may in its discretion" and insert-
5 ing in lieu thereof the words "director may".
- 6 2. By striking from line nine (9) of subsection two (2) the word
7 "commission" and inserting in lieu thereof the word "director".
- 8 3. By striking from line eight (8) of subsection three (3) the word
9 "commission" and inserting in lieu thereof the word "department".
- 10 4. By striking from line five (5) of subsection four (4) the word
11 "commission" and inserting in lieu thereof the word "director".
- 12 5. By striking from line fifteen (15) of subsection four (4) the
13 word "commission" and inserting in lieu thereof the word "director".

1 SEC. 95. Section four hundred twenty-two point forty-two
2 (422.42), Code 1966, is hereby amended as follows:

- 3 1. By striking from lines ten (10) and eleven (11) of subsection
4 five (5) the word "commission" and inserting in lieu thereof the word
5 "director".
- 6 2. By striking from line twenty-one (21) of subsection five (5) the
7 word "commission" and inserting in lieu thereof the word "director".
- 8 3. By striking all of subsection eight (8) of such section.
- 9 4. By striking from line twenty-three (23) of subsection thirteen
10 (13) the word "commission" and inserting in lieu thereof the word
11 "department".
- 12 5. By striking from lines twenty-four (24) and twenty-five (25)
13 the word "commission" and inserting in lieu thereof the word "de-
14 partment".

1 SEC. 96. Section four hundred twenty-two point forty-five
2 (422.45), Code 1966, is hereby amended as follows:

- 3 1. By striking from line seventeen (17) of subsection four (4) the
4 words "state tax commission" and inserting in lieu thereof the word
5 "department".
- 6 2. By striking from line eleven (11) of subsection seven (7) the
7 words "state tax commission" and inserting in lieu thereof the word
8 "department".
- 9 3. By striking from lines two (2) and three (3) of paragraph *a* of
10 subsection seven (7) the words "state tax commission" and inserting
11 in lieu thereof the word "department".
- 12 4. By striking from lines three (3) and four (4) of paragraph *b* of
13 subsection seven (7) the words "state tax commission" and inserting
14 in lieu thereof the word "department".
- 15 5. By striking from lines eight (8) and nine (9) of paragraph *b* of
16 subsection seven (7) the words "state tax commission, and the state
17 tax commission" and inserting in lieu thereof the words "department,
18 and the department".

1 SEC. 97. Section four hundred twenty-two point forty-seven
2 (422.47), Code 1966, is hereby amended as follows:

- 3 1. By striking from lines one (1) and two (2) of subsection one (1)
4 the word "commission" and inserting in lieu thereof the word "direc-
5 tor".

- 6 2. By striking from line one (1) of paragraph *a* of subsection two
7 (2) the word "commission" and inserting in lieu thereof the word
8 "department".
- 9 3. By striking from line two (2) of paragraph *a* of subsection two
10 (2) the word "commission" and inserting in lieu thereof the word
11 "director".
- 12 4. By striking from line four (4) of paragraph *a* of subsection two
13 (2) the word "commission" and inserting in lieu thereof the word
14 "department".
- 15 5. By striking from line two (2) of paragraph *c* of subsection two
16 (2) the word "commission" and inserting in lieu thereof the word
17 "director".
- 18 6. By striking from line one (1) of subsection three (3) the words
19 "the commission is".
- 20 7. By striking from line three (3) of subsection three (3) the word
21 "it" and inserting in lieu thereof the words "the director".

1 SEC. 98. Section four hundred twenty-two point forty-eight
2 (422.48), Code 1966, is hereby amended as follows:

- 3 1. By striking from lines nineteen (19) and twenty (20) the words
4 "It shall be the duty of the commission to" and inserting in lieu there-
5 of the words "The director shall".
- 6 2. By striking from lines twenty-two (22) and twenty-three (23)
7 the words "commission shall have the power to" and inserting in lieu
8 thereof the words "director may".

1 SEC. 99. Section four hundred twenty-two point fifty (422.50),
2 Code 1966, is hereby amended as follows:

- 3 1. By striking from line five (5) the word "commission" and insert-
4 ing in lieu thereof the word "director".
- 5 2. By striking from lines eleven (11) and twelve (12) the words
6 "commission or any one of its duly authorized agents" and inserting
7 in lieu thereof the word "department".
- 8 3. By striking from lines fourteen (14) and fifteen (15) the words
9 "commission shall deem it advisable and" and inserting in lieu thereof
10 the word "director".

1 SEC. 100. Section four hundred twenty-two point fifty-one
2 (422.51), Code 1966, is hereby amended as follows:

- 3 1. By striking from line nine (9) of subsection one (1) the word
4 "commission" and inserting in lieu thereof the word "director".
- 5 2. By striking from lines sixteen (16) and seventeen (17) of sub-
6 section one (1) the words "commission may require to enable it cor-
7 rectly to complete" and inserting in lieu thereof the words "depart-
8 ment may require to correctly".
- 9 3. By striking from line nineteen (19) of subsection one (1) the
10 word "commission" and inserting in lieu thereof the word "director".
- 11 4. By striking from line one (1) of subsection two (2) the words
12 "The commission, if it deems it" and inserting in lieu thereof the
13 word "If".
- 14 5. By inserting in line three (3) of subsection two (2) after the
15 word "division," the words "the director".

- 1 SEC. 101. Section four hundred twenty-two point fifty-three*
 2 (422.53*), Code 1966, is hereby amended as follows:
 3 1. By striking from line twelve (12) of subsection one (1) the
 4 words "state tax commission" and inserting in lieu thereof the word
 5 "department".
 6 2. By striking from lines thirteen (13) and fourteen (14) of sub-
 7 section one (1) the words "tax commission" and inserting in lieu
 8 thereof the word "director".
 9 3. By striking from line sixteen (16) of subsection one (1) the
 10 word "commission" and inserting in lieu thereof the word "director".
 11 4. By striking from lines thirty-four (34) and thirty-five (35) of
 12 subsection one (1) the words "commission may provide through its"
 13 and inserting in lieu thereof the words "director may provide by".
 14 5. By striking from line thirty-eight (38) of subsection one (1) the
 15 word "commission" and inserting in lieu thereof the word "director".
 16 6. By striking from line forty-three (43) of subsection one (1) the
 17 words "state tax commission" and inserting in lieu thereof the word
 18 "director".
 19 7. By striking from line forty-eight (48) of subsection one (1) the
 20 word "it" and inserting in lieu thereof the words "the director".
 21 8. By striking from line forty-nine (49) of subsection one (1) the
 22 words "prescribe; and it" and inserting in lieu thereof the words
 23 "prescribe. The director".
 24 9. By striking from line fifty-three (53) of subsection one (1) the
 25 word "commission" and inserting in lieu thereof the word "depart-
 26 ment".
 27 10. By striking from line three (3) of subsection two (2) the word
 28 "commission" and inserting in lieu thereof the word "department".
 29 11. By striking from lines one (1) and two (2) of subsection three
 30 (3) the words "commission may, when in its judgment it is" and in-
 31 serting in lieu thereof the words "director may, when".
 32 12. By striking from line two (2) of subsection three (3) the words
 33 "to do so".
 34 13. By striking from line five (5) of subsection three (3) the word
 35 "it" and inserting in lieu thereof the words "the director".
 36 14. By striking from line nine (9) of subsection three (3) the word
 37 "commission" and inserting in lieu thereof the word "director".
 38 15. By striking from line thirteen (13) of subsection three (3) the
 39 word "commission" and inserting in lieu thereof the word "director".
 40 16. By striking from line fourteen (14) of subsection three (3) the
 41 word "it" and inserting in lieu thereof the words "the director".
 42 17. By striking from line fifteen (15) of subsection three (3) the
 43 word "it" and inserting in lieu thereof the words "the department".
 44 18. By striking from line sixteen (16) of subsection three (3) the
 45 word "commission" and inserting in lieu thereof the word "depart-
 46 ment".
 47 19. By striking from line seventeen (17) of subsection three (3)
 48 the word "it" and inserting in lieu thereof the words "the director".

1 SEC. 102. Section four hundred twenty-two point fifty-three
 2 (422.53), Code 1966, is hereby amended as follows:

*According to enrolled Act.

- 3 1. By striking from line nine (9) of subsection one (1) the word
4 "commission" and inserting in lieu thereof the word "department".
5 2. By striking from line twelve (12) of subsection one (1) the word
6 "commission" and inserting in lieu thereof the word "director".
7 3. By striking from line sixteen (16) of subsection one (1) the
8 word "commission" and inserting in lieu thereof the word "director".
9 4. By striking from line two (2) of subsection two (2) the word
10 "commission" and inserting in lieu thereof the word "department".
11 5. By striking from line two (2) of subsection three (3) the word
12 "commission" and inserting in lieu thereof the word "department".
13 6. By striking from line four (4) of subsection four (4) the word
14 "commission" and inserting in lieu thereof the word "department".
15 7. By striking from line four (4) of subsection five (5) the word
16 "commission" and inserting in lieu thereof the word "department".
17 8. By striking from line five (5) of subsection five (5) the word
18 "commission" and inserting in lieu thereof the word "director".
19 9. By striking from line nine (9) of subsection five (5) the word
20 "commission" and inserting in lieu thereof the word "director".
21 10. By striking from line two (2) of subsection six (6) the word
22 "commission" and inserting in lieu thereof the word "department".
23 11. By striking from line eight (8) of subsection seven (7) the word
24 "commission" and inserting in lieu thereof the word "director".

1 SEC. 103. Section four hundred twenty-two point fifty-four
2 (422.54), Code 1966, is hereby amended as follows:

- 3 1. By striking from line three (3) of subsection one (1) the word
4 "commission" and inserting in lieu thereof the word "department".
5 2. By striking from line fourteen (14) of subsection one (1) the
6 word "commission" and inserting in lieu thereof the word "depart-
7 ment".
8 3. By striking from line six (6) of subsection two (2) the words
9 "commission, such commission" and inserting in lieu thereof the words
10 "department, the department".
11 4. By striking from line eight (8) of subsection two (2) the word
12 "it" and inserting in lieu thereof the words "the department".
13 5. By striking from line thirteen (13) of subsection two (2) the
14 word "commission" and inserting in lieu thereof the word "depart-
15 ment".
16 6. By striking from line nineteen (19) of subsection two (2) the
17 word "commission" and inserting in lieu thereof the word "director".
18 7. By striking from line twenty (20) of subsection two (2) the
19 words "commission of its" and inserting in lieu thereof the words
20 "director on his".
21 8. By striking from line twenty-four (24) of subsection two (2) the
22 word "commission" and inserting in lieu thereof the word "director".
23 9. By striking from line twenty-four (24) of subsection two (2) the
24 word "its" and inserting in lieu thereof the word "the".

1 SEC. 104. Section four hundred twenty-two point fifty-five
2 (422.55), Code 1966, is hereby amended as follows:

- 3 1. By striking from lines five (5) and six (6) of subsection one (1)
4 the words "from the commission of its determination" and inserting in
5 lieu thereof the words "of a determination by the director".

6 2. By striking from line two (2) of subsection two (2) the words
7 "chairman of the commission" and inserting in lieu thereof the word
8 "director".

9 3. By striking from line seven (7) of subsection two (2) the word
10 "commission" and inserting in lieu thereof the word "director".

11 4. By striking from line four (4) of subsection three (3) the word
12 "commission" and inserting in lieu thereof the word "director".

13 5. By striking from line eight (8) of subsection three (3) the word
14 "commission" and inserting in lieu thereof the word "director".

15 6. By striking from line eleven (11) of subsection three (3) the
16 word "commission" and inserting in lieu thereof the word "director".

1 SEC. 105. Section four hundred twenty-two point fifty-six
2 (422.56), Code 1966, is hereby amended by striking from line nineteen
3 (19) the word "commission" and inserting in lieu thereof the word
4 "director".

1 SEC. 106. Section four hundred twenty-two point fifty-eight
2 (422.58), Code 1966, is hereby amended as follows:

3 1. By striking from line fourteen (14) of subsection one (1) the
4 word "commission" and inserting in lieu thereof the word "director".

5 2. By striking from line seventeen (17) of subsection one (1) the
6 word "commission" and inserting in lieu thereof the word "depart-
7 ment".

8 3. By striking from line one (1) of subsection four (4) the word
9 "commission" and inserting in lieu thereof the word "director".

1 SEC. 107. Section four hundred twenty-two point fifty-nine
2 (422.59), Code 1966, is hereby amended by striking from lines one (1)
3 and two (2) the words "commission and its employees" and inserting
4 in lieu thereof the word "director".

1 SEC. 108. Section four hundred twenty-two point sixty (422.60),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the word "commission" and insert-
4 ing in lieu thereof the word "director".

5 2. By striking from lines three (3) and four (4) the words "Each
6 member of said commission" and inserting in lieu thereof the words
7 "The director".

1 SEC. 109. Section four hundred twenty-two point sixty-one
2 (422.61), Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) of subsection one (1) the word
4 "commission" and inserting in lieu thereof the word "director".

5 2. By striking from line one (1) of subsection two (2) the word
6 "commission" and inserting in lieu thereof the word "director".

7 3. By striking from line one (1) of subsection three (3) the word
8 "commission" and inserting in lieu thereof the word "director".

9 4. By striking from line four (4) of subsection three (3) the word
10 "commission" and inserting in lieu thereof the word "department".

11 5. By striking from line seven (7) of subsection three (3) the word
12 "commission" and inserting in lieu thereof the word "department".

13 6. By striking from line ten (10) of subsection three (3) the word
14 "commission" and inserting in lieu thereof the word "director".

15 7. By striking from line twelve (12) of subsection three (3) the
16 words "commission may, in its discretion," and inserting in lieu
17 thereof the words "director may".

18 8. By striking from line sixteen (16) of subsection three (3) the
19 word "commission" and inserting in lieu thereof the word "depart-
20 ment".

21 9. By striking from line nineteen (19) of subsection three (3) the
22 word "commission" and inserting in lieu thereof the word "director".

23 10. By striking from line one (1) of subsection four (4) the words
24 "commission may, at its discretion," and inserting in lieu thereof the
25 words "department may".

26 11. By striking from line five (5) of subsection four (4) the words
27 "state tax commission" and inserting in lieu thereof the word "de-
28 partment".

29 12. By striking from line seven (7) the words "the tax commis-
30 sion may, at its discretion," and inserting in lieu thereof the words
31 "the department may".

32 13. By striking from line nine (9) of subsection four (4) the word
33 "commission" and inserting in lieu thereof the word "director".

1 SEC. 110. Section four hundred twenty-two point sixty-two
2 (422.62), Code 1966, is hereby amended as follows:

3 1. By striking from line three (3) the word "commission" and in-
4 serting in lieu thereof the word "department".

5 2. By striking from line five (5) the words "said commission" and
6 inserting in lieu thereof the words "the department".

7 3. By striking from line fourteen (14) the word "commission" and
8 inserting in lieu thereof the word "director".

1 SEC. 111. Section four hundred twenty-two point sixty-three
2 (422.63), Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) of subsection one (1) the word
4 "commission" and inserting in lieu thereof the word "director".

5 2. By striking from line seven (7) of subsection one (1) the word
6 "it" and inserting in lieu thereof the words "the director".

7 3. By striking from line eleven (11) of subsection one (1) the word
8 "commission" and inserting in lieu thereof the word "director".

9 4. By striking from line nineteen (19) of subsection one (1) the
10 word "it" and inserting in lieu thereof the words "the director".

11 5. By striking from line one (1) of subsection two (2) the word
12 "commission" and inserting in lieu thereof the word "director".

13 6. By striking from line eleven (11) of subsection three (3) the
14 words "secretary of the commission" and inserting in lieu thereof the
15 word "director".

16 7. By striking from line two (2) of subsection four (4) the word
17 "commission" and inserting in lieu thereof the word "director".

18 8. By striking from line seven (7) of subsection four (4) the word
19 "commission" and inserting in lieu thereof the word "director".

20 9. By striking from lines one (1) and two (2) of subsection five (5)
21 the word "commission" and inserting in lieu thereof the word "direc-
22 tor".

1 SEC. 112. Section four hundred twenty-two point sixty-four
2 (422.64), Code 1966, is hereby amended as follows:

- 3 1. By striking from line one (1) of subsection one (1) the word
4 "commission" and inserting in lieu thereof the word "director".
- 5 2. By striking from line three (3) of subsection one (1) the word
6 "it" and inserting in lieu thereof the words "the director".
- 7 3. By striking from line five (5) * the word "commission" and in-
8 serting in lieu thereof the words "the director".
- 9 4. By striking from line two (2) of subsection two (2) the word
10 "commission" and inserting in lieu thereof the word "director".
- 11 5. By striking from line one (1) of subsection four (4) the words
12 "commission may require such of the" and inserting in lieu thereof the
13 words "director may require certain".
- 14 6. By striking from lines two (2) and three (3) of subsection four
15 (4) the words "as it may designate".
- 16 7. By striking from line five (5) of subsection four (4) the word
17 "it" and inserting in lieu thereof the words "the director".
- 18 8. By striking from line one (1) of subsection five (5) the word
19 "commission" and inserting in lieu thereof the word "director".
- 20 9. By striking from line five (5) of subsection five (5) the word
21 "its" and inserting in lieu thereof the word "as".

1 SEC. 113. Section four hundred twenty-two point sixty-five
2 (422.65), Code 1966, is hereby amended as follows:

- 3 1. By striking from line one (1) of subsection one (1) the word
4 "commission" and inserting in lieu thereof the word "director".
- 5 2. By striking from lines fifteen (15) and sixteen (16) of subsec-
6 tion one (1) the word "commission" and inserting in lieu thereof the
7 word "director".

1 SEC. 114. Section four hundred twenty-two point sixty-six
2 (422.66), Code 1966, is hereby amended as follows:

- 3 1. By striking from line nine (9) the word "commission" and in-
4 serting in lieu thereof the word "department".
- 5 2. By striking from line eleven (11) the word "commission" and in-
6 serting in lieu thereof the word "department".
- 7 3. By striking from lines fifteen (15) and sixteen (16) the word
8 "commission" and inserting in lieu thereof the word "director".

1 SEC. 115. Section four hundred twenty-two point sixty-seven
2 (422.67), Code 1966, is hereby amended as follows:

- 3 1. By striking from line three (3) the word "commission" and in-
4 serting in lieu thereof the word "director".
- 5 2. By striking from line six (6) the word "commission" and insert-
6 ing in lieu thereof the word "director".

1 SEC. 116. Section four hundred twenty-two point sixty-eight
2 (422.68), Code 1966, is hereby amended by striking from lines one (1)
3 and two (2) the word "commission" and inserting in lieu thereof the
4 word "department".

1 SEC. 117. Section four hundred twenty-two point seventy-one
2 (422.71), Code 1966, is hereby amended by striking from lines one (1)
3 and two (2) the word "commission" and inserting in lieu thereof the
4 word "director".

*According to enrolled Act.

- 1 SEC. 118. Section four hundred twenty-three point one (423.1),
2 Code 1966, is hereby amended as follows:
3 1. By striking from line five (5) of subsection five (5) the word
4 "commission" and inserting in lieu thereof the word "director".
5 2. By striking from line sixteen (16) of subsection five (5) the word
6 "commission" and inserting in lieu thereof the word "director".
7 3. By striking from line one (1) of subsection eight (8) the word
8 "commission".
9 4. By adding thereto the following subsection:
10 "'Department' and 'director' shall have the same meaning as de-
11 fined in section four hundred twenty-two point three (422.3) of the
12 Code."
- 1 SEC. 119. Section four hundred twenty-three point two (423.2),
2 Code 1966, is hereby amended by striking from line ten (10) the word
3 "commission" and inserting in lieu thereof the word "department".
- 1 SEC. 120. Section four hundred twenty-three point six (423.6),
2 Code 1966, is hereby amended as follows:
3 1. By striking from line five (5) of subsection two (2) the word
4 "commission" and inserting in lieu thereof the word "director".
5 2. By striking from line eight (8) of subsection two (2) the words
6 "state commission" and inserting in lieu thereof the word "depart-
7 ment".
8 3. By striking from lines three (3) and four (4) of subsection three
9 (3) the word "commission" and inserting in lieu thereof the word
10 "department".
- 1 SEC. 121. Section four hundred twenty-three point seven (423.7),
2 Code 1966, is hereby amended as follows:
3 1. By striking from line thirteen (13) the word "commission" and
4 inserting in lieu thereof the word "director".
5 2. By striking from line eighteen (18) the word "commission" and
6 inserting in lieu thereof the word "department".
7 3. By striking from line twenty-one (21) the word "commission"
8 and inserting in lieu thereof the word "department".
9 4. By striking from line twenty-five (25) the word "commission"
10 and inserting in lieu thereof the word "director".
- 1 SEC. 122. Section four hundred twenty-three point eight (423.8),
2 Code 1966, is hereby amended as follows:
3 1. By striking from line three (3) the word "commission" and in-
4 serting in lieu thereof the word "department".
5 2. By striking from line eleven (11) the word "commission" and in-
6 serting in lieu thereof the word "director".
- 1 SEC. 123. Section four hundred twenty-three point nine (423.9),
2 Code 1966, is hereby amended as follows:
3 1. By striking from line eleven (11) the word "commission" and in-
4 serting in lieu thereof the word "director".
5 2. By striking from line twelve (12) the word "commission" and
6 inserting in lieu thereof the word "director".
7 3. By striking from line fourteen (14) the word "commission" and
8 inserting in lieu thereof the word "department".

1 SEC. 124. Section four hundred twenty-three point ten (423.10),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "commis-
4 sion may, in its discretion" and inserting in lieu thereof the words
5 "director may".

6 2. By striking from line six (6) the word "commission" and insert-
7 ing in lieu thereof the word "director".

8 3. By striking from line eleven (11) the word "commission" and
9 inserting in lieu thereof the word "director".

10 4. By striking from line nineteen (19) the word "commission" and
11 inserting in lieu thereof the word "director".

1 SEC. 125. Section four hundred twenty-three point eleven
2 (423.11), Code 1966, is hereby amended by striking from line ten (10)
3 the word "commission" and inserting in lieu thereof the word "direc-
4 tor".

1 SEC. 126. Section four hundred twenty-three point thirteen
2 (423.13), Code 1966, is hereby amended as follows:

3 1. By striking from lines four (4) and five (5) the word "commis-
4 sion" and inserting in lieu thereof the word "department".

5 2. By striking from line eleven (11) the word "commission" and
6 inserting in lieu thereof the word "department".

7 3. By striking from lines thirteen (13) and fourteen (14) the word
8 "commission" and inserting in lieu thereof the word "director".

9 4. By striking from line nineteen (19) the word "commission" and
10 inserting in lieu thereof the word "director".

11 5. By striking from lines thirty-three (33) and thirty-four (34)
12 the words "The commission, if it deems it" and inserting in lieu there-
13 of the word "If".

14 6. By inserting in line thirty-five (35) after the word "tax," the
15 words "the director".

16 7. By striking from line thirty-eight (38) the word "commission"
17 and inserting in lieu thereof the word "director".

1 SEC. 127. Section four hundred twenty-three point fourteen
2 (423.14), Code 1966, is hereby amended as follows:

3 1. By striking from lines four (4) and five (5) the word "commis-
4 sion" and inserting in lieu thereof the word "department".

5 2. By striking from line eleven (11) the word "commission" and
6 inserting in lieu thereof the word "director".

1 SEC. 128. Section four hundred twenty-three point fifteen
2 (423.15), Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "commis-
4 sion may, when in its judgment it is" and inserting in lieu thereof the
5 words "director may, when".

6 2. By striking from line three (3) the words "to do so".

7 3. By striking from line eight (8) the word "it" and inserting in
8 lieu thereof the words "the department".

9 4. By striking from lines twelve (12) and thirteen (13) the word
10 "commission" and inserting in lieu thereof the word "director".

11 5. By striking from lines sixteen (16) and seventeen (17) the word
12 "commission" and inserting in lieu thereof the word "director".

13 6. By striking from line seventeen (17) the word "it" and inserting
14 in lieu thereof the words "the director".

15 7. By striking from line eighteen (18) the word "it" and inserting
16 in lieu thereof the words "the department".

17 8. By striking from line nineteen (19) the word "commission" and
18 inserting in lieu thereof the word "department".

19 9. By striking from line twenty (20) the word "it" and inserting in
20 lieu thereof the word "director".

1 SEC. 129. Section four hundred twenty-three point sixteen
2 (423.16), Code 1966, is hereby amended as follows:

3 1. By striking from lines seven (7) and eight (8) the words "com-
4 mission, the commission" and inserting in lieu thereof the words
5 "department, the department".

6 2. By striking from line ten (10) the word "commission" and in-
7 serting in lieu thereof the word "department".

8 3. By striking from line seventeen (17) the word "commission" and
9 inserting in lieu thereof the word "department".

1 SEC. 130. Section four hundred twenty-three point eighteen
2 (423.18), Code 1966, is hereby amended as follows:

3 1. By striking from line fifteen (15) the word "commission" and
4 inserting in lieu thereof the word "director".

5 2. By striking from line eighteen (18) the word "commission" and
6 inserting in lieu thereof the word "department".

7 3. By striking from line twenty-three (23) the word "commission"
8 and inserting in lieu thereof the word "director".

1 SEC. 131. Section four hundred twenty-three point twenty
2 (423.20), Code 1966, is hereby amended by striking from line five (5)
3 the word "commission" and inserting in lieu thereof the word "direc-
4 tor".

1 SEC. 132. Section four hundred twenty-three point twenty-one
2 (423.21), Code 1966, is hereby amended as follows:

3 1. By striking from line seven (7) the word "commission" and in-
4 serting in lieu thereof the word "director".

5 2. By striking from line eight (8) the word "commission" and in-
6 serting in lieu thereof the word "director".

7 3. By striking from lines eight (8), nine (9), and ten (10) the
8 words "commission or any of its duly authorized agents is hereby
9 authorized to" and inserting in lieu thereof the words "director or any
10 duly authorized agent of the department may".

11 4. By striking from line fourteen (14) the word "to".

12 5. By striking from line seventeen (17) the word "to".

13 6. By striking from line twenty-two (22) the word "commission"
14 and inserting in lieu thereof the word "director".

1 SEC. 133. Section four hundred twenty-three point twenty-two
2 (423.22), Code 1966, is hereby amended as follows:

3 1. By striking from lines six (6) and seven (7) the words "of the
4 commission".

5 2. By striking from line eight (8) the word "commission" and in-
6 serting in lieu thereof the word "director".

7 3. By striking from line twenty-two (22) the word "commission"
8 and inserting in lieu thereof the word "director".

9 4. By striking from lines thirty (30) and thirty-one (31) the words
10 "commission shall have the power in its discretion to" and inserting in
11 lieu thereof the words "director may".

1 SEC. 134. Section four hundred twenty-three point twenty-three
2 (423.23), Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "commission" and insert-
4 ing in lieu thereof the word "director".

5 2. By striking from lines three (3) and four (4) the words "com-
6 mission and its employees" and inserting in lieu thereof the words
7 "director and employees of the department".

1 SEC. 135. Section four hundred twenty-four point two (424.2),
2 Code 1966, is hereby amended as follows:

3 1. By striking all of subsection one (1) of such section.

4 2. By adding thereto the following new subsections:

5 a. "'Department' means department of revenue."

6 b. "'Director' means director of revenue."

1 SEC. 136. Section four hundred twenty-four point five (424.5),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line six (6) the words "commission, such com-
4 mission" and inserting in lieu thereof the words "department, the de-
5 partment".

6 2. By striking from line eight (8) the word "it" and inserting in
7 lieu thereof the words "the department".

8 3. By striking from line thirteen (13) the word "commission" and
9 inserting in lieu thereof the word "director".

10 4. By striking from line nineteen (19) the word "commission" and
11 inserting in lieu thereof the word "director".

12 5. By striking from line twenty (20) the words "commission of its"
13 and inserting in lieu thereof the words "director of his".

14 6. By striking from line twenty-four (24) the word "commission"
15 and inserting in lieu thereof the word "director".

16 7. By striking from line twenty-four (24) the word "it" and insert-
17 ing in lieu thereof the word "the".

1 SEC. 137. Section four hundred twenty-four point six (424.6),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines five (5) and six (6) of subsection one (1)
4 the words "from the commission of its determination" and inserting
5 in lieu thereof the words "of a determination by the director".

6 2. By striking from line two (2) of subsection two (2) the words
7 "chairman of the commission" and inserting in lieu thereof the word
8 "director".

9 3. By striking from line seven (7) of subsection two (2) the word
10 "commission" and inserting in lieu thereof the word "director".

11 4. By striking from line four (4) of subsection three (3) the word
12 "commission" and inserting in lieu thereof the word "director".

13 5. By striking from line seven (7) of subsection three (3) the word
14 "commission" and inserting in lieu thereof the word "director".

15 6. By striking from line ten (10) of subsection three (3) the word
16 "commission" and inserting in lieu thereof the word "director".

1 SEC. 138. Section four hundred twenty-four point seven (424.7),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line eighteen (18) the word "commission" and
4 inserting in lieu thereof the word "director".

5 2. By striking from line forty-one (41) the word "commission" and
6 inserting in lieu thereof the word "department".

7 3. By striking from line forty-five (45) the word "commission" and
8 inserting in lieu thereof the word "director".

9 4. By striking from line forty-six (46) the word "commission" and
10 inserting in lieu thereof the word "director".

11 5. By striking from line fifty-two (52) the word "commission" and
12 inserting in lieu thereof the word "director".

13 6. By striking from lines sixty-eight (68) and sixty-nine (69) the
14 word "commission" and inserting in lieu thereof the word "depart-
15 ment".

16 7. By striking from line seventy-one (71) the word "commission"
17 and inserting in lieu thereof the word "director".

18 8. By striking from line seventy-nine (79) the word "commission"
19 and inserting in lieu thereof the word "director".

1 SEC. 139. Section four hundred twenty-four point ten (424.10),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the words "state tax commission"
4 and inserting in lieu thereof the word "director".

5 2. By striking from line four (4) the word "It" and inserting in
6 lieu thereof the words "The director".

1 SEC. 140. Section four hundred twenty-four point eleven (424.11),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines five (5) and six (6) the words "tax com-
4 mission shall have the power to" and inserting in lieu thereof the
5 words "director may".

6 2. By striking from line nine (9) the words "It shall further have
7 the power to" and inserting in lieu thereof the words "The director
8 may also".

9 3. By striking from line thirteen (13) the word "to".

10 4. By striking from line fifteen (15) the words "to take" and insert-
11 ing in lieu thereof the word "take".

12 5. By striking from line seventeen (17) the word "to".

13 6. By striking from lines eighteen (18) and nineteen (19) the
14 words "tax commission is empowered any time and from time to time
15 to" and inserting in lieu thereof the words "director may".

16 7. By striking from lines twenty-one (21) and twenty-two (22) the
17 words "tax commission" and inserting in lieu thereof the word "de-
18 partment".

19 8. By striking from line twenty-seven (27) the word "commission"
20 and inserting in lieu thereof the word "director".

1 SEC. 141. Section four hundred twenty-four point twelve (424.12),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line three (3) the word "commission" and in-
4 serting in lieu thereof the word "department".

5 2. By striking from line five (5) the words "said commission" and
6 inserting in lieu thereof the words "the department".

1 SEC. 142. Section four hundred twenty-four point thirteen
2 (424.13), Code 1966, is hereby amended as follows:

3 1. By striking from line eight (8) of subsection one (1) the word
4 "commission" and inserting in lieu thereof the word "director".

5 2. By striking from line eleven (11) of subsection one (1) the word
6 "commission" and inserting in lieu thereof the word "department".

7 3. By striking from line one (1) of subsection three (3) the word
8 "commission" and inserting in lieu thereof the word "director".

1 SEC. 143. Section four hundred twenty-five point one (425.1),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines two (2) and three (3) of subsection one
4 (1) the words "state tax commission" and inserting in lieu thereof the
5 words "department of revenue".

6 2. By striking from line seven (7) of subsection one (1) the words
7 "state tax commission" and inserting in lieu thereof the words "direc-
8 tor of revenue".

9 3. By striking from line thirteen (13) of subsection three (3) the
10 word "commission" and inserting in lieu thereof the words "depart-
11 ment of revenue".

12 4. By striking from line two (2) of subsection four (4) the word
13 "commission" and inserting in lieu thereof the words "department of
14 revenue".

1 SEC. 144. Section four hundred twenty-five point four (425.4),
2 Code 1966, is hereby amended by striking from line eleven (11) the
3 words "state tax commission" and inserting in lieu thereof the words
4 "department of revenue".

1 SEC. 145. Section four hundred twenty-five point seven (425.7),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) of subsection three (3) the words
4 "state tax commission" and inserting in lieu thereof the words "direc-
5 tor of revenue".

6 2. By striking from line six (6) of subsection three (3) the word
7 "commission" and inserting in lieu thereof the word "director".

8 3. By striking from lines seven (7) and eight (8) of subsection
9 three (3) the words "state tax commission" and inserting in lieu
10 thereof the words "department of revenue".

11 4. By striking from line seventeen (17) of subsection three (3) the
12 words "state tax commission" and inserting in lieu thereof the words
13 "director of revenue".

14 5. By striking from lines twenty-two (22) and twenty-three (23)
15 of subsection three (3) the words "chairman of the state tax commis-
16 sion" and inserting in lieu thereof the words "director of revenue".

17 6. By striking from lines twenty-five (25) and twenty-six (26) of
18 subsection three (3) the words "state tax commission" and inserting
19 in lieu thereof the words "director of revenue".

20 7. By striking from line thirty-six (36) of subsection three (3) the
21 words "state tax commission" and inserting in lieu thereof the words
22 "department of revenue".

23 8. By striking from line thirty-seven (37) of subsection three (3)
24 the words "state tax commission" and inserting in lieu thereof the
25 words "director of revenue".

1 SEC. 146. Section four hundred twenty-five point eight (425.8),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "commission" and insert-
4 ing in lieu thereof the words "director of revenue".

5 2. By striking from line nine (9) the word "commission" and in-
6 serting in lieu thereof the words "department of revenue".

7 3. By striking from lines sixteen (16) and seventeen (17) the
8 words "commission shall have the power and authority to" and insert-
9 ing in lieu thereof the words "director of revenue may".

1 SEC. 147. Section four hundred twenty-five point nine (425.9),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line seven (7) the words "state tax commis-
4 sion" and inserting in lieu thereof the words "department of revenue".

5 2. By striking from line nine (9) the word "commission" and in-
6 serting in lieu thereof the word "department".

7 3. By striking from line twenty (20) the words "state tax commis-
8 sion" and inserting in lieu thereof the words "director of revenue".

1 SEC. 148. Section four hundred twenty-five point ten (425.10),
2 Code 1966, is hereby amended by striking from line six (6) the words
3 "state tax commission" and inserting in lieu thereof the words "direc-
4 tor of revenue".

1 SEC. 149. Section four hundred twenty-six A point three
2 (426A.3), Code 1966, is hereby amended by striking from line thirteen
3 (13) the words "state tax commission" and inserting in lieu thereof
4 the words "department of revenue".

1 SEC. 150. Section four hundred twenty-six A point four (426A.4),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines five (5) and six (6) the words "state tax
4 commission" and inserting in lieu thereof the words "director of reve-
5 nue".

6 2. By striking from line ten (10) the words "state tax commission"
7 and inserting in lieu thereof the words "director of revenue".

1 SEC. 151. Section four hundred twenty-six A point six (426A.6),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the words "state tax commission"
4 and inserting in lieu thereof the words "director of revenue".

5 2. By striking from line seven (7) the word "commission" and in-
6 serting in lieu thereof the word "director".

7 3. By striking from line eight (8) the words "state tax commission"
8 and inserting in lieu thereof the words "department of revenue".

9 4. By striking from lines seventeen (17) and eighteen (18) the
10 words "state tax commission" and inserting in lieu thereof the words
11 "director of revenue".

12 5. By striking from line twenty-four (24) the words "chairman of
13 the state tax commission" and inserting in lieu thereof the words
14 "director of revenue".

15 6. By striking from line twenty-seven (27) the words "state tax
16 commission" and inserting in lieu thereof the words "director of reve-
17 nue".

18 7. By striking from line thirty-eight (38) the words "state tax com-
19 mission" and inserting in lieu thereof the words "department of reve-
20 nue".

21 8. By striking from lines thirty-nine (39) and forty (40) the words
22 "state tax commission" and inserting in lieu thereof the words "direc-
23 tor of revenue".

1 SEC. 152. Section four hundred twenty-six A point seven
2 (426A.7), Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "state tax
4 commission" and inserting in lieu thereof the words "director of reve-
5 nue".

6 2. By striking from line eleven (11) the word "commission" and in-
7 serting in lieu thereof the words "department of revenue".

8 3. By striking from line thirteen (13) the word "commission" and
9 inserting in lieu thereof the words "director of revenue".

1 SEC. 153. Section four hundred twenty-six A point eight (426A.8),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line nine (9) the words "state tax commission"
4 and inserting in lieu thereof the words "department of revenue".

5 2. By striking from line twelve (12) the word "commission" and
6 inserting in lieu thereof the word "department".

7 3. By striking from line twenty-two (22) the words "state tax com-
8 mission" and inserting in lieu thereof the words "director of revenue".

1 SEC. 154. Section four hundred twenty-six A point nine (426A.9),
2 Code 1966, is hereby amended by striking from line six (6) the words
3 "state tax commission" and inserting in lieu thereof the words "direc-
4 tor of revenue".

1 SEC. 155. Section four hundred twenty-seven point one (427.1),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line thirty-six (36) of subsection eleven (11)
4 the words "state tax commission" and inserting in lieu thereof the
5 words "director of revenue".

6 2. By striking from line seven (7) of subsection twenty-four (24)
7 the words "state tax commission" and inserting in lieu thereof the
8 words "director of revenue".

9 3. By striking from line three (3) of subsection twenty-seven (27)
10 the words "state tax commission" and inserting in lieu thereof the
11 words "director of revenue".

12 4. By striking from lines five (5), six (6), and seven (7) of subsec-
13 tion twenty-seven (27) the words "tax commission shall also have
14 power on its own motion to" and inserting in lieu thereof the words
15 "director of revenue may also on his own motion".

16 5. By striking from lines nine (9) and ten (10) of subsection
17 twenty-seven (27) the words "tax commission" and inserting in lieu
18 thereof the words "director of revenue".

19 6. By striking from lines thirteen (13) and fourteen (14) of sub-
20 section twenty-seven (27) the words "state tax commission" and in-
21 sserting in lieu thereof the words "director of revenue".

22 7. By striking from lines fourteen (14) and fifteen (15) of subsec-
23 tion twenty-seven (27) the words "state tax commission" and insert-
24 ing in lieu thereof the words "director of revenue".

25 8. By striking from lines twenty-one (21) and twenty-two (22) of
26 subsection twenty-seven (27) the words "state tax commission" and
27 inserting in lieu thereof the words "director of revenue".

1 SEC. 156. Section four hundred twenty-seven point sixteen
2 (427.16), Code 1966, is hereby amended as follows:

3 1. By striking from lines four (4) and five (5) of paragraph *c* of
4 subsection three (3) the words "state tax commission" and inserting
5 in lieu thereof the words "department of revenue".

6 2. By striking from lines five (5) and six (6) of subsection four
7 (4) the words "state tax commission" and inserting in lieu thereof
8 the words "director of revenue".

1 SEC. 157. Section four hundred twenty-eight point twenty-four
2 (428.24), Code 1966, is hereby amended by striking from lines fifteen
3 (15) and sixteen (16) the words "state tax commission" and inserting
4 in lieu thereof the words "department of revenue".

1 SEC. 158. Section four hundred twenty-eight point twenty-five
2 (428.25), Code 1966, is hereby amended by striking from line nine (9)
3 the words "state tax commission" and inserting in lieu thereof the
4 words "department of revenue".

1 SEC. 159. Section four hundred twenty-eight point twenty-six
2 (428.26), Code 1966, is hereby amended by striking from line eleven
3 (11) the words "state tax commission" and inserting in lieu thereof
4 the words "department of revenue".

1 SEC. 160. Section four hundred twenty-eight point twenty-eight
2 (428.28), Code 1966, is hereby amended as follows:

3 1. By striking from line nine (9) the words "state commission" and
4 inserting in lieu thereof the words "department of revenue".

5 2. By striking from line thirteen (13) the words "state commis-
6 sion" and inserting in lieu thereof the words "director of revenue".

1 SEC. 161. Section four hundred twenty-eight point twenty-nine
2 (428.29), Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the words "state commission shall
4 at its meeting" and inserting in lieu thereof the words "director of
5 revenue shall".

6 2. By striking from line six (6) the word "it" and inserting in lieu
7 thereof the words "the director".

8 3. By striking from line seven (7) the words "its" and inserting in
9 lieu thereof the words "the director's".

10 4. By striking from lines twelve (12) and thirteen (13) the words
11 "state tax commission" and inserting in lieu thereof the words "direc-
12 tor of revenue".

13 5. By striking from line eighteen (18) the words "state commis-
14 sion" and inserting in lieu thereof the words "department of revenue".

15 6. By striking from lines twenty (20) and twenty-one (21) the
16 words "state commission" and inserting in lieu thereof the words
17 "department of revenue".

18 7. By striking from line twenty-one (21) the word "its" and insert-
19 ing in lieu thereof the words "the department's".

1 SEC. 162. Section four hundred twenty-eight point thirty
2 (428.30), Code 1966, is hereby amended by striking from line four
3 (4) the words "state commission" and inserting in lieu thereof the
4 words "director of revenue".

1 SEC. 163. Section four hundred twenty-eight point thirty-one
2 (428.31), Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the words "state commission" and
4 inserting in lieu thereof the words "director of revenue".

5 2. By striking from lines five (5) and six (6) the words "said state
6 commission" and inserting in lieu thereof the words "the director of
7 revenue".

8 3. By striking from line ten (10) the words "on said review" and
9 inserting in lieu thereof the words "of the director".

1 SEC. 164. Section four hundred twenty-eight point thirty-two
2 (428.32), Code 1966, is hereby amended as follows:

3 1. By striking from line three (3) the words "said state commis-
4 sion" and inserting in lieu thereof the words "the director of revenue".

5 2. By striking from line six (6) the word "commission" and insert-
6 ing in lieu thereof the words "director of revenue".

7 3. By striking from line nine (9) the words "state commission" and
8 inserting in lieu thereof the words "director of revenue".

1 SEC. 165. Section four hundred twenty-eight point thirty-three
2 (428.33), Code 1966, is hereby amended by striking from lines two
3 (2) and three (3) the word "commission" and inserting in lieu there-
4 of the words "director of revenue".

1 SEC. 166. Section four hundred twenty-eight point thirty-five
2 (428.35), Code 1966, is hereby amended by striking from line thirteen
3 (13) of subsection three (3) the words "state tax commission" and
4 inserting in lieu thereof the words "director of revenue".

1 SEC. 167. Section four hundred twenty-eight A point seven
2 (428A.7), Code 1966, is hereby amended by striking from line one (1)
3 the words "state tax commission" and inserting in lieu thereof the
4 words "director of revenue".

1 SEC. 168. Section four hundred twenty-eight A point eight
2 (428A.8), Code 1966, is hereby amended by striking from line thirteen
3 (13) the words "state tax commission" and inserting in lieu thereof
4 the words "director of revenue".

1 SEC. 169. Section four hundred twenty-eight A point eleven
 2 (428A.11), Code 1966, is hereby amended by striking from line one
 3 (1) the word "commission" and inserting in lieu thereof the words
 4 "director of revenue".

1 SEC. 170. Section four hundred twenty-eight A point twelve
 2 (428A.12), Code 1966, is hereby amended by striking from lines two
 3 (2) and three (3) the words "state tax commission" and inserting in
 4 lieu thereof the words "department of revenue".

1 SEC. 171. Section four hundred thirty A point five (430A.5), Code
 2 1966, is hereby amended as follows:

3 1. By striking from line one (1) the words "state tax commission"
 4 and inserting in lieu thereof the words "director of revenue".

5 2. By striking from line eight (8) the words "state tax commission
 6 which" and inserting in lieu thereof the words "director of revenue
 7 who".

8 3. By striking from line twelve (12) the words "state tax commis-
 9 sion" and inserting in lieu thereof the words "director of revenue".

10 4. By striking from line seventeen (17) the words "state tax com-
 11 mission" and inserting in lieu thereof the words "director of revenue".

12 5. By striking from line twenty-four (24) the words "state tax
 13 commission" and inserting in lieu thereof the words "director of reve-
 14 nue".

15 6. By striking from line twenty-seven (27) the word "it" and in-
 16 serting in lieu thereof the words "the director".

17 7. By striking from line thirty (30) the words "state tax commis-
 18 sion" and inserting in lieu thereof the words "director of revenue".

19 8. By striking from line thirty-one (31) the word "it" and inserting
 20 in lieu thereof the words "the director".

21 9. By striking from line thirty-six (36) the words "state tax com-
 22 mission" and inserting in lieu thereof the words "director of revenue".

23 10. By striking from line thirty-seven (37) the word "it" and in-
 24 serting in lieu thereof the words "the director".

1 SEC. 172. Section four hundred thirty-three point one (433.1),
 2 Code 1966, is hereby amended by striking from lines four (4) and five
 3 (5) the words "state tax commission" and inserting in lieu thereof
 4 the words "director of revenue".

1 SEC. 173. Section four hundred thirty-three point two (433.2),
 2 Code 1966, is hereby amended as follows:

3 1. By striking from line three (3) the words "state tax commission"
 4 and inserting in lieu thereof the words "director of revenue".

5 2. By striking from line four (4) the word "it" and inserting in
 6 lieu thereof the words "the director".

7 3. By striking from line six (6) the word "it" and inserting in lieu
 8 thereof the words "the director".

9 4. By striking from line eight (8) the word "it" and inserting in
 10 lieu thereof the words "the director".

1 SEC. 174. Section four hundred thirty-three point three (433.3),
 2 Code 1966, is hereby amended as follows:

3 1. By striking from line three (3) the words "state tax commission"
 4 and inserting in lieu thereof the words "director of revenue".

5 2. By striking from line ten (10) the words "state tax commission"
6 and inserting in lieu thereof the words "director of revenue".

1 SEC. 175. Section four hundred thirty-three point four (433.4),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "state tax
4 commission shall, at its meeting" and inserting in lieu thereof the
5 words "director of revenue shall".

6 2. By striking from line seven (7) the word "it" and inserting in
7 lieu thereof the words "the director".

1 SEC. 176. Section four hundred thirty-three point five (433.5),
2 Code 1966, is hereby amended by striking from lines one (1) and two
3 (2) the words "state tax commission" and inserting in lieu thereof the
4 words "director of revenue".

1 SEC. 177. Section four hundred thirty-three point seven (433.7),
2 Code 1966, is hereby amended by striking from lines three (3) and
3 four (4) the words "state tax commission" and inserting in lieu there-
4 of the words "director of revenue".

1 SEC. 178. Section four hundred thirty-three point eight (433.8),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the words "state tax commission"
4 and inserting in lieu thereof the words "director of revenue".

5 2. By striking from line nine (9) the words "said state commission"
6 and inserting in lieu thereof the words "the director".

1 SEC. 179. Section four hundred thirty-three point nine (433.9),
2 Code 1966, is hereby amended by striking from line ten (10) the words
3 "state tax commission" and inserting in lieu thereof the words "direc-
4 tor of revenue".

1 SEC. 180. Section four hundred thirty-four point one (434.1),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the words "state tax commission"
4 and inserting in lieu thereof the words "director of revenue".

5 2. By striking from line twelve (12) the words "state commission"
6 and inserting in lieu thereof the words "director of revenue".

7 3. By striking from line fourteen (14) the word "it" and inserting
8 in lieu thereof the words "the department of revenue".

9 4. By striking from line four (4) of subsection eight (8) the words
10 "said state commission" and inserting in lieu thereof the words "the
11 director of revenue".

1 SEC. 181. Section four hundred thirty-four point two (434.2),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines two (2) and three (3) the words "state
4 tax commission" and inserting in lieu thereof the words "department
5 of revenue".

6 2. By striking from lines five (5) and six (6) the words "state tax
7 commission" and inserting in lieu thereof the words "department of
8 revenue".

9 3. By striking from lines seventeen (17) and eighteen (18) the
10 words "state tax commission" and inserting in lieu thereof the words
11 "director of revenue".

1 SEC. 182. Section four hundred thirty-four point three (434.3),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines three (3) and four (4) the words "state
4 tax commission" and inserting in lieu thereof the words "department
5 of revenue".

6 2. By striking from line seven (7) the words "state tax commis-
7 sion" and inserting in lieu thereof the words "department of revenue".

1 SEC. 183. Section four hundred thirty-four point four (434.4),
2 Code 1966, is hereby amended by striking from line nine (9) the words
3 "state commission" and inserting in lieu thereof the words "director
4 of revenue".

1 SEC. 184. Section four hundred thirty-four point five (434.5),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "state tax
4 commission" and inserting in lieu thereof the words "director of reve-
5 nue".

6 2. By striking from line six (6) the word "it" and inserting in lieu
7 thereof the words "the director".

1 SEC. 185. Section four hundred thirty-four point seven (434.7),
2 Code 1966, is hereby amended by striking from line two (2) the words
3 "state tax commission" and inserting in lieu thereof the words "de-
4 partment of revenue".

1 SEC. 186. Section four hundred thirty-four point eight (434.8),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "state tax
4 commission" and inserting in lieu thereof the words "director of reve-
5 nue".

6 2. By striking from lines seven (7) and eight (8) the words "state
7 tax commission" and inserting in lieu thereof the words "department
8 of revenue".

1 SEC. 187. Section four hundred thirty-four point nine (434.9),
2 Code 1966, is hereby amended by striking from lines one (1) and two
3 (2) the words "state tax commission" and inserting in lieu thereof the
4 words "director of revenue".

1 SEC. 188. Section four hundred thirty-four point eleven (434.11),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines two (2) and three (3) the words "state
4 tax commission" and inserting in lieu thereof the words "director of
5 revenue".

6 2. By striking from line eight (8) the words "said state tax com-
7 mission" and inserting in lieu thereof the word "director".

1 SEC. 189. Section four hundred thirty-four point twelve (434.12),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines four (4) and five (5) the words "state tax
4 commission" and inserting in lieu thereof the words "director of reve-
5 nue".

6 2. By striking from lines seven (7) and eight (8) the words "state
7 tax commission" and inserting in lieu thereof the words "director of
8 revenue".

1 SEC. 190. Section four hundred thirty-four point fourteen
2 (434.14), Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "state
4 commission" and inserting in lieu thereof the words "director of reve-
5 nue".

6 2. By striking from line five (5) the word "it" and inserting in lieu
7 thereof the words "the director".

8 3. By striking from line six (6) the word "it" and inserting in lieu
9 thereof the words "the director".

10 4. By striking from line eight (8) the word "it" and inserting in
11 lieu thereof the words "the director".

12 5. By striking from line eleven (11) the words "state commission"
13 and inserting in lieu thereof the word "director".

1 SEC. 191. Section four hundred thirty-four point fifteen (434.15),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line fourteen (14) the words "said state com-
4 mission" and inserting in lieu thereof the words "the director of reve-
5 nue".

6 2. By striking from lines seventeen (17) and eighteen (18) the
7 words "said state commission" and inserting in lieu thereof the words
8 "the director".

9 3. By striking from line twenty-two (22) the word "it" and insert-
10 ing in lieu thereof the words "the director".

1 SEC. 192. Section four hundred thirty-four point sixteen (434.16),
2 Code 1966, is hereby amended by striking from line one (1) the words
3 "state commission" and inserting in lieu thereof the words "director
4 of revenue".

1 SEC. 193. Section four hundred thirty-four point seventeen
2 (434.17), Code 1966, is hereby amended by striking from line three
3 (3) the words "state commission" and inserting in lieu thereof the
4 words "director of revenue".

1 SEC. 194. Section four hundred thirty-four point twenty-two
2 (434.22), Code 1966, is hereby amended by striking from lines ten
3 (10) and eleven (11) the words "state tax commission" and inserting
4 in lieu thereof the words "director of revenue".

1 SEC. 195. Section four hundred thirty-five point four (435.4),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line seven (7) the words "state tax commis-
4 sion" and inserting in lieu thereof the words "director of revenue".

5 2. By striking from line twelve (12) of subsection seven (7) the
6 words "state tax commission" and inserting in lieu thereof the words
7 "department of revenue".

1 SEC. 196. Section four hundred thirty-five point five (435.5), Code
2 1966, is hereby amended as follows:

3 1. By striking from line two (2) the words "state tax commission"
4 and inserting in lieu thereof the words "director of revenue".

5 2. By striking from line three (3) the word "it" and inserting in
6 lieu thereof the words "the director".

7 3. By striking from line six (6) the word "it" and inserting in lieu
8 thereof the words "the director".

9 4. By striking from line eight (8) the word "it" and inserting in
10 lieu thereof the words "the director".

1 SEC. 197. Section four hundred thirty-five point six (435.6), Code
2 1966, is hereby amended by striking from line three (3) the words
3 "state tax commission" and inserting in lieu thereof the words "direc-
4 tor of revenue".

1 SEC. 198. Section four hundred thirty-five point seven (435.7),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "At the
4 meeting of the state tax commission on" and inserting in lieu thereof
5 the word "On".

6 2. By striking from line three (3) the word "it" and inserting in
7 lieu thereof the words "the director of revenue".

8 3. By striking from line twelve (12) the word "it" and inserting in
9 lieu thereof the words "the director".

10 4. By striking from line thirteen (13) the words "state tax commis-
11 sion" and inserting in lieu thereof the words "the director".

12 5. By striking from line fifteen (15) the words "said state commis-
13 sion" and inserting in lieu thereof the words "the director".

14 6. By striking from line seventeen (17) the words "state commis-
15 sion" and inserting in lieu thereof the word "director".

16 7. By striking from lines eighteen (18) and nineteen (19) the
17 words "said state commission" and inserting in lieu thereof the words
18 "the director".

19 8. By striking from line twenty (20) the words "it to ascertain"
20 and inserting in lieu thereof the words "ascertainment of".

21 9. By striking from line twenty-three (23) the words "said state
22 commission" and inserting in lieu thereof the word "director".

23 10. By striking from lines twenty-six (26) and twenty-seven (27)
24 the words "state tax commission" and inserting in lieu thereof the
25 words "director of revenue".

1 SEC. 199. Section four hundred thirty-five point eight (435.8),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "The state
4 tax commission shall also at said meeting" and inserting in lieu there-
5 of the words "The director of revenue shall at the time of assessment".

6 2. By striking from lines twelve (12) and thirteen (13) the words
7 "at the state tax commission" and inserting in lieu thereof the words
8 "to the department of revenue".

9 3. By striking from line fifteen (15) the words "state tax commis-
10 sion" and inserting in lieu thereof the word "director".

11 4. By striking from lines nineteen (19) and twenty (20) the words
12 "state tax commission" and inserting in lieu thereof the word "direc-
13 tor".

14 5. By striking from line twenty-one (21) the words "state tax com-
15 mission" and inserting in lieu thereof the word "director".

1 SEC. 200. Section four hundred thirty-six point three (436.3),
2 Code 1966, is hereby amended by striking from lines four (4) and five

3 (5) the words "state tax commission" and inserting in lieu thereof the
4 words "director of revenue".

1 SEC. 201. Section four hundred thirty-six point four (436.4), Code
2 1966, is hereby amended as follows:

3 1. By striking from line two (2) the words "state tax commission"
4 and inserting in lieu thereof the words "director of revenue".

5 2. By striking from line three (3) the word "it" and inserting in
6 lieu thereof the words "the director".

7 3. By striking from line four (4) the word "it" and inserting in lieu
8 thereof the words "the director".

9 4. By striking from line five (5) the word "it" and inserting in lieu
10 thereof the words "the director".

11 5. By striking from lines seven (7) and eight (8) the words "state
12 tax commission may call for" and inserting in lieu thereof the words
13 "director may require".

1 SEC. 202. Section four hundred thirty-six point five (436.5), Code
2 1966, is hereby amended as follows:

3 1. By striking from line three (3) the words "state tax commission"
4 and inserting in lieu thereof the words "director of revenue".

5 2. By striking from line eleven (11) the words "state tax commis-
6 sion" and inserting in lieu thereof the words "director of revenue".

1 SEC. 203. Section four hundred thirty-six point six (436.6), Code
2 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "The state
4 tax commission shall meet on" and inserting in lieu thereof the word
5 "On".

6 2. By striking from line three (3) the words "and it shall there-
7 upon" and inserting in lieu thereof the words "the director of revenue
8 shall".

9 3. By striking from line eight (8) the word "it" and inserting in
10 lieu thereof the words "the director".

11 4. By striking from lines nine (9) and ten (10) the words "state
12 tax commission" and inserting in lieu thereof the word "director".

13 5. By striking from lines eleven (11) and twelve (12) the words
14 "said state commission" and inserting in lieu thereof the words "the
15 director".

16 6. By striking from line thirteen (13) the words "state commis-
17 sion" and inserting in lieu thereof the word "director".

18 7. By striking from lines thirteen (13) and fourteen (14) the
19 words "or it".

20 8. By striking from lines sixteen (16) and seventeen (17) the
21 words "said state commission" and inserting in lieu thereof the words
22 "the director".

23 9. By striking from line eighteen (18) the words "it to ascertain"
24 and inserting in lieu thereof the words "ascertainment of".

25 10. By striking from lines twenty (20) and twenty-one (21) the
26 words "state tax commission" and inserting in lieu thereof the words
27 "the director".

1 SEC. 204. Section four hundred thirty-six point seven (436.7),
2 Code 1966, is hereby amended as follows:

- 3 1. By striking from line two (2) the words "state tax commission"
4 and inserting in lieu thereof the words "director of revenue".
- 5 2. By striking from line fifteen (15) the words "such state commis-
6 sion" and inserting in lieu thereof the words "the director".
- 7 3. By striking from lines twenty-three (23) and twenty-four (24)
8 the words "state tax commission" and inserting in lieu thereof the
9 word "director".
- 10 4. By striking from line thirty-seven (37) the words "state tax
11 commission" and inserting in lieu thereof the word "director".
- 12 5. By striking from line forty-eight (48) the words "state tax com-
13 mission" and inserting in lieu thereof the word "director".
- 14 6. By striking from line sixty-seven (67) the words "said state
15 commission" and inserting in lieu thereof the word "director".

1 SEC. 205. Section four hundred thirty-six point eight (436.8),
2 Code 1966, is hereby amended by striking from line one (1) the words
3 "state tax commission" and inserting in lieu thereof the words "direc-
4 tor of revenue".

1 SEC. 206. Section four hundred thirty-six point nine (436.9), Code
2 1966, is hereby amended as follows:

- 3 1. By striking from line one (1) the words "Said state tax commis-
4 sion" and inserting in lieu thereof the words "The director of reve-
5 nue".
- 6 2. By striking from line three (3) the words "by it".
- 7 3. By striking from lines eleven (11) and twelve (12) the words
8 "said state commission" and inserting in lieu thereof the words "the
9 director".

1 SEC. 207. Section four hundred thirty-seven point two (437.2),
2 Code 1966, is hereby amended by striking from lines eight (8) and
3 nine (9) the words "state tax commission" and inserting in lieu there-
4 of the words "director of revenue".

1 SEC. 208. Section four hundred thirty-seven point four (437.4),
2 Code 1966, is hereby amended as follows:

- 3 1. By striking from line three (3) the words "state tax commission"
4 and inserting in lieu thereof the words "director of revenue".
- 5 2. By striking from line four (4) the word "it" and inserting in lieu
6 thereof the words "the director".
- 7 3. By striking from line six (6) the word "it" and inserting in lieu
8 thereof the words "the director".
- 9 4. By striking from line seven (7) the word "it" and inserting in
10 lieu thereof the words "the director".

1 SEC. 209. Section four hundred thirty-seven point five (437.5),
2 Code 1966, is hereby amended as follows:

- 3 1. By striking from lines eight (8) and nine (9) the words "state
4 tax commission" and inserting in lieu thereof the words "director of
5 revenue".
- 6 2. By striking from line fifteen (15) the words "state tax commis-
7 sion" and inserting in lieu thereof the word "director".
- 8 3. By striking from lines twenty (20) and twenty-one (21) the
9 words "state tax commission" and inserting in lieu thereof the words
10 "director of revenue".

1 SEC. 210. Section four hundred thirty-seven point six (437.6),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "The state
4 tax commission shall, at its meeting on" and inserting in lieu thereof
5 the word "On".

6 2. By striking in line three (3) after the word "year," the words
7 "the director of revenue shall".

8 3. By striking from line fourteen (14) the words "it can obtain"
9 and inserting in lieu thereof the word "obtainable".

10 4. By striking from line eighteen (18) the words "state tax com-
11 mission" and inserting in lieu thereof the word "director".

1 SEC. 211. Section four hundred thirty-seven point seven (437.7),
2 Code 1966, is hereby amended by striking from lines two (2) and three
3 (3) the words "said state tax commission" and inserting in lieu there-
4 of the words "the director of revenue".

1 SEC. 212. Section four hundred thirty-seven point eight (437.8),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the words "said meeting in July"
4 and inserting in lieu thereof the words "the time of determination of
5 value by the director of revenue".

6 2. By striking from line four (4) the words "state tax commission"
7 and inserting in lieu thereof the word "director".

1 SEC. 213. Section four hundred thirty-seven point nine (437.9),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the words "state tax commission"
4 and inserting in lieu thereof the words "director of revenue".

5 2. By striking from line eleven (11) the words "said state commis-
6 sion" and inserting in lieu thereof the words "the director".

1 SEC. 214. Section four hundred thirty-seven point ten (437.10),
2 Code 1966, is hereby amended by striking from lines ten (10) and
3 eleven (11) the words "state tax commission" and inserting in lieu
4 thereof the words "director of revenue".

1 SEC. 215. Section four hundred thirty-seven point twelve (437.12),
2 Code 1966, is hereby amended by striking from line three (3) the
3 words "state tax commission" and inserting in lieu thereof the words
4 "director of revenue".

1 SEC. 216. Section four hundred thirty-eight point two (438.2),
2 Code 1966, is hereby amended by striking lines eight (8) through ten
3 (10).

1 SEC. 217. Section four hundred thirty-eight point three (438.3),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line five (5) the words "state tax commission"
4 and inserting in lieu thereof the words "director of revenue".

5 2. By striking from line four (4) of subsection nine (9) the word
6 "commission" and inserting in lieu thereof the words "director of
7 revenue".

1 SEC. 218. Section four hundred thirty-eight point four (438.4),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line three (3) the words "state tax commission"
4 and inserting in lieu thereof the words "director of revenue".

5 2. By striking from line five (5) the words "state tax commission"
6 and inserting in lieu thereof the word "director".

7 3. By striking from line fourteen (14) the word "commission" and
8 inserting in lieu thereof the word "director".

1 SEC. 219. Section four hundred thirty-eight point five (438.5),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line four (4) the word "commission" and in-
4 serting in lieu thereof the words "director of revenue".

5 2. By striking from lines seven (7) and eight (8) the word "com-
6 mission" and inserting in lieu thereof the word "director".

1 SEC. 220. Section four hundred thirty-eight point six (438.6),
2 Code 1966, is hereby amended by striking from line nine (9) the word
3 "commission" and inserting in lieu thereof the words "director of
4 revenue".

1 SEC. 221. Section four hundred thirty-eight point seven (438.7),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the word "commission" and insert-
4 ing in lieu thereof the words "director of revenue".

5 2. By striking from line six (6) the word "it" and inserting in lieu
6 thereof the words "the director".

1 SEC. 222. Section four hundred thirty-eight point eight (438.8),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the words "state tax commission"
4 and inserting in lieu thereof the words "director of revenue".

5 2. By striking from line six (6) the word "commission" and insert-
6 ing in lieu thereof the word "director".

1 SEC. 223. Section four hundred thirty-eight point nine (438.9),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "state tax
4 commission shall have power to" and inserting in lieu thereof the
5 words "director of revenue may".

6 2. By striking from lines eight (8) and nine (9) the words "said
7 commission" and inserting in lieu thereof the words "the director".

1 SEC. 224. Section four hundred thirty-eight point ten (438.10),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line three (3) the words "state tax commission"
4 and inserting in lieu thereof the words "director of revenue".

5 2. By striking from line eight (8) the words "said commission" and
6 inserting in lieu thereof the word "director".

1 SEC. 225. Section four hundred thirty-eight point eleven (438.11),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line five (5) the words "state tax commission"
4 and inserting in lieu thereof the words "director of revenue".

5 2. By striking from line seven (7) the word "commission" and in-
6 serting in lieu thereof the word "director".

7 3. By striking from line ten (10) the word "its" and inserting in
8 lieu thereof the words "the director's".

1 SEC. 226. Section four hundred thirty-eight point twelve (438.12),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "commission" and insert-
4 ing in lieu thereof the words "director of revenue".

5 2. By striking from line five (5) the word "it" and inserting in lieu
6 thereof the words "to the director".

7 3. By striking from line seven (7) the word "it" and inserting in
8 lieu thereof the words "the director".

9 4. By striking from line ten (10) the word "commission" and in-
10 sserting in lieu thereof the word "director".

1 SEC. 227. Section four hundred thirty-eight point thirteen
2 (438.13), Code 1966, is hereby amended as follows:

3 1. By striking from lines thirteen (13) and fourteen (14) the
4 words "said commission" and inserting in lieu thereof the words "the
5 director of revenue".

6 2. By striking from lines eighteen (18) and nineteen (19) the
7 words "said commission" and inserting in lieu thereof the words "the
8 director".

1 SEC. 228. Section four hundred thirty-eight point fourteen
2 (438.14), Code 1966, is hereby amended by striking from line one (1)
3 the words "state tax commission" and inserting in lieu thereof the
4 words "director of revenue".

1 SEC. 229. Section four hundred thirty-eight point fifteen (438.15),
2 Code 1966, is hereby amended by striking from line ten (10) the words
3 "tax commission" and inserting in lieu thereof the words "director of
4 revenue".

1 SEC. 230. Section four hundred thirty-nine point one (439.1),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line seven (7) the words "state tax commis-
4 sion" and inserting in lieu thereof the words "director of revenue".

5 2. By striking from line eight (8) the words "state tax commis-
6 sion" and inserting in lieu thereof the word "director".

1 SEC. 231. Section four hundred thirty-nine point two (439.2),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line four (4) the words "state tax commission"
4 and inserting in lieu thereof the words "director of revenue".

5 2. By striking from lines seven (7) and eight (8) the words "state
6 tax commission" and inserting in lieu thereof the word "director".

1 SEC. 232. Section four hundred forty point one (440.1), Code
2 1966, is hereby amended as follows:

3 1. By striking from line two (2) the words "state tax commission"
4 and inserting in lieu thereof the words "director of revenue".

5 2. By striking from lines four (4) and five (5) the words "said
6 state commission" and inserting in lieu thereof the words "the direc-
7 tor".

1 SEC. 233. Section four hundred forty point four (440.4), Code
2 1966, is hereby amended by striking from lines three (3) and four (4)
3 the words "state commission" and inserting in lieu thereof the words
4 "director of revenue".

1 SEC. 234. Section four hundred forty point five (440.5), Code
2 1966, is hereby amended as follows:

3 1. By striking from lines two (2) and three (3) the words "said
4 state commission" and inserting in lieu thereof the words "the direc-
5 tor of revenue".

6 2. By striking from lines three (3) and four (4) the words "state
7 commission" and inserting in lieu thereof the word "director".

8 3. By striking from line five (5) the word "it" and inserting in lieu
9 thereof the words "the director".

10 4. By striking from line six (6) the word "it" and inserting in lieu
11 thereof the words "the director".

1 SEC. 235. Section four hundred forty point six (440.6), Code
2 1966, is hereby amended by striking from line three (3) the words
3 "state commission" and inserting in lieu thereof the words "director
4 of revenue".

1 SEC. 236. Section four hundred forty point seven (440.7), Code
2 1966, is hereby amended as follows:

3 1. By striking from line three (3) the words "state commission"
4 and inserting in lieu thereof the words "director of revenue".

5 2. By striking from line five (5) the words "state commission" and
6 inserting in lieu thereof the word "director".

1 SEC. 237. Section four hundred forty-one point five (441.5), Code
2 1966, is hereby amended as follows:

3 1. By striking from line thirteen (13) the words "state tax commis-
4 sion" and inserting in lieu thereof the words "director of revenue".

5 2. By striking from line twenty-two (22) the words "state tax
6 commission" and inserting in lieu thereof the words "director of reve-
7 nue".

8 3. By striking from line twenty-three (23) the words "state tax
9 commission" and inserting in lieu thereof the words "director of reve-
10 nue".

11 4. By striking from lines twenty-seven (27) and twenty-eight (28)
12 the words "state tax commission" and inserting in lieu thereof the
13 words "director of revenue".

14 5. By striking from line forty-one (41) the words "state tax com-
15 mission" and inserting in lieu thereof the words "director of revenue".

16 6. By striking from line forty-seven (47) the words "state tax
17 commission" and inserting in lieu thereof the words "director of reve-
18 nue".

19 7. By striking from line fifty (50) the words "state tax commis-
20 sion" and inserting in lieu thereof the word "director".

21 8. By striking from line fifty-seven (57) the words "state tax com-
22 mission" and inserting in lieu thereof the words "director of revenue".

1 SEC. 238. Section four hundred forty-one point six (441.6), Code
2 1966, is hereby amended by striking from line twelve (12) the words

3 "state tax commission" and inserting in lieu thereof the words "direc-
4 tor of revenue".

1 SEC. 239. Section four hundred forty-one point ten (441.10), Code
2 1966, is hereby amended as follows:

3 1. By striking from lines eight (8) and nine (9) the words "state
4 tax commission" and inserting in lieu thereof the words "director of
5 revenue".

6 2. By striking from line eleven (11) the word "It" and inserting in
7 lieu thereof the words "The director".

8 3. By striking from lines fourteen (14) and fifteen (15) the words
9 "state tax commission" and inserting in lieu thereof the word "direc-
10 tor".

11 4. By striking from lines twenty-nine (29) and thirty (30) the
12 words "prepared by the state tax commission".

13 5. By striking from line thirty-three (33) the words "state tax
14 commission" and inserting in lieu thereof the word "director".

1 SEC. 240. Section four hundred forty-one point seventeen
2 (441.17), Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) of subsection four (4) the words
4 "state tax commission" and inserting in lieu thereof the words "direc-
5 tor of revenue".

6 2. By striking from line four (4) of subsection four (4) the words
7 "state tax commission" and inserting in lieu thereof the words "direc-
8 tor of revenue".

9 3. By striking from line two (2) of subsection six (6) the words
10 "state tax commission" and inserting in lieu thereof the words "direc-
11 tor of revenue".

12 4. By striking from line one (1) of subsection nine (9) the words
13 "state tax commission" and inserting in lieu thereof the words "direc-
14 tor of revenue".

1 SEC. 241. Section four hundred forty-one point nineteen (441.19),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line eight (8) of subsection one (1) the words
4 "state tax commission" and inserting in lieu thereof the words "direc-
5 tor of revenue".

6 2. By striking from line thirteen (13) of subsection one (1) the
7 words "state tax commission" and inserting in lieu thereof the words
8 "director of revenue".

9 3. By striking from lines four (4) and five (5) of subsection four
10 (4) the words "state tax commission" and inserting in lieu thereof the
11 words "director of revenue".

1 SEC. 242. Section four hundred forty-one point twenty-four
2 (441.24), Code 1966, is hereby amended by striking from lines six (6)
3 and seven (7) the words "state tax commission" and inserting in lieu
4 thereof the words "director of revenue".

1 SEC. 243. Section four hundred forty-one point twenty-six
2 (441.26), Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the words "state tax commission"
4 and inserting in lieu thereof the words "director of revenue".

- 5 2. By striking from line forty-one (41) the words "state tax com-
6 mission" and inserting in lieu thereof the words "director of revenue".
7 3. By striking from lines forty-two (42) and forty-three (43) the
8 words "state board of review" and inserting in lieu thereof the word
9 "director".

1 SEC. 244. Section four hundred forty-one point twenty-seven
2 (441.27), Code 1966, is hereby amended as follows:

- 3 1. By striking from lines one (1) and two (2) the words "state tax
4 commission" and inserting in lieu thereof the words "director of reve-
5 nue".
6 2. By striking from line five (5) the word "it" and inserting in lieu
7 thereof the words "the director of revenue".

1 SEC. 245. Section four hundred forty-one point thirty-three
2 (441.33), Code 1966, is hereby amended as follows:

- 3 1. By striking from line fifteen (15) the words "state tax commis-
4 sion" and inserting in lieu thereof the words "director of revenue".
5 2. By striking from line eighteen (18) the words "state tax commis-
6 sion" and inserting in lieu thereof the words "director of revenue".
7 3. By striking from lines twenty-two (22) and twenty-three (23)
8 the words "state tax commission" and inserting in lieu thereof the
9 words "director of revenue".
10 4. By striking from line twenty-nine (29) the words "state tax com-
11 mission" and inserting in lieu thereof the words "director of revenue".

1 SEC. 246. Section four hundred forty-one point forty-five (441.45),
2 Code 1966, is hereby amended as follows:

- 3 1. By striking from line four (4) the words "state tax commission"
4 and inserting in lieu thereof the words "department of revenue".
5 2. By striking from lines five (5) and six (6) of subsection four
6 (4) the words "state tax commission" and inserting in lieu thereof
7 the words "director of revenue".
8 3. By striking from lines thirty-four (34) and thirty-five (35) the
9 words "state tax commission" and inserting in lieu thereof the words
10 "department of revenue".

1 SEC. 247. Section four hundred forty-one point forty-six (441.46),
2 Code 1966, is hereby repealed.

1 SEC. 248. Section four hundred forty-one point forty-seven
2 (441.47), Code 1966, is hereby amended as follows:

- 3 1. By striking from lines one (1) and two (2) the words "state
4 board of review" and inserting in lieu thereof the words "director of
5 revenue on the second Monday of July in each year".
6 2. By striking from line eight (8) the word "It" and inserting in
7 lieu thereof the words "The director".

1 SEC. 249. Section four hundred forty-one point forty-eight
2 (441.48), Code 1966, is hereby amended as follows:

- 3 1. By striking from lines one (1) and two (2) the words "such
4 state board of review" and inserting in lieu thereof the words "the
5 director of revenue".
6 2. By striking from line four (4) the word "it" and inserting in lieu
7 thereof the words "the director".

1 SEC. 250. Section four hundred forty-one point forty-nine
2 (441.49), Code 1966, is hereby amended by striking lines one (1), two
3 (2), and three (3) and inserting in lieu thereof the following:

4 "The director shall keep a record of the review and adjustment pro-
5 ceedings and finish such proceedings on".

1 SEC. 251. Section four hundred forty-three point five (443.5),
2 Code 1966, is hereby amended by striking from lines three (3) and
3 four (4) the words "state tax commission" and inserting in lieu there-
4 of the words "director of revenue".

1 SEC. 252. Section four hundred forty-four point nine (444.9),
2 Code 1966, is hereby amended by striking from line two (2) of sub-
3 section one (1) the words "state tax commission" and inserting in lieu
4 thereof the words "director of revenue".

1 SEC. 253. Section four hundred forty-four point twenty (444.20),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines eight (8) and nine (9) the words "state
4 tax commission, taking its" and inserting in lieu thereof the words
5 "director of revenue, taking his".

6 2. By striking from line ten (10) the words "in its office" and in-
7 serting in lieu thereof the words "with the department".

8 3. By striking from lines ten (10) and eleven (11) the words "state
9 tax commission at its regular annual session" and inserting in lieu
10 thereof the words "director of revenue".

1 SEC. 254. Section four hundred forty-four point twenty-two
2 (444.22), Code 1966, is hereby amended by striking from lines one (1)
3 and two (2) the words "state tax commission" and inserting in lieu
4 thereof the words "director of revenue".

1 SEC. 255. Section four hundred forty-four point twenty-three
2 (444.23), Code 1966, is hereby amended by striking from line two (2)
3 the words "state tax commission" and inserting in lieu thereof the
4 words "director of revenue".

1 SEC. 256. Section four hundred fifty point one (450.1), Code 1966,
2 is hereby amended by striking from line seven (7) the words "state
3 tax commission" and inserting in lieu thereof the words "department
4 of revenue".

1 SEC. 257. Section four hundred fifty point six (450.6), Code 1966,
2 is hereby amended as follows:

3 1. By striking from line four (4) the words "state tax commission"
4 and inserting in lieu thereof the words "department of revenue".

5 2. By striking from line seven (7) the words "state tax commis-
6 sion" and inserting in lieu thereof the words "director of revenue".

7 3. By striking from line nine (9) the words "said commission" and
8 inserting in lieu thereof the words "the director".

1 SEC. 258. Section four hundred fifty point seven (450.7), Code
2 1966, is hereby amended by striking from line sixteen (16) the words
3 "state tax commission" and inserting in lieu thereof the words "direc-
4 tor of revenue".

1 SEC. 259. Section four hundred fifty point twelve (450.12), Code
2 1966, is hereby amended as follows:

3 1. By striking from line thirty-two (32) of subsection one (1) the
4 words "state tax commission" and inserting in lieu thereof the words
5 "director of revenue".

6 2. By striking from line three (3) of subsection two (2) the words
7 "state commission" and inserting in lieu thereof the words "director
8 of revenue".

9 3. By striking from lines nine (9) and ten (10) of subsection two
10 (2) the words "state tax commission" and inserting in lieu thereof
11 the words "department of revenue".

12 4. By striking from line ten (10) the words "state tax commission"
13 and inserting in lieu thereof the words "department of revenue".

1 SEC. 260. Section four hundred fifty point fourteen (450.14),
2 Code 1966, is hereby amended by striking from lines one (1) and two
3 (2) the words "state tax commission" and inserting in lieu thereof the
4 words "department of revenue".

1 SEC. 261. Section four hundred fifty point fifteen (450.15), Code
2 1966, is hereby amended by striking from line eight (8) the words
3 "state tax commission" and inserting in lieu thereof the words "de-
4 partment of revenue".

1 SEC. 262. Section four hundred fifty point nineteen (450.19), Code
2 1966, is hereby amended by striking lines one (1), two (2), and three
3 (3) and inserting in lieu thereof the following:

4 "The director of revenue shall record all estates reported to the de-
5 partment of revenue as liable for a tax under the".

1 SEC. 263. Section four hundred fifty point twenty-one (450.21),
2 Code 1966, is hereby amended by striking from line seven (7) the
3 words "state tax commission" and inserting in lieu thereof the words
4 "director of revenue".

1 SEC. 264. Section four hundred fifty point twenty-eight (450.28),
2 Code 1966, is hereby amended by striking from line five (5) the words
3 "state tax commission" and inserting in lieu thereof the words "direc-
4 tor of revenue".

1 SEC. 265. Section four hundred fifty point twenty-nine (450.29),
2 Code 1966, is hereby amended by striking from lines six (6) and seven
3 (7) the words "state tax commission" and inserting in lieu thereof the
4 words "director of revenue".

1 SEC. 266. Section four hundred fifty point thirty-one (450.31),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "state tax
4 commission" and inserting in lieu thereof the words "director of reve-
5 nue".

6 2. By striking from line six (6) the words "state tax commission"
7 and inserting in lieu thereof the words "director of revenue".

1 SEC. 267. Section four hundred fifty point thirty-three (450.33),
2 Code 1966, is hereby amended by striking from lines one (1) and two

3 (2) the words "state tax commission" and inserting in lieu thereof the
4 words "director of revenue".

1 SEC. 268. Section four hundred fifty point thirty-four (450.34),
2 Code 1966, is hereby amended by striking from line two (2) the words
3 "state tax commission" and inserting in lieu thereof the words "direc-
4 tor of revenue".

1 SEC. 269. Section four hundred fifty point thirty-eight (450.38),
2 Code 1966, is hereby amended by striking from line thirteen (13) the
3 words "state tax commission" and inserting in lieu thereof the words
4 "director of revenue".

1 SEC. 270. Section four hundred fifty point forty-one (450.41),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines five (5) and six (6) the words "state tax
4 commission" and inserting in lieu thereof the words "director of reve-
5 nue".

6 2. By striking from line fourteen (14) the words "state tax com-
7 mission" and inserting in lieu thereof the words "director of revenue".

1 SEC. 271. Section four hundred fifty point forty-two (450.42),
2 Code 1966, is hereby amended by striking from line ten (10) the
3 words "state tax commission" and inserting in lieu thereof the words
4 "director of revenue".

1 SEC. 272. Section four hundred fifty point forty-seven (450.47),
2 Code 1966, is hereby amended by striking from lines thirteen (13)
3 and fourteen (14) the words "state tax commission" and inserting in
4 lieu thereof the words "department of revenue".

1 SEC. 273. Section four hundred fifty point forty-nine (450.49),
2 Code 1966, is hereby amended by striking from line three (3) the
3 words "state tax commission" and inserting in lieu thereof the words
4 "department of revenue".

1 SEC. 274. Section four hundred fifty point fifty (450.50), Code
2 1966, is hereby amended by striking from line five (5) the words
3 "state tax commission" and inserting in lieu thereof the words "de-
4 partment of revenue".

1 SEC. 275. Section four hundred fifty point fifty-one (450.51), Code
2 1966, is hereby amended by striking from lines eight (8) and nine (9)
3 the words "state tax commission" and inserting in lieu thereof the
4 words "director of revenue".

1 SEC. 276. Section four hundred fifty point fifty-three (450.53),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines six (6) and seven (7) the words "state
4 tax commission" and inserting in lieu thereof the words "department
5 of revenue".

6 2. By striking from line twelve (12) the words "state tax commis-
7 sion" and inserting in lieu thereof the words "department of revenue".

1 SEC. 277. Section four hundred fifty point fifty-four (450.54),
2 Code 1966, is hereby amended by striking from line two (2) the words

3 "state tax commission" and inserting in lieu thereof the words "direc-
4 tor of revenue".

1 SEC. 278. Section four hundred fifty point fifty-five (450.55),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "state tax
4 commission" and inserting in lieu thereof the words "director of reve-
5 nue".

6 2. By striking from line three (3) the word "its" and inserting in
7 lieu thereof the words "the director's".

1 SEC. 279. Section four hundred fifty point fifty-seven (450.57),
2 Code 1966, is hereby amended by striking from lines seven (7) and
3 eight (8) the words "state tax commission" and inserting in lieu
4 thereof the words "department of revenue".

1 SEC. 280. Section four hundred fifty point fifty-eight (450.58),
2 Code 1966, is hereby amended by striking from line ten (10) the words
3 "state tax commission" and inserting in lieu thereof the words "de-
4 partment of revenue".

1 SEC. 281. Section four hundred fifty point fifty-nine (450.59),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line fourteen (14) the words "state tax com-
4 mission" and inserting in lieu thereof the words "director of revenue".

5 2. By striking from line twenty-three (23) the words "state tax
6 commission" and inserting in lieu thereof the words "director of reve-
7 nue".

1 SEC. 282. Section four hundred fifty point sixty (450.60), Code
2 1966, is hereby amended by striking lines one (1) and two (2) and
3 inserting in lieu thereof the words "The director of revenue shall,".

1 SEC. 283. Section four hundred fifty point sixty-two (450.62),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines five (5) and six (6) the words "state tax
4 commission" and inserting in lieu thereof the words "department of
5 revenue".

6 2. By striking all of such section after the word "trustee," in line
7 ten (10) and inserting in lieu thereof the words "or director of reve-
8 nue as herein provided."

1 SEC. 284. Section four hundred fifty point sixty-three (450.63),
2 Code 1966, is hereby amended by striking from line three (3) the
3 words "state tax commission" and inserting in lieu thereof the words
4 "department of revenue".

1 SEC. 285. Section four hundred fifty point sixty-four (450.64),
2 Code 1966, is hereby amended by striking from lines one (1) and two
3 (2) the words "state tax commission" and inserting in lieu thereof the
4 words "department of revenue".

1 SEC. 286. Section four hundred fifty point sixty-five (450.65),
2 Code 1966, is hereby amended by striking from line two (2) the words
3 "state tax commission" and inserting in lieu thereof the words "direc-
4 tor of revenue".

1 SEC. 287. Section four hundred fifty point sixty-six (450.66),
2 Code 1966, is hereby amended as follows:
3 1. By striking from lines two (2) and three (3) the words "state
4 tax commission is hereby authorized and empowered to" and inserting
5 in lieu thereof the words "director of revenue may".
6 2. By striking from line four (4) the word "it" and inserting in lieu
7 thereof the words "the director".
8 3. By striking from line six (6) the word "it" and inserting in lieu
9 thereof the words "the director".
10 4. By striking from line eleven (11) the word "it" and inserting in
11 lieu thereof the words "the director".
12 5. By striking from line twelve (12) the word "it" and inserting in
13 lieu thereof the words "the director".
14 6. By striking from lines twenty (20) and twenty-one (21) the
15 words "state tax commission" and inserting in lieu thereof the words
16 "director of revenue".

1 SEC. 288. Section four hundred fifty point sixty-seven (450.67),
2 Code 1966, is hereby amended as follows:
3 1. By striking from lines two (2) and three (3) the words "state
4 tax commission shall also have the power to" and inserting in lieu
5 thereof the words "director of revenue may also".
6 2. By striking from line eight (8) the word "it" and inserting in
7 lieu thereof the words "the director".

1 SEC. 289. Section four hundred fifty point sixty-eight (450.68),
2 Code 1966, is hereby amended as follows:
3 1. By striking from lines two (2) and three (3) the words "state
4 tax commission" and inserting in lieu thereof the words "department
5 of revenue".
6 2. By striking from line five (5) the words "by it".
7 3. By striking from line six (6) the word "it" and inserting in lieu
8 thereof the words "the department".
9 4. By striking from line ten (10) the word "commission" and in-
10 sserting in lieu thereof the words "director of revenue".

1 SEC. 290. Section four hundred fifty point sixty-nine (450.69),
2 Code 1966, is hereby amended as follows:
3 1. By striking from line two (2) the words "state tax commission"
4 and inserting in lieu thereof the words "director of revenue".
5 2. By striking from line seven (7) the words "state tax commis-
6 sion" and inserting in lieu thereof the words "department of revenue".
7 3. By striking from line eight (8) the words "state tax commis-
8 sion" and inserting in lieu thereof the words "director of revenue".

1 SEC. 291. Section four hundred fifty point seventy (450.70), Code
2 1966, is hereby amended as follows:
3 1. By striking from line two (2) the words "state tax commission"
4 and inserting in lieu thereof the words "director of revenue".
5 2. By striking from lines six (6) and seven (7) the words "state
6 tax commission" and inserting in lieu thereof the words "director of
7 revenue".

1 SEC. 292. Section four hundred fifty point seventy-one (450.71),
2 Code 1966, is hereby amended as follows:

- 3 1. By striking from line two (2) the word "its" and inserting in
4 lieu thereof the word "a".
- 5 2. By striking from lines two (2) and three (3) the words "state
6 tax commission" and inserting in lieu thereof the words "director of
7 revenue".
- 8 3. By striking from line eight (8) the words "said commission" and
9 inserting in lieu thereof the words "the director of revenue".
- 10 4. By striking from line ten (10) the word "it" and inserting in lieu
11 thereof the words "the director".
- 12 5. By striking from line twelve (12) the words "state tax commis-
13 sion" and inserting in lieu thereof the words "the director".

1 SEC. 293. Section four hundred fifty point seventy-four (450.74),
2 Code 1966, is hereby amended by striking from lines six (6) and seven
3 (7) the words "state tax commission" and inserting in lieu thereof
4 the words "director of revenue".

1 SEC. 294. Section four hundred fifty point seventy-six (450.76),
2 Code 1966, is hereby amended by striking from line twenty-four (24)
3 the words "state tax commission" and inserting in lieu thereof the
4 words "department of revenue".

1 SEC. 295. Section four hundred fifty point eighty (450.80), Code
2 1966, is hereby amended by striking from lines three (3) and four (4)
3 the words "state tax commission, when it has issued its receipt" and
4 inserting in lieu thereof the words "director of revenue, after issuing
5 a receipt".

1 SEC. 296. Section four hundred fifty point eighty-one (450.81),
2 Code 1966, is hereby amended by striking from line eight (8) the
3 words "state tax commission" and inserting in lieu thereof the words
4 "department of revenue".

1 SEC. 297. Section four hundred fifty point eighty-two (450.82),
2 Code 1966, is hereby amended as follows:

- 3 1. By striking from line four (4) the words "state tax commission"
4 and inserting in lieu thereof the words "director of revenue".
- 5 2. By striking from line nine (9) the words "state tax commission"
6 and inserting in lieu thereof the words "director of revenue".

1 SEC. 298. Section four hundred fifty point eighty-three (450.83),
2 Code 1966, is hereby amended as follows:

- 3 1. By striking from lines fifteen (15) and sixteen (16) the words
4 "state tax commission" and inserting in lieu thereof the words "direc-
5 tor of revenue".
- 6 2. By striking from line thirty-three (33) the words "state tax com-
7 mission" and inserting in lieu thereof the words "director of revenue".

1 SEC. 299. Section four hundred fifty point eighty-four (450.84),
2 Code 1966, is hereby amended by striking from line fourteen (14) the
3 words "state tax commission, which" and inserting in lieu thereof the
4 words "director of revenue, who".

1 SEC. 300. Section four hundred fifty point eighty-six (450.86),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line sixteen (16) the words "state tax commis-
4 sion" and inserting in lieu thereof the words "director of revenue".

5 2. By striking from line seventeen (17) the word "it" and inserting
6 in lieu thereof the word "him".

7 3. By striking from lines twenty-one (21) and twenty-two (22) the
8 words "state tax commission" and inserting in lieu thereof the words
9 "director of revenue".

1 SEC. 301. Section four hundred fifty point eighty-seven (450.87),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines six (6) and seven (7) the words "state
4 tax commission" and inserting in lieu thereof the words "department
5 of revenue".

6 2. By striking from line eleven (11) the words "state tax commis-
7 sion" and inserting in lieu thereof the words "director of revenue".

1 SEC. 302. Section four hundred fifty point eighty-eight (450.88),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line five (5) the words "state tax commission"
4 and inserting in lieu thereof the words "director of revenue".

5 2. By striking from line thirty (30) the words "state tax commis-
6 sion" and inserting in lieu thereof the words "director of revenue".

1 SEC. 303. Section four hundred fifty point eighty-nine (450.89),
2 Code 1966, is hereby amended by striking from lines eleven (11) and
3 twelve (12) the words "state tax commission" and inserting in lieu
4 thereof the words "director of revenue".

1 SEC. 304. Section four hundred fifty point ninety-two (450.92),
2 Code 1966, is hereby amended by striking from line seven (7) the
3 words "state tax commission" and inserting in lieu thereof the words
4 "director of revenue".

1 SEC. 305. Section four hundred fifty point ninety-three (450.93),
2 Code 1966, is hereby amended by striking from line six (6) the words
3 "state tax commission" and inserting in lieu thereof the words "de-
4 partment of revenue".

1 SEC. 306. Section four hundred fifty point ninety-four (450.94),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines eight (8) and nine (9) the words "state
4 tax commission" and inserting in lieu thereof the words "department
5 of revenue".

6 2. By striking from lines fifteen (15) and sixteen (16) the words
7 "tax commission of the state, the tax commission" and inserting in lieu
8 thereof the words "department of revenue, the director of revenue".

9 3. By striking from line twenty-two (22) the words "state tax com-
10 mission" and inserting in lieu thereof the words "director of revenue".

1 SEC. 307. Section four hundred fifty point ninety-seven (450.97),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line five (5) the words "tax commission" and
4 inserting in lieu thereof the words "department of revenue".

5 2. By striking from line ten (10) the words "tax commission" and
6 inserting in lieu thereof the words "department of revenue".

1 SEC. 308. Section four hundred fifty-one point five (451.5), Code
2 1966, is hereby amended by striking from lines four (4) and five (5)
3 the words "state tax commission" and inserting in lieu thereof the
4 words "director of revenue".

1 SEC. 309. Section four hundred fifty-one point six (451.6), Code
2 1966, is hereby amended by striking from line three (3) the words
3 "state tax commission" and inserting in lieu thereof the words "de-
4 partment of revenue".

1 SEC. 310. Section four hundred fifty-one point nine (451.9), Code
2 1966, is hereby amended as follows:

3 1. By striking from lines four (4) and five (5) the words "state tax
4 commission" and inserting in lieu thereof the words "director of reve-
5 nue".

6 2. By striking from lines fourteen (14) and fifteen (15) the words
7 "state tax commission may, at its option," and inserting in lieu thereof
8 the words "director of revenue may".

1 SEC. 311. Section four hundred fifty-one point eleven (451.11),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines seven (7) and eight (8) the words "state
4 tax commission" and inserting in lieu thereof the words "department
5 of revenue".

6 2. By striking from line ten (10) the words "state tax commission"
7 and inserting in lieu thereof the words "director of revenue".

8 3. By striking from line eleven (11) the words "state tax commis-
9 sion" and inserting in lieu thereof the words "department of revenue".

1 SEC. 312. Section four hundred fifty-one point twelve (451.12),
2 Code 1966, is hereby amended by striking from line nine (9) the words
3 "state tax commission" and inserting in lieu thereof the words "direc-
4 tor of revenue".

1 SEC. 313. Section four hundred seventy-nine point ninety-one
2 (479.91), Code 1966, is hereby amended by striking from line six (6)
3 the words "tax commission" and inserting in lieu thereof the words
4 "department of revenue".

1 SEC. 314. Section five hundred forty-six A point six (546A.6),
2 Code 1966, is hereby amended by striking from lines nine (9) and ten
3 (10) the words "state tax commission" and inserting in lieu thereof
4 the words "department of revenue".

1 SEC. 315. Section five hundred fifty-one A point ten (551A.10),
2 Code 1966, is hereby amended by striking from lines one (1) and two
3 (2) the words "state tax commission" and inserting in lieu thereof the
4 words "director of revenue".

1 SEC. 316. Section five hundred fifty-one A point eleven (551A.11),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the words "state tax commission"
4 and inserting in lieu thereof the words "director of revenue".

5 2. By striking from line three (3) the word "it" and inserting in
6 lieu thereof the words "the director".

7 3. By striking from line six (6) the word "it" and inserting in lieu
8 thereof the words "the director".

9 4. By striking from line eleven (11) the words "Said commission"
10 and inserting in lieu thereof the words "The director of revenue".

11 5. By striking from lines fourteen (14) and fifteen (15) the word
12 "commission" and inserting in lieu thereof the word "director".

13 6. By striking from line twenty-six (26) the word "commission"
14 and inserting in lieu thereof the word "director".

1 SEC. 317. Section six hundred twenty-two point fifteen (622.15),
2 Code 1966, is hereby amended by striking from lines two (2) and three
3 (3) of subsection sixteen (16) the words "state tax commission" and
4 inserting in lieu thereof the words "director of revenue".

1 SEC. 318. Section six hundred twenty-six point twenty-nine
2 (626.29), Code 1966, is hereby amended by striking from line two (2)
3 the words "Iowa state tax commission" and inserting in lieu thereof
4 the words "director of revenue".

1 SEC. 319. Section six hundred twenty-six point thirty (626.30),
2 Code 1966, is hereby amended by striking from lines two (2) and three
3 (3) the words "state tax commission" and inserting in lieu thereof the
4 words "director of revenue".

1 SEC. 320. Section six hundred twenty-six point thirty-one
2 (626.31), Code 1966, is hereby amended by striking from line three
3 (3) the words "Iowa state tax commission" and inserting in lieu
4 thereof the words "director of revenue".

1 SEC. 321. All powers, duties, authority, and responsibility lodged
2 in or exercised by the state tax commission or chairman thereof are
3 hereafter lodged in and exercised by the department of revenue, or
4 director thereof.

1 SEC. 322. The state tax commission and the offices of the members
2 thereof are hereby abolished from and after the transfer date of this
3 Act. The persons serving as members of the state tax commission
4 upon the effective and transfer date of this Act shall cease to act as
5 such and shall no longer receive any compensation from the state of
6 Iowa even though the term to which they were appointed has not
7 expired. The term of any commissioner that will expire by operation
8 of law prior to the effective date of this Act, is hereby extended to
9 January 1, 1968. The governor shall not appoint any new member to
10 the commission whose term would begin on or after the effective date
11 of this Act nor fill any vacancy created thereon after the effective
12 date of this Act.

1 SEC. 323. The transfer of all powers, duties, authority, and re-
2 sponsibility from the state tax commission to the department of reve-
3 nue as provided in this Act and the effective date for all provisions of
4 this Act except section three hundred twenty-two (322) shall occur
5 on January 1, 1968. The governor may appoint prior to such date the
6 director of revenue who shall in cooperation with the state tax com-
7 mission effectuate an orderly transfer of such powers, duties, author-
8 ity, and responsibility.

Approved July 24, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 343

DRAINAGE DISTRICTS AND LEVEE DISTRICTS

H. F. 86

AN ACT to give drainage districts and levee districts, and their trustees, status before the state tax commission and county boards of review similar to the status of other taxing bodies and their officers.

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), subsection ten (10), Code 1966, is hereby amended as fol-
3 lows:

4 1. By inserting in line twenty (20) after the word "law." the fol-
5 lowing:

6 "For the purpose of this paragraph the words 'taxing district' in-
7 clude drainage districts and levee districts."

8 2. By inserting in line forty-nine (49) after the word "year." the
9 following:

10 "For the purpose of this paragraph the words 'taxing district' in-
11 clude drainage districts and levee districts."

1 SEC. 2. Section four hundred forty-one point forty-two (441.42),
2 Code 1966, is hereby amended as follows:

3 1. By inserting in line two (2) after the word "township" the
4 words ", drainage district, levee district,".

5 2. By inserting in line six (6) after the word "township," the words
6 "drainage district, levee district,".

7 3. By inserting in line fifteen (15) after the word "township," the
8 words "drainage district, levee district,".

Approved May 5, 1967.

CHAPTER 344

ALASKA AND HAWAII

H. F. 58

AN ACT relating to definitions in the personal net income tax law.

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

1 SECTION 1. Section four hundred twenty-two point four (422.4),
2 Code 1966, is amended by striking from lines five (5) and six (6) of
3 subsection nine (9) the words "the territories of Alaska and Hawaii,".

Approved June 8, 1967.

CHAPTER 345

INTERNAL REVENUE CODE

S. F. 155

AN ACT to amend section* four hundred twenty-two (422), Code 1966, relative to state personal income tax and state business tax on corporations.

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

1 SECTION 1. Section four hundred twenty-two point four (422.4),
2 Code 1966, is hereby amended by striking the words and figures "De-
3 cember 31, 1964" in lines three (3) and four (4) of subsection seven-
4 teen (17) and inserting in lieu thereof the words and figures "June 30,
5 1967".

1 SEC. 2. Section four hundred twenty-two point thirty-two
2 (422.32), Code 1966, is hereby amended by striking the words and
3 figures "December 31, 1964" in line three (3), subsection four (4),
4 and inserting in lieu thereof the words and figures "June 30, 1967".

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 De Witt Observer, a newspaper published at De Witt, Iowa and
4 in The Times-Democrat, a newspaper published at Davenport, Iowa.

Approved July 20, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 155, was published in The De Witt Observer, De Witt, Iowa, July 27, 1967, and in The Times-Democrat, Davenport, Iowa, July 25, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

*According to enrolled Act.

CHAPTER 346

TAX DEDUCTION FOR POLITICAL CONTRIBUTIONS

S. F. 101

AN ACT providing for a deduction not to exceed one hundred (100) dollars for contributions to a recognized political party or parties of the taxpayers choice in computing taxable income.

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

1 SECTION 1. Subsection two (2), section four hundred twenty-two
2 point nine (422.9), Code 1966, is hereby amended by adding the fol-
3 lowing new paragraph thereto:
4 "c. Add the amount donated to a political party or parties as de-
5 fined by section forty-three point two (43.2) of the Code, not to exceed
6 one hundred (100) dollars."

Approved June 10, 1967.

CHAPTER 347

SCHOOL DISTRICT ON TAX RETURN

H. F. 137

AN ACT relating to the notation of school district on an income tax return.

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

1 SECTION 1. Section four hundred twenty-two point twenty-one
2 (422.21), Code 1966, is hereby amended by striking all of the last two
3 lines thereof and inserting in lieu thereof the following: "it shall be
4 deemed an incompleated return."

Approved June 8, 1967.

CHAPTER 348

TAXES

H. F. 702

AN ACT for the modification of existing sales and use taxes, and taxes on personal income and corporate income; to provide for property tax replacement, and allied purposes.

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

DIVISION I

1 SECTION 1. Definitions. When used in sections 1 to 9, unless the
2 context clearly indicates otherwise, the following terms shall have the
3 meanings, respectively, ascribed to them in this section:

4 1. "Tobacco products" means cigars; cheroots; stogies, periques;
5 granulated, plug cut, crimp cut, ready rubbed, and other smoking
6 tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine-cut
7 and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings
8 and sweepings to tobacco, and other kinds and forms of tobacco, pre-
9 pared in such manner as to be suitable for chewing or smoking in a
10 pipe or otherwise, or both for chewing and smoking; but shall not in-
11 clude cigarettes as defined in Iowa statutes, section 98.1, subsection 1.

12 2. "Person" means any individual, firm, association, partnership,
13 joint stock company, joint adventure, corporation, trustee, agency, or
14 receiver, or any legal representative of any of the foregoing.

15 3. "Manufacturer" means a person who manufactures and sells to-
16 bacco products.

17 4. "Distributor" means any and each of the following:

18 a. Any person engaged in the business of selling tobacco products
19 in this state who brings, or causes to be brought, into this state from
20 without the state any tobacco products for sale;

21 b. Any person who makes, manufactures, or fabricates tobacco
22 products in this state for sale in this state;

23 c. Any person engaged in the business of selling tobacco products
24 without this state who ships or transports tobacco products to retailers
25 in this state, to be sold by those retailers.

26 5. "Subjobber" means any person, other than a manufacturer or
 27 distributor, who buys tobacco products from a distributor and sells
 28 them to persons other than the ultimate consumers.

29 6. "Retailer" means any person engaged in the business of selling
 30 tobacco products to ultimate consumers.

31 7. "Sale" means any transfer, exchange, or barter, in any manner
 32 or by any means whatsoever, for a consideration, and includes and
 33 means all sales made by any person. It includes a gift by a person
 34 engaged in the business of selling tobacco products, for advertising, as
 35 a means of evading the provisions of sections 1 to 9, or for any other
 36 purposes whatsoever.

37 8. "Wholesale sales price" means the established price for which a
 38 manufacturer sells a tobacco product to a distributor, exclusive of any
 39 discount or other reduction.

40 9. "Business" means any trade, occupation, activity, or enterprise
 41 engaged in for the purpose of selling or distributing tobacco products
 42 in this state.

43 10. "Place of business" means any place where tobacco products are
 44 sold or where tobacco products are manufactured, stored, or kept for
 45 the purpose of sale or consumption, including any vessel, vehicle, air-
 46 plane, train, or vending machine.

47 11. "Retail outlet" means each place of business from which tobacco
 48 products are sold to consumers.

49 12. "Director" means the state tax commission or the director of the
 50 department of revenue.

51 13. "Consumer" means any person who has title to or possession of
 52 tobacco products in storage, for use or other consumption in this state.

53 14. "Storage" means any keeping or retention of tobacco products
 54 for use or consumption in this state.

55 15. "Use" means the exercise of any right or power incidental to the
 56 ownership of tobacco products.

1 SEC. 2. Tax on tobacco products.

2 1. A tax is hereby imposed upon all tobacco products in this state
 3 and upon any person engaged in business as a distributor thereof, at
 4 the rate of ten percent of the wholesale sales price of such tobacco
 5 products. Such tax, shall be imposed at the time the distributor (1)
 6 brings, or causes to be brought, into this state from without the state
 7 tobacco products for sale; (2) makes, manufactures, or fabricates
 8 tobacco products in this state for sale in this state; or (3) ships or
 9 transports tobacco products to retailers in this state, to be sold by
 10 those retailers.

11 2. A tax is hereby imposed upon the use or storage by consumers of
 12 tobacco products in this state, and upon such consumers, at the rate of
 13 ten percent of the cost of such tobacco products.

14 The tax imposed by this subsection shall not apply if the tax imposed
 15 by subsection 1 on such tobacco products has been paid.

16 This tax shall not apply to the use or storage of tobacco products in
 17 quantities of:

- 18 (1.) Less than 25 cigars;
 19 (2.) Less than 10 oz. snuff or snuff powder;

20 (3.) Less than 1 lb. smoking or chewing tobacco or other tobacco
21 products not specifically mentioned herein, in the possession of any one
22 consumer.

23 3. Any tobacco product with respect to which a tax has once been
24 imposed under sections 1 to 9 shall not again be subject to tax under
25 sections 1 to 9.

26 4. The tax imposed by this section shall not apply with respect to
27 any tobacco product which under the constitution and laws of the
28 United States may not be made the subject of taxation by this state.

29 5. The tax imposed by this section shall be in addition to all other
30 occupation or privilege taxes or license fees now or hereafter imposed
31 by any city, village, borough or township.

1 SEC. 3. Licenses; distributors, subjobbers.

2 1. From and after 12:01 o'clock a.m. on August 1, 1967, no person
3 shall engage in the business of a distributor or subjobber of tobacco
4 products at any place of business without first having received a
5 license from the director to engage in that business at that place of
6 business.

7 2. Every application for such a license shall be made on a form pre-
8 scribed by the director and shall state the name and address of the
9 applicant; if the applicant is a firm, partnership, or association, the
10 name and address of each of its members; if the applicant is a corpora-
11 tion, the name and address of each of its officers; the address of its
12 principal place of business; the place where the business to be licensed
13 is to be conducted; and such other information as the director may
14 require for the purpose of the administration of sections 1 to 9.

15 3. A person without this state who ships or transports tobacco prod-
16 ucts to retailers in this state, to be sold by those retailers, may make
17 application for license as a distributor, be granted such a license by the
18 director, and thereafter be subject to all the provisions of sections 1 to
19 9 and entitled to act as a licensed distributor, provided he files proof
20 with his application that he has appointed the secretary of state for
21 the service of process relating to any matter or issue arising under
22 sections 1 to 9. A foreign corporation applying for a distributor's
23 license need not qualify as such if it files the proof of appointment of
24 the secretary of state for service of process as provided in this sub-
25 division.

26 4. Each application for a distributor's license shall be accompanied
27 by a fee of \$25, except that no applicant holding a permit pursuant to
28 chapter ninety-eight (98) of the Code shall be required to pay an addi-
29 tional fee. The application shall also be accompanied by a corporate
30 surety bond issued by a surety licensed to do business in this state, in
31 the sum of \$1,000, conditioned upon the true and faithful compliance
32 by the distributor with all the provisions of sections 1 to 9 and the
33 payment when due of all taxes, penalties and accrued interest arising
34 in the ordinary course of business or by reason of any delinquent
35 money which may be due the state of Iowa. This bond shall be in a
36 form to be fixed by the director and approved by the attorney general.
37 Whenever it is the opinion of the director that the bond given by a
38 licensee is inadequate in amount to fully protect the state, he shall
39 require either an increase in the amount of said bond or additional
40 bond, in such amount as he deems sufficient. Any bond required by

41 this subdivision, or a reissue thereof, or a substitute therefor, shall be
42 kept in full force and effect during the entire period covered by the
43 license.

44 A separate application for license shall be made for each place of
45 business at which a distributor proposes to engage in business as such
46 under sections 1 to 9.

47 5. Each application for a subjobber's license shall be accompanied
48 by a fee of \$10, except that no applicant holding a permit pursuant to
49 chapter ninety-eight (98) of the Code shall be required to pay an addi-
50 tional fee.

51 6. A distributor or subjobber applying for a license between Janu-
52 ary 1 and June 30 of any year shall be required to pay only one-half
53 of the license fee provided for herein.

54 7. The director, upon receipt of the application (and bond, in the
55 case of the distributor) in proper form, and payment of the license fee
56 required by subsection 4 or subsection 5, shall unless otherwise pro-
57 vided by sections 1 to 9, issue the applicant a license in form as pre-
58 scribed by him, which license shall permit the applicant to whom it is
59 issued to engage in business as a distributor or subjobber at the place
60 of business shown in his application. The director shall assign a per-
61 mit number to each person licensed as a distributor at the time of issu-
62 ance of his first license, which shall be inscribed upon all licenses issued
63 to that distributor.

64 8. Each license shall expire on June 30 following its date of issue
65 unless sooner revoked by the director or unless the business with re-
66 spect to which the license was issued is transferred. In either case the
67 holder of the license shall immediately surrender it to the director.

68 9. Each license shall be prominently displayed on the premises cov-
69 ered by the license.

70 10. No license shall be transferable to any other person.

71 11. The director may revoke, cancel, or suspend the license or li-
72 censes of any distributor or subjobber for violation of any of the pro-
73 visions of sections 1 to 9, or any other act applicable to the sale of
74 tobacco products, or any rule or regulations promulgated by the direc-
75 tor in furtherance of sections 1 to 9. No license shall be revoked, can-
76 celled, or suspended except after notice and a hearing by the director
77 as provided in section 7.

78 12. No license shall be issued under sections 1 to 9 to any person
79 within one year of the date of final determination of a revocation of
80 any previous license held by him.

81 13. When the surety upon any bond issued pursuant to the provi-
82 sions of sections 1 to 9 shall have fulfilled the conditions of such bond
83 and compensated the state for any loss occasioned by any act or omis-
84 sion of the person bonded under sections 1 to 9, such surety shall be
85 subrogated to all the rights of the state in connections with the trans-
86 action wherein such loss occurred.

1 SEC. 4. Licensees, duties.

2 1. Every distributor shall keep at each licensed place of business
3 complete and accurate records for that place of business, including
4 itemized invoices, of tobacco products held, purchased, manufactured,
5 brought in or caused to be brought in from without the state, or

6 shipped or transported to retailers in this state, and of all sales of
7 tobacco products made, except sales to the ultimate consumer.

8 When a licensed distributor sells tobacco products exclusively to the
9 ultimate consumer at the address given in the license, no invoice of
10 those sales shall be required, but itemized invoices shall be made of all
11 tobacco products transferred to other retail outlets owned or controlled
12 by that licensed distributor. All books, records and other papers and
13 documents required by this subdivision to be kept shall be preserved
14 for a period of at least one year after the date of the documents, as
15 aforesaid, or the date of the entries thereof appearing in the records,
16 unless the director, in writing, authorized their destruction or disposal
17 at an earlier date. At any time during usual business hours, the direc-
18 tor, or his duly authorized agents or employees, may enter any place
19 of business of a distributor, without a search warrant, and inspect the
20 premises, the records required to be kept under this subdivision, and
21 the tobacco products contained therein, to determine whether or not
22 all the provisions of sections 1 to 9 are being fully complied with. If
23 the director, or any such agent or employee, is denied free access or is
24 hindered or interfered with in making such examination, the license
25 of the distributor at such premises shall be subject to revocation by
26 the director.

27 2. Every person who sells tobacco products to persons other than
28 the ultimate consumer shall render with each sale itemized invoices
29 showing the seller's name and address, the purchaser's name and ad-
30 dress, the date of sale, and all prices and discounts. He shall preserve
31 legible copies of all such invoices for one year from the date of sale.

32 3. Every retailer and subjobber shall procure itemized invoices of
33 all tobacco products purchased. The invoices shall show the name and
34 address of the seller and the date of purchase. The retailer and sub-
35 jobber shall preserve a legible copy of each such invoice for one year
36 from the date of purchase. Invoices shall be available for inspection
37 by the director or his authorized agents or employees at the retailer's
38 or subjobber's place of business.

39 4. Records of all deliveries or shipments of tobacco products from
40 any public warehouse of first destination in this state which is subject
41 to the provisions of and licensed under Iowa statutes, chapter 554,
42 shall be kept by the warehouse and be available to the director for
43 inspection. They shall show the name and address of the consignee,
44 the date, the quantity of tobacco products delivered, and such other
45 information as the commissioner may require. These records shall be
46 preserved for one year from the date of delivery of the tobacco prod-
47 ucts.

48 5. The transportation of tobacco products into this state by means
49 other than common carrier must be reported to the director within 30
50 days with the following exceptions:

51 (1) The transportation of not more than 50 cigars, not more than
52 ten ounces of snuff or snuff powder, or not more than one pound of
53 smoking or chewing tobacco or other tobacco products not specifically
54 mentioned herein;

55 (2) Transportation by a person with a place of business outside the
56 state, who is licensed as a distributor under section 3, or tobacco prod-
57 ucts sold by such person to a retailer in this state.

58 Such report shall be made on forms provided by the director.

59 Common carriers transporting tobacco products into this state shall
60 file with the director reports of all such shipments other than those
61 which are delivered to public warehouses of first destination in this
62 state which are licensed under the provisions of Iowa statutes, chapter
63 554. Such reports shall be filed on or before the tenth day of each
64 month and shall show with respect to deliveries made in the preceding
65 month; the date, point of origin, point of delivery, name of consignee,
66 description and quantity of tobacco products delivered, and such infor-
67 mation as the director may otherwise require.

68 Any person who fails or refuses to transmit to the director the re-
69 quired reports or whoever refuses to permit the examination of the
70 records by the director shall be guilty of a misdemeanor.

1 SEC. 5. Distributors, monthly returns.

2 1. On or before the twentieth day of each calendar month every dis-
3 tributor with a place of business in this state shall file a return with
4 the director showing the quantity and wholesale sales price of each
5 tobacco product (1) brought, or caused to be brought, into this state
6 for sale; and (2) made, manufactured or fabricated in this state for
7 sale in this state, during the preceding calendar month. Every licensed
8 distributor outside this state shall in like manner file a return showing
9 the quantity and wholesale sales price of each tobacco product shipped
10 or transported to retailers in this state to be sold by those retailers,
11 during the preceding calendar month. Returns shall be made upon
12 forms furnished and prescribed by the director and shall contain such
13 other information as the director may require. Each return shall be
14 accompanied by a remittance for the full tax liability shown therein,
15 less a discount as fixed by the director not to exceed five percent of the
16 tax.

17 2. As soon as practicable after any return is filed, the director shall
18 examine each return and correct it, if necessary, according to his best
19 judgment and information. If the director finds that any amount of
20 tax is due from the taxpayer and unpaid, he shall notify the taxpayer
21 of the deficiency, stating that he proposes to assess the amount due
22 together with interest and penalties as hereinafter provided. If a de-
23 ficiency disclosed by the director's examination cannot be allocated by
24 him to a particular month or months, he shall notify the taxpayer of
25 the deficiency, stating his intention to assess the amount due for a
26 given period without allocating it to any particular month or months.
27 If any taxpayer making any return shall die or shall become incomp-
28 tent at any time before the director issues his notice that he proposes
29 to assess an amount due, that notice shall be issued to the adminis-
30 trator, executor, or other legal representative, as such, of that tax-
31 payer.

32 3. If, within 20 days after mailing of notice of the proposed assess-
33 ment, the taxpayer or his legal representative shall file a protest to
34 said proposed assessment and request a hearing thereon, the director
35 shall give notice to that taxpayer or legal representative of the time
36 and place fixed for the hearing, shall hold a hearing on such protest,
37 and shall issue a final assessment to the taxpayer or legal representa-
38 tive for the amount found to be due as a result of the hearing. This
39 hearing shall be held within 45 days after filing of the protest. If a
40 protest is not filed within the time herein prescribed, the director shall

41 issue a final assessment to the taxpayer or legal representative, as such.
42 Any such assessment made by the director shall be prima facie correct
43 and valid, and the taxpayer shall have the burden of establishing its
44 incorrectness or invalidity in any action or proceedings in respect
45 thereto.

46 4. If any taxpayer required by sections 1 to 9 to file any return shall
47 fail to do so within the time prescribed by sections 1 to 9, he shall, on
48 the written demand of the director, file such return within 20 days
49 after the mailing of such written demand and at the same time pay the
50 tax due on the basis thereof. If such taxpayer shall fail within that
51 time to file such return, the director shall make for him a return, from
52 his own knowledge and from such information as he can obtain
53 through testimony, or otherwise, and assess a tax on the basis thereof,
54 which tax shall be paid within ten days after the director has mailed
55 to such taxpayer a written notice of the amount thereof and demand
56 for its payment. Any such return or assessment made by the director
57 on account of the failure of the taxpayer to make a return shall be
58 prima facie correct and valid, and the taxpayer shall have the burden
59 of establishing its incorrectness or invalidity in any action or proceed-
60 ing in respect thereto.

61 5. All taxes shall be due and payable not later than the twentieth
62 day of the month following the calendar month in which they were
63 incurred, and thereafter shall bear interest at the rate of one percent
64 per month.

65 Where, under the provisions of subdivisions 2 and 3 of this section,
66 the amount of tax due for a given period is assessed without allocating
67 it to any particular month or months, the interest shall commence to
68 run from the date of such assessment.

69 The director shall have power to reduce or abate interest when in
70 his opinion the facts warrant such reduction or abatement. The exer-
71 cise of this power shall be subject to the approval of the attorney
72 general.

73 6. The director in issuing his final assessment pursuant to subdivi-
74 sion 3 shall add to the amount of tax found due and unpaid a penalty
75 of ten percent thereof, except that, if he finds that the taxpayer has
76 made a false and fraudulent return with intent to evade the tax im-
77 posed by sections 1 to 9, the penalty shall be 25 percent of the entire
78 tax as shown by the return as corrected. The director in assessing a
79 tax on the basis of a return made pursuant to subdivision 4 shall add
80 to the amount of tax found due and unpaid a penalty of 25 percent
81 thereof.

82 The director shall have power to abate penalties, when in his opinion
83 their enforcement would be unjust and inequitable. The exercise of
84 this power shall be subject to the approval of the attorney general.

85 7. The director may recover the amount of any tax due and unpaid,
86 interest, and any penalty in a civil action. The collection of such a tax,
87 interest, or penalty shall not be a bar to any prosecution under sections
88 1 to 9.

89 8. On or before the 20th day of each calendar month, every con-
90 sumer who, during the preceding calendar month, has acquired title to
91 or possession of tobacco products for use or storage in this state, upon
92 which tobacco products the tax imposed by section 2 has not been paid,
93 shall file a return with the director showing the quantity of tobacco

94 products so acquired. The return shall be made upon a form furnished
95 and prescribed by the director, and shall contain such other informa-
96 tion as the director may require. The return shall be accompanied by
97 a remittance for the full unpaid tax liability shown by it.

1 SEC. 6. Refunds, credits. Where tobacco products upon which the
2 tax imposed by sections 1 to 9 has been reported and paid, are shipped
3 or transported by the distributor to consumers, to be consumed with-
4 out the state, or to retailers or subjobbers without the state, to be sold
5 by those retailers, or subjobbers without the state, or are returned to
6 the manufacturer by the distributor or destroyed by the distributor,
7 refund of such tax or credit may be made to the distributor in accord-
8 ance with regulations prescribed by the director. Any over-payment
9 of the tax imposed under section 2 may be made to the taxpayer in
10 accordance with regulations prescribed by the director. The director
11 shall cause any such refund of tax to be paid out of the general reve-
12 nue fund, and so much of said fund as may be necessary is hereby
13 appropriated for that purpose.

1 SEC. 7. Investigations and hearings, testimonial powers.

2 1. The director, or his duly authorized agents, may conduct investi-
3 gations, inquiries, and hearings for the purpose of enforcing the pro-
4 visions of sections 1 to 9, and, in connection with such investigations,
5 inquiries, and hearings, he and his duly authorized agents shall have
6 all the powers conferred upon him and his examiners by Iowa statutes,
7 and the provisions of such shall apply to all such investigations, in-
8 quiries and hearings.

9 2. Every hearing conducted under sections 1 to 9 shall be preceded
10 by ten days notice in writing of the subject of the hearing, including,
11 in the case of suspension or revocation, of a license, a statement of the
12 nature of the charges against the licensee. The notice shall be sent by
13 registered mail to the last known address of the licensee or other per-
14 son involved in the hearing, and the service shall be complete upon
15 mailing. After every hearing the director shall make his findings and
16 his order in writing. The findings and order shall be filed in the office
17 of the director, and a copy sent by mail or otherwise to the person to
18 whom the notice was directed.

19 3. The director may exchange information with the officers and
20 agencies of other states administering laws relating to the taxation of
21 tobacco products.

22 4. No person shall be excused from testifying or from producing,
23 pursuant to a subpoena, any books, papers, records, or memoranda in
24 any investigation or upon any hearing, upon the ground that the tes-
25 timony or evidence, documentary or otherwise, may tend to incrimi-
26 nate him or subject him to a criminal penalty, but no person shall be
27 prosecuted or subjected to any criminal penalty for or on account of
28 any transaction made or thing concerning which he may testify or
29 produce evidence, documentary or otherwise, before the director or an
30 employee or agent thereof; provided that such immunity shall extend
31 only to a natural person who, in obedience to a subpoena, gives testi-
32 mony under oath or produces evidence, documentary or otherwise,
33 pursuant to a subpoena. No person so testifying shall be exempt from
34 prosecution and punishment for perjury committed in so testifying.

35 5. Any person aggrieved by an order of the director fixing a tax,
 36 penalty or interest under section 2 may, within 30 days from the date
 37 of notice of the order, appeal to the board of review in the manner
 38 provided by law. Any other order of the director under sections 1 to 9
 39 shall be subject to review by certiorari.

1 SEC. 8. Enforcement.

2 1. The director shall enforce the provisions of sections 1 to 9. He
 3 may prescribe rules and regulations not inconsistent with the provi-
 4 sions of sections 1 to 9 for its detailed and efficient administration.
 5 In the enforcement of sections 1 to 9 the director may call upon any
 6 county attorney or the attorney general for assistance. The director
 7 may bring injunction proceedings to restrain any person from acting
 8 as a distributor or subjobber without complying with the provisions
 9 of sections 1 to 9.

1 SEC. 9. Violations, penalties.

2 1. Any person who in any manner knowingly attempts to evade the
 3 tax imposed by sections 1 to 9 or who knowingly aids or abets in the
 4 evasion or attempted evasion of the tax or who knowingly violates the
 5 provisions of section 3, subsection 1, or sections 1 to 9, shall be im-
 6 prisoned in the county jail for a term of not more than one (1) year
 7 or fined not to exceed one thousand (1,000) dollars, or both.

8 2. Any person who otherwise violates any provisions of sections 1
 9 to 9 shall be guilty of a misdemeanor.

DIVISION II

1 SEC. 10. Section ninety-eight point six (98.6), Code of Iowa, is
 2 hereby amended by striking lines six (6) through twenty-five (25) of
 3 subsection one (1) of such section and inserting in lieu thereof the
 4 following:

5 "Class A. On cigarettes weighing not more than three (3) pounds
 6 per thousand, five (5) mills on each such cigarette."

7 "Class B. On cigarettes weighing more than three (3) pounds per
 8 thousand, six (6) mills on each such cigarette."

1 SEC. 11. Any licensed distributor, or permit holder having in his
 2 possession on August 1, 1967, or thereafter, any cigarettes for the pur-
 3 pose of distribution or sale, upon which the full amount of the tax
 4 imposed by this Act has not been paid, shall make a return to the state
 5 department of revenue listing the entire amount of such cigarettes on
 6 hand, the amount of tax which has been paid upon such cigarettes
 7 under the provisions of chapter ninety-eight (98) of the Code, and the
 8 amount of additional tax due upon such cigarettes as provided by the
 9 provisions of the Act, the state department of revenue shall have the
 10 power to prescribe rules and regulations providing for the collection
 11 of such additional tax, either through the affixing of additional stamps
 12 or additional meter impressions or by the collection of the amount due
 13 in cash.

1 SEC. 12. On and after August 31, 1967, the provisions of subsec-
 2 tion one (1) of section ninety-eight point thirty-six (98.36) of the
 3 Code shall apply upon the possession of any cigarette upon which the
 4 full amount of tax as provided by this Act has not been paid.

DIVISION III

1 SEC. 13. Section one hundred twenty-four point twenty-five
 2 (124.25), Code of Iowa, is hereby amended by striking from lines
 3 eight (8) and nine (9) the words "two and forty-eight hundredths"
 4 and inserting in lieu thereof the words "three and seventy-two hun-
 5 dredths".

6 The effective date of this section shall be August 1, 1967.

DIVISION IV

1 SEC. 14. Section four hundred twenty-two point five (422.5), Code
 2 of Iowa, is amended as follows:

3 1. Strike subsection five (5) and insert the following subsections:

4 "a. On the fifth, sixth and seventh thousand dollars of taxable in-
 5 come, or any part thereof, three and three-fourths percent.

6 "b. On the eighth thousand dollars of taxable income, or any part
 7 thereof, four and one-half percent, and on all taxable income in excess
 8 of seven thousand dollars, four and one-half percent. This additional
 9 tax shall be effective for all taxable years ending after January 1,
 10 1967, except that for taxable years beginning before January 1, 1967,
 11 and ending thereafter, shall be collected on the basis of the proportion
 12 which the number of months in any such fiscal year, commencing with
 13 the month of January, 1967, bears to the total year.

14 2. Strike from lines one (1) and two (2) of subsection six (6) the
 15 words "in subsection 5 hereof" and insert in lieu thereof the words
 16 "in the above subsections of this section".

1 SEC. 15. Section four hundred twenty-two point twelve (422.12),
 2 Code of Iowa, is amended by:

3 1. Striking from lines one (1) and two (2) of subsection three (3)
 4 the words "seven dollars fifty cents" and inserting in lieu thereof the
 5 words "ten dollars".

DIVISION V

1 SEC. 16. Section four hundred twenty-two point thirty-three
 2 (422.33), Code of Iowa, is hereby amended as follows:

3 1. By striking all of lines five (5) through seven (7), inclusive, and
 4 insert in lieu thereof the following:

5 "this state, annually in an amount computed by applying the follow-
 6 ing rates of taxation to the net income received by the corporation
 7 during the income year".

8 "On the first twenty-five thousand dollars (\$25,000.00) of taxable
 9 income, or any part thereof, the rate of four percent (4%).

10 "On taxable income between twenty-five thousand dollars (\$25,-
 11 000.00) and one hundred thousand dollars (\$100,000.00) or any part
 12 thereof, the rate of six percent (6%).

13 "On taxable income of one hundred thousand dollars (\$100,000.00)
 14 or more, the rate of eight percent (8%)."

15 "The foregoing provisions of this section shall become effective for
 16 all taxable years ending after January 1, 1967, except that for taxable
 17 years beginning before January 1, 1967, and ending thereafter, the
 18 tax collected shall be collected on the basis of the proportion which the
 19 number of months in any such fiscal year commencing with the month
 20 of January, 1967, bears to the total year."

- 1 SEC. 17. Section four hundred twenty-two point thirty-five
 2 (422.35), Code of Iowa, is hereby amended as follows:
 3 1. Amend line thirty (30) by inserting after the word "subtract"
 4 the words and figures "fifty (50) percent of the".
 5 2. The provisions of this section shall become effective as to returns
 6 made for the calendar year 1967, or as to any returns made for a fiscal
 7 year beginning after January 1, 1967."

DIVISION VI

- 1 SEC. 18. Chapter four hundred twenty-two (422), Code of Iowa,
 2 is amended by adding the following sections:
 3 "In addition to the other provisions of this chapter, every resident
 4 individual shall be entitled to a sales tax refund for each taxable year
 5 with respect to himself and each of the persons for whom he would be
 6 entitled to claim as a personal exemption for purposes of the personal
 7 income tax imposed under division two (II) of this chapter, whether
 8 or not such resident individual is required to file a personal income
 9 tax return or pay such tax.
 10 "The amount of refund shall be computed in accordance with the
 11 following table:
 12 If the taxable income of the resi- The refund allowed to resident
 13 dent individual for the taxable individual for himself and for
 14 year is each person for whom he is en-
 15 titled to claim a personal ex-
 16 emption is:
 17 Under \$1,000 \$12.
 18 Over \$1,000, but under \$2,000 11.
 19 Over \$2,000, but under \$2,500 10.
 20 Over \$2,500, but under \$3,000 9.
 21 Over \$3,000, but under \$3,500 8.
 22 Over \$3,500, but under \$4,000 7.
 23 Over \$4,000, but under \$5,000 6.
 24 Over \$5,000, but under \$5,500 5.
 25 Over \$5,500, but under \$6,000 4.
 26 Over \$6,000, but under \$6,500 3.
 27 Over \$6,500, but under \$7,000 2.
 28 Over \$7,000 0.
 29 "The amount of the refund provided for in this section shall be
 30 allowed as a credit against the personal income tax imposed under this
 31 chapter, provided the resident individual claims the refund on his
 32 income tax return required to be filed under section four hundred
 33 twenty-two point thirteen (422.13), Code of Iowa. If the income tax
 34 due a resident individual shown by his tax return is less than the full
 35 amount of the refund to which he is entitled under this section, the
 36 excess of the refund over the income tax otherwise due shall be re-
 37 funded to him by the department of revenue.
 38 "If any resident individual entitled to a refund under this section
 39 is not otherwise required by section four hundred twenty-two point
 40 thirteen (422.13), Code of Iowa, to file an income tax return, the
 41 refund to which he is entitled shall be refunded to him upon furnish-
 42 ing the department of revenue with proof of his taxable income and
 43 the number of his personal exemptions.

44 "For the purposes of this section, the term 'resident individual' is
 45 defined as a person who has resided in the state of Iowa for the full
 46 taxable year. The term 'taxable income' shall have the same meaning
 47 as defined in section four hundred twenty-two point four (422.4),
 48 Code of Iowa. The term 'personal exemption' shall have the same
 49 meaning as defined in section four hundred twenty-two point twelve
 50 (422.12), Code of Iowa.

51 "The department of revenue shall make all rules and regulations
 52 with respect to the refunds for this section, including the manner and
 53 requirements for claiming credit for or refund of the amount thereof
 54 in the same manner as state income tax refunds, and in accordance
 55 with the provisions of sections four hundred twenty-two point sixteen
 56 (422.16) and four hundred twenty-two point sixty-seven (422.67),
 57 Code of Iowa.

DIVISION VII

1 SEC. 19. Amend section four hundred twenty-two point forty-two
 2 (422.42), Code of Iowa, by adding thereto the following subsections:

3 "1. 'Services' means all acts or services rendered, furnished, or per-
 4 formed, other than for an 'employer' as defined in section four hun-
 5 dred twenty-two point four (422.4), subsection fifteen (15), for a
 6 valuable consideration by any person engaged in any business or occu-
 7 pation specifically enumerated in this division. The tax shall be due
 8 and collectible when the service is rendered, furnished, or performed
 9 for the ultimate user thereof.

10 "2. 'User' means the immediate recipient of the services who is en-
 11 titled to exercise a right of power over the product of such services.

12 "3. 'Value of services' means the price to the user exclusive of any
 13 direct tax imposed by the federal government or by this division.

14 "4. 'Gross taxable services' means the total amount received in
 15 money, credits, property, or other consideration, valued in money,
 16 from services rendered, furnished, or performed in this state and
 17 embraced within the provisions of this division. However, the tax-
 18 payer may take credit in his report of gross taxable services for an
 19 amount equal to the value of services rendered, furnished, or per-
 20 formed when the full value of such services thereof is refunded either
 21 in cash or by credit. When services are made under conditional sales
 22 contract or under other contract or agreement, wherein the payment
 23 of the principal sum thereunder is extended over a period longer than
 24 sixty (60) days from the date of the contract or agreement, only such
 25 portion of the value of services thereof shall be accounted, for the
 26 purpose of imposition of the tax imposed by this division, as has actu-
 27 ally been received by the taxpayer during the quarterly period for
 28 which the tax imposed by this division is due and payable. Taxes paid
 29 on gross taxable services represented by accounts found to be worth-
 30 less and actually charged off for income tax purposes may be credited
 31 upon a subsequent payment of the tax due hereunder, but if any such
 32 accounts are thereafter collected by the taxpayer, a tax shall be paid
 33 upon the amounts so collected."

1 SEC. 20. Section four hundred twenty-two point forty-three
 2 (422.43), Code of Iowa, is hereby amended by adding after the period
 3 "." in line eighty (80) thereof the following: "The tax herein imposed

4 shall, on and after October 1, 1967, be at the rate of three percent
5 (3%).

6 "There is hereby imposed, beginning the first day of October, 1967,
7 a tax of three percent (3%) upon the gross receipts from the render-
8 ing, furnishing, or performing of services as defined in section four
9 hundred twenty-two point forty-two (422.42)."

10 The rate of tax on the sale of tangible personal property used in the
11 performance of a building or construction contract executed prior to
12 October 1, 1967 shall be two (2) percent.

13 The rate of tax on services used in the performance of a building or
14 construction contract executed prior to October 1, 1967 shall be zero
15 (0) percent.

1 SEC. 21. Section four hundred twenty-two point forty-four
2 (422.44), Code of Iowa, is hereby amended by inserting, after the
3 word "property" in line two (2) thereof, the expression "or services";
4 and by inserting, after the word "consumers", in line four (4) there-
5 of, the word "users".

1 SEC. 22. Section four hundred twenty-two point forty-five
2 (422.45), Code of Iowa, is amended, as to the various subsections
3 thereof, as follows:

4 1. Subsection one (1) is hereby amended by inserting in line two
5 (2) thereof, after the word "property", the expression "services ren-
6 dered, furnished, or performed".

7 2. Subsection three (3) is hereby stricken and the following in-
8 serted in lieu thereof:

9 "3. The gross receipts from sales of educational, religious, or chari-
10 table activities, where the entire proceeds therefrom are expended for
11 educational, religious, or charitable purposes."

12 3. Subsection five (5) is hereby amended by inserting in line one
13 (1) thereof, after the word "receipts", the expression "or from serv-
14 ices rendered, furnished, or performed and".

15 4. Subsection five (5) is further amended by inserting in line thir-
16 teen (13) thereof, after the word "merchandise", the expression "from
17 services rendered, furnished, or performed and".

18 5. Subsection five (5) is further amended by inserting in line nine-
19 teen (19) thereof, after the word "merchandise", the expression "or
20 from services rendered, furnished, or performed and".

21 6. Subsection seven (7) is amended by inserting in line fourteen
22 (14) thereof, after the word "merchandise", the expression "or from
23 services rendered, furnished, or performed and".

24 7. Subsection seven (7) is further amended by inserting in line
25 twenty (20) thereof, after the word "merchandise", the expression
26 "or from services rendered, furnished, or performed".

27 8. Subsection seven *a.* (7*a.*) is amended by inserting in line four
28 (4) thereof, after the word "merchandise", the expression "or from
29 services rendered, furnished, or performed and".

30 9. Subsection seven *b.* (7*b.*) is amended by inserting in line six (6)
31 thereof, after the word "merchandise," the expression "or from serv-
32 ices rendered, furnished, or performed,".

1 SEC. 23. Section four hundred twenty-two point forty-three
2 (422.43), Code of Iowa, is hereby amended by striking from lines

3 nineteen (19) through twenty-one (21) the expression "and athletic
4 events, except as otherwise provided in this division" and inserting in
5 lieu thereof the following: ", athletic events including those of educa-
6 tional institutions, fairs; and a like rate of tax upon that part of
7 private club membership fees or charges paid for the privilege of
8 participating in any athletic sports provided club members."

1 SEC. 24. Section four hundred twenty-two point forty-six
2 (422.46), Code of Iowa, is hereby amended by inserting in line five
3 (5) thereof, after the word "property", the expression "or from serv-
4 ices rendered, furnished, or performed".

1 SEC. 25. Section four hundred twenty-two point forty-three
2 (422.43), Code of Iowa, is amended by adding thereto the following:
3 "The following enumerated services shall be subject to the tax here-
4 in imposed on gross taxable services: alteration and garment repair;
5 armored car; automobile repair; battery, tire and allied; investment
6 counseling (excluding investment services of trust departments);
7 bank service charges; barber and beauty; boat repair; car wash and
8 wax; carpentry; roof, shingle, and glass repair; dance schools and
9 dance studios; dry cleaning, pressing, dyeing, and laundering; elec-
10 trical repair and installation; engraving, photography, and retouch-
11 ing; equipment rental except that which was contracted for prior to
12 June 15, 1967, but in no case beyond June 15, 1969; excavating and
13 grading; farm implement repair of all kinds; flying service; furniture,
14 rug, upholstery repair and cleaning; fur storage and repair; golf and
15 country clubs and all commercial recreation; house and building mov-
16 ing; household appliance, television, and radio repair; jewelry and
17 watch repair; machine operator; machine repair of all kinds; meat,
18 fish and fowl processing; motor repair; motorcycle, scooter, and
19 bicycle repair; newspaper, directories, shopper's guides and news-
20 papers whether or not circulated free or without charge to the public,
21 magazine, radio, movie, and television advertising, to include such
22 advertisement and service rendered, furnished, or performed by the
23 state of Iowa, its boards and commissions or any installation thereof;
24 outdoor and point-of-purchase performance advertising; oilers and
25 lubricators; office and business machine repair; painting, papering,
26 and interior decorating; parking lots; pipe fitting and plumbing;
27 wood preparation; private employment agencies; printing and bind-
28 ing; promotion and direct mail; sewing and stitching; sign painting;
29 shoe repair and shoeshine; storage warehouse and storage locker;
30 telephone answering service; test laboratories; termite, bug, roach,
31 and pest eradicators; tin and sheet metal repairs; turkish baths, mas-
32 sage, and reducing salons; vulcanizing, recapping, and retreading;
33 warehouses; weighing; welding; well drilling; wrapping, packing,
34 and packaging of merchandise; wrecking service; wrecker and tow-
35 ing; buildings and structures erected for the improvement of realty."

1 SEC. 26. Section four hundred twenty-two point forty-seven
2 (422.47), Code of Iowa, is hereby amended as follows:

3 1. By striking from line four (4) of subsection one (1) thereof the
4 expression "or merchandise" and inserting in lieu thereof the expres-
5 sion "merchandise, or services rendered, furnished, or performed".

6 2. By striking from lines nine (9) and ten (10) the expression "or
7 merchandise" and inserting in lieu thereof the expression "merchan-
8 dise, or services rendered, furnished, or performed".

1 SEC. 27. Subsection one (1) of section four hundred twenty-two
2 point fifty-one (422.51), Code of Iowa, is hereby repealed and the fol-
3 lowing enacted in lieu thereof:

4 "Each person subject to sections four hundred twenty-two point
5 fifty-two (422.52) and four hundred twenty-two point fifty-three
6 (422.53) and in accordance with the provisions thereof shall, on or
7 before the last day of the month following the close of each calendar
8 quarter during which such person is or has become or ceased being
9 subject to the provisions of such sections, make, sign, and file a return
10 for such calendar quarter in such form as may be required. Such
11 returns shall show information relating to gross receipts including
12 goods, wares, and services converted to the use of such person, the
13 amounts of gross receipts excluded and exempt from the tax, the re-
14 cepts subject to tax, a calculation of tax due, and such other infor-
15 mation for the period covered by the return as may be required.
16 Persons required to file, or committed to file by reason of voluntary
17 action or by order of the department of revenue, monthly deposits of
18 taxes due under this Division shall be entitled to take credit against
19 the total quarterly amount of tax due such amount as shall have been
20 deposited by such persons during such calendar quarter. The balance
21 remaining due after such credit for monthly deposits shall be entered
22 on the return; provided, however, that such person may be granted
23 an extension of time not exceeding thirty (30) days for filing such
24 quarterly return, upon a proper showing of necessity therefor. If
25 such extension be granted such person shall have paid by the twen-
26 tieth (20th) day of the month following the close of such quarter
27 ninety (90) percent of the estimated tax due."

1 SEC. 28. Subsection two (2) of section four hundred twenty-two
2 point fifty-two (422.52), Code of Iowa, is hereby amended by striking
3 from line one (1) thereof the word "retailers" and inserting in lieu
4 thereof the phrase "permit holders".

1 SEC. 29. Section four hundred twenty-two point fifty-two
2 (422.52), Code of Iowa, is hereby amended by adding thereto the fol-
3 lowing subsection:

4 "Beginning October 1, 1967, the provisions of subsection one (1) of
5 this section, according to the context, shall apply to persons having
6 receipts from rendering, furnishing, or performing services enumer-
7 ated in section twenty-five (25) of this Act."

1 SEC. 30. Section four hundred twenty-two point fifty-three
2 (422.53), Code of Iowa, is hereby amended by adding thereto the fol-
3 lowing subsection:

4 "Beginning October 1, 1967, the provisions of subsection one (1) of
5 this section, dealing with lawful right of a retailer to transact busi-
6 ness, according to the context, shall apply to persons having receipts
7 from rendering, furnishing, or performing services enumerated in
8 section twenty-five (25) of this Act, except that no person holding a
9 permit pursuant to subsection one (1) of this section shall be required

10 to obtain any separate sales tax permit for the purpose of engaging in
11 business involving such services."

1 SEC. 31. Section four hundred twenty-two point fifty-eight
2 (422.58), Code of Iowa, is hereby amended by striking from line one
3 (1) thereof the word "retailers", and inserting in lieu thereof the
4 words "permit holders".

1 SEC. 32. Subsection two (2) of section four hundred twenty-two
2 point fifty-eight (422.58), Code of Iowa, is hereby amended by insert-
3 ing in line five (5), after the word "retail", the expression ", or engage
4 in the rendering, furnishing, or performing services enumerated in
5 section twenty-five (25) of this Act,".

1 SEC. 33. Sub-part (c) of subsection one (1) of section four hun-
2 dred twenty-three point one (423.1), Code of Iowa, is hereby repealed.

1 SEC. 34. Subsection ten (10) of section four hundred twenty-three
2 point one (423.1), Code of Iowa, is hereby repealed, and the following
3 subsection enacted in lieu thereof:

4 "10. Definitions contained in section four hundred twenty-two point
5 forty-two (422.42) shall apply to the provisions of this chapter accord-
6 ing to their context."

1 SEC. 35. Section four hundred twenty-three point two (423.2),
2 Code of Iowa, is hereby amended by adding thereto the following:

3 "Beginning October 1, 1967 an excise tax is hereby imposed on the
4 use in this state of services enumerated in section four hundred twenty-
5 two point forty-three (422.43), Code of Iowa, as amended, at the
6 rate of three percent. Said tax shall be applicable where services are
7 rendered, furnished, or performed in this state or where the product
8 or result of such service is used in this state. Such tax is imposed on
9 every person using such services or the product of such services in
10 this state until such user has paid such tax either to an Iowa use tax
11 permit holder or has paid such tax to the department of revenue."

1 SEC. 36. Section four hundred twenty-three point two (423.2),
2 Code of Iowa, is hereby amended by striking from line five (5) the
3 word "two" and inserting the word "three".

4 The rate of tax on the sale of tangible personal property used in the
5 performance of a building or construction contract executed prior to
6 October 1, 1967 shall be two (2) percent.

1 SEC. 37. Subsection five (5) of section four hundred twenty-three
2 point four (423.4), Code of Iowa, is hereby repealed and the following
3 subsection inserted in lieu thereof:

4 "5. Services exempt from taxation by provisions of section four
5 hundred twenty-two point forty-five (422.45)."

1 SEC. 38. Section four hundred twenty-three point six (423.6),
2 Code of Iowa, is amended by adding thereto the following subsection:

3 "4. The tax on services imposed in section four hundred twenty-
4 three point two (423.2) shall be collected, remitted, and paid to the
5 department of revenue of this state in the corresponding manner as
6 use tax on tangible personal property is collected, remitted and paid
7 under provisions of this chapter."

1 SEC. 39. Section four hundred twenty-three point three (423.3),
2 Code of Iowa, is hereby amended by striking all of lines six (6)
3 through thirteen (13) and inserting in lieu thereof the following:

4 "Services purchased from the same source or sources shall be sub-
5 ject to service tax imposed by this chapter and apply to the user there-
6 of."

1 SEC. 40. Section four hundred twenty-three point thirteen
2 (423.13), Code of Iowa, is hereby amended by striking from line
3 thirty-one (31) the word "two" and inserting in lieu thereof the word
4 "three".

1 SEC. 41. Section four hundred twenty-three point thirteen
2 (423.13), Code of Iowa, is hereby amended by striking from lines one
3 (1) and two (2) the word "retailer" and inserting in lieu thereof the
4 phrase "permit holder".

1 SEC. 42. Section four hundred twenty-three point nine (423.9),
2 Code of Iowa, is hereby amended by adding thereto the following ad-
3 ditional paragraph:

4 "Every person rendering, furnishing, or performing services
5 enumerated in section four hundred twenty-two point forty-three
6 (422.43), Code of Iowa, as amended, maintaining a place of business
7 in this state shall be subject to the provisions of the preceding para-
8 graph."

1 SEC. 43. Section four hundred twenty-three point ten (423.10),
2 Code of Iowa, is hereby amended by adding thereto the following:

3 "The discretionary power granted therein is extended to apply in
4 the case of persons rendering, furnishing or performing services
5 enumerated in section four hundred twenty-two point forty-three
6 (422.43), Code of Iowa, as amended."

1 SEC. 44. Section four hundred twenty-three point fourteen
2 (423.14), Code of Iowa, is hereby amended by inserting, after the
3 word "property" in line two (2) thereof, the expression "services
4 enumerated in section four hundred twenty-two point forty-three
5 (422.43), Code of Iowa, as amended."

1 SEC. 45. Section four hundred twenty-three point fifteen
2 (423.15), Code of Iowa, is hereby amended by striking from line six
3 (6) thereof, the word "retailer" and inserting in lieu thereof the
4 phrase "permit holder".

1 SEC. 46. Section four hundred twenty-three point twenty-one
2 (423.21), Code of Iowa, is hereby amended by adding thereto the fol-
3 lowing:

4 "The preceding requirements shall likewise apply to users and per-
5 sons rendering, furnishing, or performing service enumerated in sec-
6 tion four hundred twenty-two point forty-three (422.43), Code of
7 Iowa, as amended."

1 SEC. 47. Section four hundred twenty-three point twenty-two
2 (423.22), Code of Iowa, is hereby amended by adding thereto the fol-
3 lowing:

4 "The preceding provision shall apply to users and persons supplying
5 services enumerated in section four hundred twenty-two point forty-
6 three (422.43), Code of Iowa, as amended."

1 SEC. 48. Section four hundred twenty-two point forty-five
2 (422.45), subsection seven (7), Code of Iowa, is hereby amended by
3 striking the period in line twenty-four (24) thereof and adding in lieu
4 thereof the following: "; and excepting such goods, wares and mer-
5 chandise used in the performance of any contract for a 'project' under
6 chapter four hundred nineteen (419) of the Code as defined therein
7 other than goods, wares or merchandise used in the performance of
8 any contract for any 'project' under said chapter four hundred nine-
9 teen (419) of the Code for which a bond issue was or will have been
10 approved by a municipality prior to July 1, 1968."

1 SEC. 49. If any section, subsection, paragraph, sentence, clause or
2 phrase of this Act is for any reason held to be unconstitutional or in-
3 valid, such unconstitutionality or invalidity shall not affect the consti-
4 tutionality or validity of the remaining portions of this Act. The gen-
5 eral assembly hereby declares that it would have passed this Act and
6 each section, subsection, paragraph, sentence, clause or phrase hereof,
7 irrespective of whether any one or more of the sections, subsections,
8 paragraphs, sentences, clauses or phrases be declared unconstitutional.

1 SEC. 50. Section four hundred twenty-two point sixty-two
2 (422.62), Code of Iowa, is amended by inserting in line fifty-eight
3 (58) after the word "receipts" the words "from two-thirds of the
4 sales taxes".

1 SEC. 51. All of the powers, duties, responsibilities, and functions
2 reposed in the state department of revenue, department of revenue,
3 director, or director of revenue in this Act and House File 686, Acts
4 of the 62nd General Assembly shall be reposed in and exercised by the
5 Iowa tax commission until January 1, 1968.

1 SEC. 52. 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 Telegraph Herald, a newspaper published at Dubuque, Iowa, and
4 in the New Hampton Tribune, a newspaper published at New Hamp-
5 ton, Iowa.

Approved July 20, 1967.

This Act was passed by the G. A. before July 1, 1967.

I hereby certify that the foregoing Act, House File 702, was published in the Tele-
graph Herald, Dubuque, Iowa, July 28, 1967, and in the New Hampton Tribune, New
Hampton, Iowa, July 27, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 349

SALES AND USE TAX EXEMPTION

S. F. 555

AN ACT to exempt from the retail sales and use tax sales made to an educational institution and to provide for a refund of any sales or use tax upon the gross receipts of sales to any contractor fulfilling any written contract with an educational institution.

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

1 SECTION 1. Section four hundred twenty-two point forty-five
2 (422.45), subsection seven (7), Code 1966, is hereby amended as fol-
3 lows:

4 1. By inserting in line one (1) after the word "Any" the words
5 "private nonprofit educational institution in this state or any".

6 2. By inserting in line seventeen (17) after the word "thereof" in
7 lines sixteen (16) and seventeen (17) the words "or any private non-
8 profit educational institution in this state".

9 3. By inserting in line nineteen (19) after the word "property" the
10 words "or is devoted to educational uses as specified in this subsec-
11 tion".

12 4. By inserting in line seven (7) of paragraph *a* after the word
13 "unit" the words "or private nonprofit educational institution".

14 5. By inserting in line ten (10) of paragraph *a* after the word
15 "unit" the words "or educational institution".

16 6. By inserting in line one (1) of paragraph *b* after the word
17 "unit" the words "or educational institution".

18 7. By inserting in line twelve (12) of paragraph *b* after the word
19 "unit" the words "or educational institution".

1 SEC. 2. Section four hundred twenty-two point forty-five (422.45),
2 Code 1966, is hereby amended by adding thereto the following new
3 subsection:

4 "The gross receipts of all sales of goods, wares, or merchandise used
5 for educational purposes to any private nonprofit educational institu-
6 tion in this state. The exemption provided by this subsection shall also
7 apply to all such sales of goods, wares or merchandise subject to use
8 tax under the provisions of chapter four hundred twenty-three (423)
9 of the Code."

Approved June 15, 1967.

CHAPTER 350

TAX CREDIT FOR DISABLED VETERANS

S. F. 37

AN ACT to provide real property tax credit to disabled veterans.

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

1 SECTION 1. Chapter four hundred twenty-five (425), Code 1966, is
 2 amended by adding the following new section:
 3 "In the event the owner of the homestead, allowed a credit under
 4 this chapter, is a veteran of any of the military forces of the United
 5 States who acquired the homestead under the provisions of the United
 6 States Code, title thirty-eight (38), chapter twenty-one (21), sections
 7 eight hundred one (801) and eight hundred two (802), the credit
 8 allowed on said homestead from the homestead credit fund herein
 9 provided shall be the entire amount of the tax levied on said home-
 10 stead. The credit herein allowed shall be continued to the estate of
 11 such veteran who is deceased or the surviving spouse and children who
 12 are the beneficiaries thereof so long as the surviving spouse remains
 13 unmarried and until any surviving unmarried children reach the age
 14 of twenty-one years. The provisions of this section shall not be appli-
 15 cable to the holder of title to any such homestead whose annual income,
 16 together with that of his spouse, if any, for the last preceding twelve-
 17 (12) month income tax accounting period exceeds five thousand dol-
 18 lars. For the purpose of this section 'income' means taxable income
 19 for federal income tax purposes plus income from securities of state
 20 and other political subdivisions exempt from federal income tax. Any
 21 veteran or his beneficiary who elects to secure the credit provided in
 22 this section shall not be eligible for any other real property tax exemp-
 23 tion provided by law for veterans of military service."

Approved June 19, 1967.

CHAPTER 351

TAX EXEMPTIONS TO AIR FORCE, KOREAN CONFLICT
AND VIET NAM VETERANS

S. F. 3

AN ACT relating to extension of benefits to certain members of the Air Force and veterans of the Viet Nam Conflict and Korean Conflict.

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

1 SECTION 1. Chapter four hundred twenty-seven (427), Code
 2 1966, is amended by adding thereto the following new section:
 3 "Wherever the word 'soldier' shall appear in this chapter, it shall
 4 be construed to include, without limitation, the members of the
 5 United States air force."
 1 SEC. 2. Section four hundred twenty-seven point three (427.3),
 2 Code 1966, is amended by inserting in line thirty-seven (37) after

3 the word "inclusive" the following: ", or the Viet Nam Conflict
4 beginning August 5, 1964 and ending on the date the armed forces
5 of the United States are directed by formal order of the government
6 of the United States to cease hostilities, both dates inclusive".

1 SEC. 3. Section four hundred twenty-seven point three (427.3),
2 Code 1966, is amended by striking from line thirty-six (36) the word
3 and numbers "July 27, 1953" and inserting in lieu thereof the follow-
4 ing "January 31, 1955".

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 Marion Sentinel, a newspaper published in Marion, Iowa, and in the
4 Winterset Madisonian, a newspaper published in Winterset, Iowa.

Approved February 10, 1967.

I hereby certify that the foregoing Act, Senate File 3, was published in The Marion
Sentinel, February 16, 1967, and in the Winterset Madisonian, February 15, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 352

DOCUMENTARY STAMPS

H. F. 79

AN ACT relating to the sale of documentary stamps.

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

1 SECTION 1. Section four hundred twenty-eight A point seven
2 (428A.7), Code 1966, is hereby amended as follows:

3 1. By striking from line four (4) the word "treasurers" and insert-
4 ing in lieu thereof the word "recorders".

5 2. By striking from line six (6) the word "treasurer" and inserting
6 in lieu thereof the word "recorder".

1 SEC. 2. Section four hundred twenty-eight A point eight (428A.8),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line three (3) the word "treasurer" and insert-
4 ing in lieu thereof the word "recorder".

5 2. By striking from line nine (9) the word "treasurer" and insert-
6 ing in lieu thereof the word "recorder".

1 SEC. 3. Section four hundred twenty-eight A point nine (428A.9),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line three (3) the word "treasurers" and in-
4 serting in lieu thereof the word "recorders".

5 2. By striking from line four (4) the word "treasurers" and insert-
6 ing in lieu thereof the word "recorders".

Approved June 30, 1967.

CHAPTER 353

PREMIUM TAX ON INSURANCE

S. F. 740

AN ACT relating to the department of revenue and collection of premium tax upon insurance policies.

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

1 SECTION 1. Section four hundred thirty-two point one (432.1),
2 Code 1966, is hereby amended by striking from line seven (7) the
3 words "treasurer of state" and inserting in lieu thereof the words
4 "director of the department of revenue, or to a depository designated
5 by the director,".

1 SEC. 2. Chapter four hundred thirty-two (432), Code 1966, is
2 hereby amended by adding thereto the following new section:

3 "The commissioner of insurance shall determine whether or not the
4 tax remitted is correct. If the tax remitted is not sufficient, the com-
5 missioner shall notify the delinquent company of the amount of such
6 delinquency and certify the amount thereof to the department of reve-
7 nue which shall proceed to collect such delinquency."

1 SEC. 3. Section five hundred five point eleven (505.11), Code 1966,
2 is hereby amended by adding in line fifteen (15) after the word "re-
3 funded." the following:

4 "The commissioner shall certify to the department of revenue the
5 amount of any such credit to be applied to future taxes due and notify
6 the insurance company affected of the amount thereof."

1 SEC. 4. Section five hundred eighteen point eighteen (518.18),
2 Code 1966, is hereby amended by striking from lines three (3) and
3 four (4) the words "treasurer of the state" and inserting in lieu
4 thereof the words "director of the department of revenue, or a depository
5 designated by the director,".

1 SEC. 5. Section five hundred eighteen A point thirty-five
2 (518A.35), Code 1966, is hereby amended by striking from line four
3 (4) the words "treasurer of state" and inserting in lieu thereof the
4 words "director of the department of revenue, or a depository desig-
5 nated by the director,".

1 SEC. 6. Section five hundred twenty point nineteen (520.19), Code
2 1966, is hereby amended by inserting in line three (3) after the word
3 "annually" the words "to the director of the department of revenue,
4 or a depository designated by him,".

1 SEC. 7. The provisions of this Act shall be effective on January 1,
2 1968.

1 SEC. 8. Section five hundred five point seven (505.7), Code 1966,
2 is hereby amended by inserting in line five (5) after the word "insur-
3 ance" the words "or department of revenue, as provided by law,".

Approved June 26, 1967.

CHAPTER 354

VALUATION AND ASSESSMENT OF PROPERTY

S. F. 772

AN ACT relating to the valuation and assessment of property for purposes of taxation and determining the rate of assessment.

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

1 SECTION 1. Section four hundred forty-one point twenty-one
2 (441.21), Code 1966, is hereby amended by striking all of lines one
3 (1) through nineteen (19), inclusive, and inserting in lieu thereof the
4 following:

5 "1. All real and tangible personal property subject to taxation shall
6 be valued at its actual value which shall be entered opposite each item,
7 and shall be assessed at twenty-seven (27) percent of such actual value,
8 and such value so assessed shall be taken and considered as the tax-
9 able value of such property upon which the levy shall be made.

10 "The actual value of all property subject to assessment and taxation
11 shall be the fair and reasonable market value of such property. 'Mar-
12 ket value' is defined as the fair and reasonable exchange in the year in
13 which the property is listed and valued between a willing buyer and a
14 willing seller, neither being under any compulsion to buy or sell and
15 each being familiar with all the facts relating to the particular prop-
16 erty. Sale prices of the property or comparable property in normal
17 transactions reflecting market value, and the probable availability or
18 unavailability of persons interested in purchasing the property, shall
19 be taken into consideration in arriving at its market value. In assess-
20 ing and placing a value on agricultural property, said value shall be
21 determined on the basis of its current market value as reflected by its
22 current use.

23 "The market value of an inventory or goods in bulk shall be their
24 market value as such inventory or goods in bulk, not their retail or
25 unit price. Such market value shall be fair and reasonable based on
26 market value of similar classes of property.

27 "In the event market value of the property being assessed cannot
28 be readily established in the foregoing manner, then the assessor may
29 consider its productive and earning capacity if any, industrial condi-
30 tions, its cost, physical and functional depreciation and obsolescence
31 and replacement cost, and all other factors which would assist in de-
32 termining the fair and reasonable market value of the property but
33 the actual value shall not be determined by use of only one such factor.
34 The following shall not be taken into consideration: special value or
35 use value of the property to its present owner, and the good will or
36 value of a business which uses the property as distinguished from the
37 value of the property as property. Upon adoption of uniform rules and
38 regulations by the state tax commission or succeeding authority cover-
39 ing assessments and valuations of such properties, said valuation on
40 such properties shall be determined in accordance therewith for as-
41 sessment purposes to assure uniformity, but such rules and regula-
42 tions shall not be inconsistent with or change the foregoing means of
43 determining the actual, market, taxable and assessed values.

44 " 'Actual value', 'taxable value', or 'assessed value' as used in other
45 sections of the Code shall mean the valuations as determined by this
46 section; however, other provisions of the Code providing special meth-
47 ods or formulas for assessing or valuing specified property shall re-
48 main in effect, but this section shall be applicable to the extent con-
49 sistent with such provisions.

50 "The burden of proof shall be upon any complainant attacking such
51 valuation as excessive, inadequate, inequitable or capricious; however,
52 in protest or appeal proceedings when the complainant offers compe-
53 tent evidence by at least two (2) disinterested witnesses that the
54 market value of the property is less than the market value determined
55 by the assessor, the burden of proof thereafter shall be upon the offi-
56 cials or persons seeking to uphold such valuation to be assessed."

1 SEC. 2. Further amend said section four hundred forty-one point
2 twenty-one (441.21) by adding at the end thereof, the following sub-
3 section:

4 "2. For the purpose of computing the debt limitations for municipi-
5 talities, political subdivisions and school districts as provided in sec-
6 tions four hundred seven point one (407.1) and four hundred seven
7 point two (407.2) of the 1966 Code, the term 'actual value' as used in
8 said sections shall mean the 'actual value' as determined by this sec-
9 tion and entered opposite each item, and as listed on the tax list as
10 provided in section four hundred forty-three point two (443.2) of the
11 Code as 'actual value'.

12 "Whenever any board of review or other tribunal changes the as-
13 sessed value of property, all applicable records of assessment shall be
14 adjusted to reflect such change in both assessed value and actual value
15 of such property."

1 SEC. 3. Section four hundred twenty-eight point twenty-nine
2 (428.29), Code 1966, is hereby amended by striking all after the
3 comma (,) in line ten (10), all of line eleven (11), and all of line
4 twelve (12) before the period (.), and by adding in lieu thereof the
5 following:

6 "as provided by section four hundred forty-one point twenty-one
7 (441.21), Code 1966, as amended."

1 SEC. 4. Section four hundred thirty-four point fifteen (434.15),
2 Code 1966, is hereby amended by striking all of line six (6), and all
3 of line seven (7), and all before the word "and" in line eight (8) and
4 inserting in lieu thereof the words "the actual value so ascertained
5 shall be assessed as provided by section four hundred forty-one point
6 twenty-one (441.21), Code 1966, as amended,".

1 SEC. 5. Section four hundred thirty-five point seven (435.7), Code
2 1966, is hereby amended by striking all of lines twenty-five (25),
3 twenty-six (26) and twenty-seven (27) and adding in lieu thereof the
4 following:

5 "and the residue of actual value so ascertained shall be assessed as
6 provided by section four hundred forty-one point twenty-one (441.21),
7 Code 1966, as amended."

1 SEC. 6. Section four hundred thirty-eight point thirteen (438.13),
2 Code 1966, is hereby amended by striking all of lines five (5), six (6),
3 seven (7) and figures "441.21" before the semicolon in line eight (8),
4 and inserting in lieu thereof the words, "provided, and the actual and
5 taxable value so ascertained shall be assessed as provided by section
6 four hundred forty-one point twenty-one (441.21), Code 1966, as
7 amended".

1 SEC. 7. Section four hundred twenty point two hundred four
2 (420.204), Code 1966, is hereby amended by striking all after the word
3 "be" in line eight (8) and all of lines nine (9) through eighteen (18),
4 inclusive, and inserting in lieu thereof the words "valued and assessed
5 as provided by section four hundred forty-one point twenty-one
6 (441.21), Code 1966, as amended. The levy so ascertained shall be
7 certified to the county treasurer of the".

1 SEC. 8. Section four hundred twenty-eight point four (428.4),
2 Code 1966, is hereby amended by striking from line five (5) the fig-
3 ures "1933" and inserting in lieu thereof the figures "1968".

1 SEC. 9. Section four hundred forty-one point forty-five (441.45),
2 Code 1966, is hereby amended by inserting the words "actual and"
3 following the word "aggregate" in line two (2) of subsection one (1),
4 in line one (1) of subsection two (2), in line one (1) of subsection
5 three (3), and in line three (3) of subsection four (4).

1 SEC. 10. Section four hundred forty-three point five (443.5), Code
2 1966, is hereby amended by inserting the words "actual and" following
3 the word "aggregate" in line five (5).

1 SEC. 11. All assessors and assessing bodies, including the state tax
2 commission or succeeding authority over the assessment of property
3 for tax purposes shall certify to the county auditor of each county the
4 actual and assessed values of all the taxable property in such county
5 as finally equalized and determined, and the same shall be transcribed
6 onto the tax lists as required by section four hundred forty-three point
7 two (443.2) of the Code.

1 SEC. 12. All assessors and assessing bodies, including the state tax
2 commission or succeeding authority over the assessment of property
3 for tax purposes, shall comply with the provisions of this Act. The
4 state tax commission or succeeding authority over such assessments,
5 shall exercise its powers and perform its duties under section four
6 hundred twenty-one point seventeen (421.17) of the Code and other
7 applicable laws so as to require the uniform and consistent application
8 of this Act.

1 SEC. 13. The provisions of this Act shall become effective January
2 1, 1968, and shall apply to all assessments made in the year 1968 and
3 each year thereafter.

1 SEC. 14. This Act, being deemed of immediate importance, shall
2 take effect after its passage, approval and publication in The Perry

3 Daily Chief, a newspaper published at Perry, Iowa, and in the Oel-
4 wein Daily Register, a newspaper published at Oelwein, Iowa.

Approved July 24, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 772, was published in The Perry Daily Chief, Perry, Iowa, August 3, 1967, and in the Oelwein Daily Register, Oelwein, Iowa, July 27, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 355

REAL ESTATE INDEX SYSTEM

S. F. 175

AN ACT to permit establishment of permanent real estate tax parcel index numbering systems and related tax maps.

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

1 SECTION 1. Section four hundred forty-one point twenty-nine
2 (441.29), Code 1966, is hereby amended by adding thereto the follow-
3 ing:
4 "The auditor of any county with the approval of the board of super-
5 visors may establish a permanent real estate index number system
6 with related tax maps for all real estate tax administration purposes,
7 including the assessment, levy and collection of such taxes. Wherever
8 in real property tax administration the legal description of tax parcels
9 is required, such permanent number system may be adopted in addi-
10 tion thereto or in lieu thereof. If established, the permanent real
11 estate index number system shall describe real estate by township,
12 section, quarter section, block series and parcel; and the auditor shall
13 prepare and maintain permanent real estate index number tax maps,
14 which shall carry such numbers and reflect the legal description of
15 each parcel of real estate and delineate it graphically; and the auditor
16 shall prepare and maintain cross indexes of the numbers assigned
17 under said system, with legal description of the real estate to which
18 such numbers relate. Indexes and tax maps established as provided
19 herein shall be open to public inspection."

Approved July 5, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 356

TAX EQUALIZATION, SCHOOL AID, AGRICULTURAL TAX CREDIT,
PERSONAL TAX CREDIT AND HOMESTEAD CREDIT

H. F. 686

AN ACT relating to a method for general property tax replacement and equalization by revising the method of taxation of property for school purposes and to make allocations of state funds to local governmental units in the form of aid to schools, agricultural land tax credit, personal property tax credit and additional homestead credit for the aged, all in the furtherance of tax equalization.

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

1 SECTION 1. The purpose of this Act shall be to provide a method
2 for general property tax replacement and equalization; and relating to
3 the payment of agricultural land tax credits and making an appropriation
4 therefor. This Act shall be liberally construed to that end.

1 SEC. 2. Definitions of terms used in this Act:

2 1. The "basic school tax unit" is conterminous with the county
3 school system and is a term to define a local tax area to be used for
4 public school support only.

5 2. The "basic school tax" on property is a uniform levy on all tax-
6 able property in the basic school tax unit for support of public schools
7 within the unit. This levy will be the millage necessary to raise an
8 amount of money equal to forty (40) percent of the total of the pro-
9 posed general fund expenditures, reduced by anticipated receipts from
10 other sources of all the school districts in the basic school tax unit.

11 3. The "basic school tax equalization fund" is a local fund in the
12 county treasurer's office from which operating revenues are distrib-
13 uted to the school districts within the local basic school tax unit.

14 4. The "percent of allowable growth" is the percent of increase in
15 revenue computed on a state-wide basis for the sales and use taxes and
16 the individual and corporate income taxes as well as the percent of
17 increase in assessments for property tax for each year of the last three
18 years. The sum of the individual percentages thus obtained shall be
19 divided by six to arrive at the percent of allowable growth. In making
20 such computations the comptroller shall adjust for changes in rates or
21 basis of the income tax or sales and use tax and for state-wide changes
22 in assessment practices. He shall thereupon certify the percent of
23 allowable growth per pupil to the several school districts of the state
24 on or before June 30 of each year.

25 5. The "adjusted state average reimbursable expenditure" is the
26 preceding year's average state reimbursable expenditure per pupil in
27 average daily membership increased by the percent of allowable
28 growth.

1 SEC. 3. There are hereby created in the state ninety-nine (99)
2 basic school tax units. Said units shall be identified by the name of the
3 county comprising the major part of each unit. The boundaries of the
4 basic school tax unit shall be conterminous with the county school
5 system and in case of joint districts with area in more than one (1)
6 county, each area shall become a part of the basic school tax unit in
7 which there are the greatest number of school electors in the district
8 and the records of the department of public instruction compiled from

9 the school secretaries' reports shall determine the basic school tax unit
10 of which the area becomes a part. Where county school systems have
11 been merged under section two hundred seventy-three point twenty-
12 two (273.22), Code of Iowa, such district shall be deemed part of the
13 basic tax unit comprising the county system which would exist and of
14 which it would be a part but for such merger.

1 SEC. 4. The county auditor of each county shall, prior to making
2 the levies for school purposes in his county, starting with the 1967-68
3 school budgets and continuing with each school year thereafter, total
4 the askings for general school purposes of the various school districts
5 in the basic school tax unit. He shall then multiply said yearly total
6 by forty hundredths (.40) and spread the levy to raise the amount
7 thus ascertained at a uniform rate over all the taxable property in the
8 basic school tax unit. In the case of joint districts such levy shall be
9 spread in the same manner as heretofore employed for the purpose of
10 making other school levies in such circumstances. The money collected
11 from said levy shall be placed by the county treasurer in the basic
12 school tax equalization fund.

1 SEC. 5. On or before August 15, 1967, and each year thereafter,
2 the state tax commission shall make an accounting of the individual
3 state income tax collected under division two (II) of chapter four hun-
4 dred twenty-two (422), Code of Iowa, applicable to tax returns for
5 the most recent completed tax year, as defined by section four hundred
6 twenty-two point four (422.4), subsection four (4), Code of Iowa,
7 from taxpayers in each of the various school districts in the state and
8 certify to the state comptroller and the state department of public
9 instruction forty (40) percent of the total credited from the taxpayers
10 of each basic school tax unit.

1 SEC. 6. The county auditor shall, by August 15, 1967, and each
2 year thereafter, certify to the state department of public instruction
3 the amount of the basic school tax, as provided by section four (4) of
4 this Act, to be placed in the basic school tax equalization fund.

1 SEC. 7. The state comptroller shall pay the state income tax col-
2 lected, as provided in section five (5) of this Act, to each county treas-
3 urer in equal semiannual installments on or about April 1 and October
4 1 of each year, with the first installment to begin April 1, 1968. There
5 is hereby appropriated from the general fund of the state the amounts
6 necessary to make such payments. The county treasurer shall deposit
7 said payments in the basic school tax equalization fund.

1 SEC. 8. The moneys in the basic school tax equalization fund in
2 each basic school tax unit shall be distributed by the county treasurer
3 on the tenth day of the month following the month of collection, to
4 each of the respective districts in the basic school tax unit equally on
5 the basis of the per pupil in average daily membership. A report of
6 the distributions so made shall be certified by each county treasurer to
7 the state department of public instruction.

1 SEC. 9. Section twenty-four point seventeen (24.17), Code of
2 Iowa, is hereby amended by inserting in line six (6) after the word

3 "year" the words "and school districts the fifteenth day of July each
4 year,".

1 SEC. 10. For the purpose of equalizing educational opportunity in
2 the public high school districts throughout the state, the several school
3 districts in the state shall be entitled to and receive financial aid from
4 the state in the manner and amount provided in this Act.

1 SEC. 11. The local school district's state share of the cost of public
2 education in each school district maintaining a public high school shall
3 be determined by the ratio of its property value to that of the entire
4 state, together with the ratio of its income to that of the entire state.

1 SEC. 12. For the purpose of computing state financial aid to local
2 school districts under the formula hereinafter prescribed, the real
3 value of taxable property and the adjusted gross income within each
4 public high school district shall be determined by the state department
5 of public instruction from data furnished it by the department of
6 revenue. For purposes of this Act, a "high school district" shall mean
7 a district which maintains at least twelve (12) grades of instruction
8 above the level of kindergarten. On or before June 30 of the year
9 nineteen hundred sixty-eight (1968), and annually thereafter, the
10 department of revenue shall report to the state department of public
11 instruction:

12 1. Compiled and summarized data gathered under the provisions of
13 subsection six (6) of section four hundred twenty-one point seventeen
14 (421.17), Code of Iowa, for the preceding year, together with the
15 sales-ratio figure or figures computed by the commission for each
16 county. Upon receipt of said data, the state department of public
17 instruction shall compute the real value of taxable real property in
18 each public high school district in the state. "Real value" shall mean
19 the quotient found by dividing the assessed value of taxable real prop-
20 erty within each high school district by the average sales-ratio figure
21 for each county as reported by the department of revenue, and shall
22 be approximately equal to the market value of such taxable real prop-
23 erty within each such district.

24 2. The total adjusted gross income, as defined by section four hun-
25 dred twenty-two point seven (422.7), Code of Iowa, reported in the
26 manner required by section four hundred twenty-two point twenty-one
27 (422.21), Code of Iowa, for the last preceding calendar year or tax-
28 able year by residents of each public high school district in the state
29 for which data or estimates are available.

1 SEC. 13. The average daily membership for each public high school
2 district shall be determined by dividing the aggregate sum of the pupil
3 membership in all schools of the district for each day school was in ses-
4 sion throughout a school year by the number of days school was in
5 session during that school year.

6 The school census for each public high school district shall be deter-
7 mined as specified in subsection one (1) of section two hundred seven-
8 ty-nine point twenty-two (279.22), Code of Iowa.

1 SEC. 14. State aid payable to each public high school district shall
2 be computed as follows:

- 3 1. Determine the market value of property for each high school dis-
- 4 trict.
- 5 2. Multiply the amount in subsection one (1) by seven-tenths (.7).
- 6 3. Determine the adjusted gross income for each high school dis-
- 7 trict.
- 8 4. Multiply the amount in subsection three (3) by three-tenths (.3).
- 9 5. Add the product from subsection two (2) to the product from
- 10 subsection four (4).
- 11 6. In each high school district add the average daily membership to
- 12 the school census.
- 13 7. Divide the sum from subsection six (6) by the number two (2).
- 14 8. Divide the sum from subsection five (5) by the amount deter-
- 15 mined in subsection seven (7).
- 16 9. Determine the market value of property in the state.
- 17 10. Multiply the amount in subsection nine (9) by seven-tenths
- 18 (.7).
- 19 11. Determine the adjusted gross income in the state.
- 20 12. Multiply the amount in subsection eleven (11) by three-tenths
- 21 (.3).
- 22 13. Add the product in subsection ten (10) to the product in sub-
- 23 section twelve (12).
- 24 14. In the state add the total state average daily membership to the
- 25 total school census.
- 26 15. Divide the sum from subsection fourteen (14) by the number
- 27 two (2).
- 28 16. Divide the sum from subsection thirteen (13) by the amount
- 29 determined in subsection fifteen (15).
- 30 17. Divide the amount from subsection eight (8) by the amount
- 31 from subsection sixteen (16).
- 32 18. Multiply the amount from subsection seventeen (17) by twenty-
- 33 five one-hundredths (0.25).
- 34 19. Subtract the amount from subsection eighteen (18) from the
- 35 number one (1).
- 36 20. From the local total general fund reimbursable expenditures,
- 37 determined as hereinafter provided, subtract the amount of the basic
- 38 school tax equalization fund allocated to each district as provided in
- 39 sections four (4) and five (5).
- 40 21. Multiply the difference obtained in subsection twenty (20) by
- 41 the difference obtained in subsection nineteen (19).

1 SEC. 15. Total general fund reimbursable expenditures shall be
 2 determined for the year ending June 30 of the school year in which
 3 the report is made, in each public high school district, from items
 4 defined in the uniform financial accounting system promulgated by
 5 the state board of public instruction under section two hundred fifty-
 6 seven point ten (257.10), Code of Iowa, as follows:

- 7 1. Determine general fund expenditures exclusive of gifts, and fed-
- 8 eral grants and aids, by adding together the amounts expended for the
- 9 school year ending June 30 of the year in which the report is made,
- 10 for administration, instruction, attendance services, health services,
- 11 pupil transportation services, fixed charges, operation and mainte-
- 12 nance, community services, capital outlay, debt service, and tuition

13 paid other districts. The cost of food services and student body activ-
14 ities shall not be included in general fund costs.

15 2. From the total of the sums determined under subsection one (1)
16 hereof deduct the following:

17 a. Receipts from state appropriations for handicapped children aid,
18 vocational aid, driver education aid, and junior college aid.

19 b. General fund receipts from the following: tuition paid by indi-
20 viduals or by the state; transportation; services; rents; income on
21 investment securities; other general fund revenue receipts; general
22 fund nonrevenue receipts; and transfers to the general fund other
23 than those resulting from reorganization and the return of principal
24 of invested securities.

25 c. The total amount determined on the per-pupil cost basis for chil-
26 dren transported who live within statutory walking distance from
27 school.

1 SEC. 16. All moneys received by a public high school district from
2 the state under the provisions of this Act shall be deposited in the
3 general fund.

1 SEC. 17. At the close of each school year but not later than July 15
2 the local public high school district shall supply to the state depart-
3 ment of public instruction the information required by it for calcula-
4 tion of state aid under this Act.

5 Forms for such purpose shall be supplied by the state department to
6 each public high school district no later than June 1 of each school
7 year. After the aid payable has been calculated and validated for
8 accuracy, the state department of public instruction shall certify to
9 the state comptroller the amount of aid payable to each public high
10 school district and he shall forthwith draw warrants, payable from
11 moneys in the general fund of the state herein appropriated, and cause
12 the same to be delivered to the respective public high school districts
13 of the state of Iowa.

1 SEC. 18. There are hereby appropriated from moneys in the gen-
2 eral fund of the state for the ensuing biennium the following amounts
3 for state equalization aid:

4 For the first year of the biennium fifty million five hundred thousand
5 dollars and for the second year of the biennium one hundred eleven
6 million dollars.

1 SEC. 19. That portion of any school reimbursable expenditures
2 which exceeds the funds thus provided in the above sections shall be
3 levied by the county auditor as an additional property tax in said local
4 school district, in addition to the scheduled annual amount for any
5 bonded indebtedness or interest thereon. This additional levy shall be
6 paid to each school district as the funds are collected in the same man-
7 ner as other tax collections are paid over.

1 SEC. 20. The superintendent of public instruction, subject to the
2 approval of the state board of public instruction, is hereby authorized
3 to adopt such rules and regulations and definitions of terms as are
4 necessary and proper for the administration of this chapter.

1 SEC. 21. Section two hundred eighty-six A point one (286A.1),
2 Code of Iowa, is repealed, effective January 1, 1968, and the following
3 enacted in lieu thereof:

4 "The several merged areas operating area vocational schools or com-
5 munity colleges and the several school districts operating junior col-
6 leges or community colleges in the state of Iowa shall be entitled to
7 receive financial aid from the state in the manner and amount as pro-
8 vided in this chapter."

1 SEC. 22. Section two hundred eighty-six A point two (286A.2),
2 Code of Iowa, is repealed, effective January 1, 1968.

1 SEC. 23. Section two hundred eighty-six A point four (286A.4),
2 Code of Iowa, is amended by striking all of subsections one (1), two
3 (2), and four (4), effective January 1, 1968.

1 SEC. 24. Section two hundred eighty-six A point seven (286A.7),
2 Code of Iowa, is repealed, effective January 1, 1968.

1 SEC. 25. Chapter two hundred eighty-six (286), Code of Iowa, is
2 repealed, effective January 1, 1968.

1 SEC. 26. Section two hundred eighty-five point one (285.1), Code
2 of Iowa, is amended by striking all of subsection fifteen (15), effective
3 January 1, 1968.

1 SEC. 27. Sections two hundred eighty-five point two (285.2) and
2 two hundred eighty-five point three (285.3), Code of Iowa, are re-
3 pealed, effective January 1, 1968.

1 SEC. 28. Section two hundred eighty-five point seven (285.7), Code
2 of Iowa, is hereby repealed, effective January 1, 1968.

1 SEC. 29. In event that the amount appropriated for reimburse-
2 ment of the school districts is insufficient to pay in full the amounts to
3 each of the school districts, then the amount of each payment shall be
4 reduced by the state comptroller in the ratio that the total funds ap-
5 propriated and available bears to the total amount certified for re-
6 imbursement. In no event shall a school district receive less in the
7 aggregate than it received in reimbursement for the 1965-1966 fiscal
8 year for any state funds distributed for general aid, supplemental aid,
9 and transportation aid.

1 SEC. 30. Section four hundred twenty-six point three (426.3),
2 Code of Iowa, is hereby amended as follows:

3 1. By striking from lines seven (7) and thirteen (13) the word
4 "fifteen" and by inserting in lieu thereof the word "twenty (20)".

5 2. By striking all of said section after the period in line twenty-
6 three (23).

1 SEC. 31. Section four hundred twenty-six point six (426.6), Code
2 of Iowa, is hereby amended by striking from lines thirteen (13), four-
3 teen (14), and fifteen (15) the word "fifteen" and by inserting in lieu
4 thereof the word "twenty (20)".

1 SEC. 32. No later than September 1 of each year the department of
2 public instruction shall certify to the state comptroller the amounts of

3 state equalization aid and any other state aid that will be received by
4 each school district within the county. In the event any estimate of
5 said aids in any school budget certified to the auditor as provided by
6 section twenty-four point seventeen (24.17) is more or less than the
7 amount of said aid certified to the state comptroller by the department
8 of public instruction as provided by this section, the state comptroller
9 shall certify to the county auditors the final millage for each school
10 district.

1 SEC. 33. There is hereby created a committee to be known as the
2 school budget review committee which shall consist of the superin-
3 tendent of public instruction, the state comptroller and three members
4 appointed by the governor to represent the public and to serve three-
5 year staggered terms. Legislators shall be notified of hearings con-
6 cerning school districts in their constituencies. The school budget re-
7 view committee shall meet and hold hearings each year in Des Moines
8 in September and shall continue in session until it has acted on all
9 requests from school districts for tax increase approval submitted to
10 the committee for budgetary review and examination pursuant to sec-
11 tion thirty-four (34) of this Act. The committee may recommend to
12 the state board of public instruction the revision of any rules, regula-
13 tions, directives, or forms relating to school district budgeting and
14 accounting, confer with local school boards or their representatives
15 and make recommendations thereto in regard to any budgeting or
16 accounting matters, and may direct the superintendent of public in-
17 struction or the state comptroller to make studies and investigations
18 of school costs in any school district whose budget has been submitted
19 to the committee pursuant to section thirty-four (34) of this Act.
20 The committee shall report to each session of the legislature which
21 report shall include any recommended changes in laws relating to
22 school districts, set out the number of hearings held pursuant to sec-
23 tion thirty-four (34) of this Act, the reasons for any authorized in-
24 creases in school costs beyond the state average as provided in section
25 thirty-four (34) of this Act, and such other information as the com-
26 mittee may deem advisable. The committee shall adopt its own rules
27 of procedure and the superintendent of public instruction shall serve
28 as chairman. The state comptroller shall act as secretary. The com-
29 mittee members representing the public shall receive a per diem equal
30 to the per diem of members of the board of public instruction and
31 their necessary travel and expense while engaged in their official
32 duties. Such payments shall be made from appropriations to the
33 department of public instruction.

1 SEC. 34. The state comptroller shall compute the sum of tax ask-
2 ings plus state aids excluding special education, driver education and
3 vocational education aids for each local school district for each of the
4 preceding three (3) years. The three (3) sums for the preceding
5 years shall be divided by the average daily membership for each year
6 respectively. The percentage change in tax askings plus state aids for
7 two (2) years prior and the percentage change in tax askings plus
8 state aids for one (1) year prior divided by two (2) shall constitute
9 the average percent of change.

10 Each local school district shall certify to the state comptroller the
11 amount currently budgeted for tax askings plus state aids divided by
12 the projected average daily membership for the current year. Pro-
13 jected average daily membership shall be determined as follows:

14 The percentage change in average daily membership two (2) years
15 prior plus the percentage change in average daily membership one (1)
16 year prior divided by two (2). This percentage shall be used to de-
17 termine the average percentage of change in projected average daily
18 membership. The average percent of change in projected average
19 daily membership multiplied times the prior years average daily mem-
20 bership added to this same prior years average daily membership shall
21 constitute the projected average daily membership. In those prior
22 years for which average daily membership data are not available
23 "beginning of the year" enrollment figures as reported to the state
24 department of public instruction shall be substituted.

25 The state comptroller shall compute the proposed change between
26 the three (3) year average and the current year as certified by each
27 local school district. Any school district whose proposed growth ex-
28 ceeds the adjusted state average reimbursable expenditures per pupil
29 in average daily membership for the preceding year shall have its
30 budget submitted to the school budget review committee for review
31 and examination. If after review and examination the committee rec-
32 ommends against the proposed growth increase and if the school dis-
33 trict nevertheless maintains its proposed budget beyond the percent
34 of allowable change, the payment of state funds to the district in the
35 following year shall be limited to the reimbursable expenditures per
36 pupil in average daily membership as allowed by the school budget
37 review committee.

1 SEC. 35. In the event any school district shall, in the 1967-1968
2 school year, increase its general fund millage as a sole consequence of
3 the nondiscretionary provisions of this Act beyond its general fund
4 millage for the prior school year, the state school budget review com-
5 mittee may authorize the state comptroller to pay emergency aid from
6 any money in the state treasury not otherwise appropriated.

1 SEC. 36. Section four hundred twenty-seven point one (427.1),
2 subsection sixteen (16), Code of Iowa, is hereby amended by striking
3 lines seven (7) through eleven (11) and inserting in lieu thereof the
4 following:

5 "For the year 1967 and subsequent years, all tangible personal prop-
6 erty customarily located and used in or about the residence or resi-
7 dences of the owner of said property; all wearing apparel and food
8 used or to be used by the owner or his family; and all personal effects."

1 SEC. 37. Section four hundred twenty-seven point thirteen
2 (427.13), Code of Iowa, is hereby amended by adding the following
3 paragraph at the end of such section:

4 "However, the provisions of this section shall be subject to the pro-
5 visions of section four hundred twenty-seven point one (427.1) of the
6 Code."

1 SEC. 38. There is hereby appropriated from the general fund of
2 the state of Iowa to the department of revenue for each year of the

3 biennium beginning July 1, 1967, and ending June 30, 1969, the sum
4 of five million three hundred thousand (5,300,000) dollars to be used
5 in the following manner:

6 1. The department of revenue shall determine the percentage which
7 the aggregate taxable value for the year 1966, of property described in
8 section thirty-six (36) of this Act, subject to taxation for the year
9 1966 but not subject to taxation for the year 1967, in each county
10 bears to the total aggregate taxable value of such property reported
11 from all counties in the state and shall certify the percentage to the
12 state comptroller prior to August 15, 1967. The state comptroller shall
13 advise each county auditor on or before August 30, 1967, the amount
14 each county shall receive from such fund.

15 2. The county auditor shall determine the amount due the several
16 taxing districts for the tax years 1967 and 1968. The county auditor
17 shall, in computing the tax rate for any taxing district, deduct from
18 the total budget requirements certified by any such district all of the
19 tax to be derived from the appropriation, and shall then apply such
20 rate to the adjusted taxable value of the property in the district,
21 necessary to raise the amount required after the deductions authorized
22 in this subsection have been made.

23 3. In January 1968, and January 1969, the state comptroller shall
24 apply said percentage to the five million three hundred thousand
25 (5,300,000) dollars appropriated for each year of the biennium. The
26 state comptroller shall draw warrants on the funds herein appropri-
27 ated in such amounts payable to the county treasurer of each county
28 and transmit same to the treasurer.

1 SEC. 39. For the purpose of this Act, "personal property" means
2 all tangible property other than real property, owned by a resident or
3 nonresident of the state, which is located in the state and assessed and
4 taxed as personal property in accordance with the laws of this state
5 and rules and regulations adopted thereunder, notwithstanding the
6 provisions of section four point one (4.1), subsection nine (9), Code
7 of Iowa, but not to include the following:

8 1. Machinery and equipment as contemplated under section four
9 hundred twenty-eight point twenty-two (428.22), Code of Iowa.

10 2. Buildings as contemplated by section four hundred twenty-eight
11 point four (428.4), Code of Iowa.

12 3. All centrally assessed property, by the department of revenue,
13 under the provisions of chapters four hundred twenty-eight (428),
14 four hundred thirty-three (433), four hundred thirty-four (434), four
15 hundred thirty-five (435), four hundred thirty-six (436), four hun-
16 dred thirty-seven (437), and four hundred thirty-eight (438), Code of
17 Iowa.

18 4. Property exempted by the provisions of chapter four hundred
19 twenty-seven (427), Code of Iowa.

1 SEC. 40. Section four hundred twenty-eight point four (428.4),
2 Code of Iowa, is hereby amended by striking from line seventeen (17)
3 thereof the words "real estate" and inserting in lieu thereof the word
4 "land". Section four hundred twenty-eight point four (428.4), Code
5 of Iowa, is hereby amended by striking from line eighteen (18) there-
6 of the expression "personal property, but" and inserting in lieu thereof

7 the expression "real property." and by striking all of lines nineteen
8 (19), twenty (20), and twenty-one (21).

1 SEC. 41. Persons entitled to exemption from personal property tax
2 under provisions of section four hundred twenty-seven point three
3 (427.3), Code of Iowa, shall be granted such exemption, in addition to
4 the credits provided by this Act.

1 SEC. 42. The personal property tax credit authorized by this Act
2 shall not excuse the taxpayer from listing all personal property as re-
3 quired in chapter four hundred twenty-eight (428), Code of Iowa.
4 The valuation of such personal property shall be determined as pre-
5 scribed in chapter four hundred forty-one (441), Code of Iowa, so that
6 the valuations of all personal property in a taxing district shall be
7 known and shall be made a part of the tax list compiled by the county
8 auditor under chapter four hundred forty-three (443), Code of Iowa.

9 The aggregate assessed value of personal property for each assess-
10 ing district as established in the 1967 assessment year, after adjust-
11 ment for equalization, shall be the basic taxable value upon which the
12 credit granted herein shall be determined, subject to the following
13 annual adjustments:

14 1. Add: additional personal property brought into each assessing
15 district, but not to include replacement of personal property with like
16 personal property, in accordance with section four hundred forty-one
17 point twenty-one (441.21), Code of Iowa.

18 2. Subtract: personal property removed from each district by rea-
19 son of transportation therefrom, personal property destroyed, and
20 personal property consumed or disposed of and not replaced.

21 For the purpose of ascertaining assessed value of personal property
22 added or subtracted from the aggregate assessed value of personal
23 property for each district as established in the 1967 assessment year,
24 assessors shall utilize personal property listing forms prescribed and
25 furnished by the department of revenue, and shall distribute such
26 forms in triplicate to persons possessed of such property for assess-
27 ment, first by regular mail, and, where necessary, by personal service.
28 Such assessed value of such personal property shall be determined in
29 accordance with section four hundred forty-one point twenty-one
30 (441.21), Code of Iowa.

1 SEC. 43. No taxpayer in the state shall be allowed a credit on per-
2 sonal property tax in excess of two thousand five hundred (2,500)
3 dollars assessed valuation. Any taxpayer who owns personal property
4 subject to taxation in more than one (1) county of the state shall
5 designate in reporting such property as required in section thirty-nine
6 (39) of this Act in which counties of the state the property is located
7 and may claim the credit or a proportionate part thereof in each
8 county where the property is situated and in no case shall he claim
9 more than the two thousand five hundred (2,500) dollars assessed
10 value for all personal property assessed in all counties. At the time
11 of making such claim, the taxpayer shall state by affidavit or affidavits
12 made a part of the personal property listing form filed in each county
13 where his personal property is situated, that he has not claimed a total
14 personal property tax credit on all counties in excess of a total of two
15 thousand five hundred (2,500) dollars assessed valuation.

1 SEC. 44. If personal property is owned jointly, the owners may not
2 respectively take a tax credit on such property in excess of the propor-
3 tionate ownership in said property and said proportionate ownership
4 shall be determined by dividing the total assessed value of the prop-
5 erty by the number of owners unless they show their actual interest
6 and ownership on the personal property listing form provided by the
7 assessor. Any such proportionate credit may be applied only to the
8 extent that the owner's total respective credit of two thousand five
9 hundred (2,500) dollars of assessed valuation is not used up and in
10 no event is an additional credit to be allowed for property held as here-
11 inabove described in this section.

1 SEC. 45. On or before January 1 of each year, the auditor of each
2 county shall prepare a statement listing for each taxing district in the
3 county all personal property upon which taxes shall not be collected
4 due to the tax credit granted in this Act. The statement shall show
5 the tax rates of the various taxing districts and the total amount of
6 taxes which shall not be collected in each district because of the tax
7 credit. The auditor shall certify and forward one (1) copy each of
8 the statement to the state comptroller and to the department of reve-
9 nue on or before January 15 of such year.

1 SEC. 46. The amounts due each taxing district certified by the
2 county auditor shall be paid in two (2) equal payments by the state
3 comptroller with the first payment to be paid March 15, 1968 and on
4 or before September 15 and March 15 of each year thereafter, drawn
5 upon warrants payable to the respective county treasurers. The
6 county treasurer upon receipt of the warrants from the comptroller
7 shall apportion the proceeds among the taxing districts in the county
8 as certified by the county auditor.

1 SEC. 47. There is hereby appropriated from any money in the
2 state treasury not otherwise appropriated an amount sufficient to
3 carry out the provisions of sections thirty-eight (38) to forty-four
4 (44) of this Act.

1 SEC. 48. Section four hundred twenty-five point one (425.1), Code
2 of Iowa, is hereby amended by adding a new subsection as follows:
3 "In addition to the homestead credit of twenty-five (25) mills on
4 twenty-five hundred (2,500) dollars of assessed valuation allowable
5 under this chapter, in the event the owner, as defined in this chapter,
6 is over sixty-five (65) years of age, and provided that the income of
7 such owner, when included with that of his spouse, if any, is less than
8 three thousand five hundred (3,500) dollars per annum, there shall be
9 credited against the tax levied on his eligible homestead [an amount
10 in dollars equal to the difference between such tax levied in the cur-
11 rent year and such tax levied in the year 1967 or 1968, whichever year
12 resulted in the lowest tax, or in the year in which he became sixty-five
13 (65) years of age, or in the year in which he acquired the homestead,
14 whichever is latest, if the tax levied in the current year is greater.]
15 Said credit shall be paid to each taxing district from the homestead
16 tax credit fund in the same manner as other homestead tax credits and
17 all other nonconflicting provisions and computations in this chapter

18 shall be applicable to the credit provided by this subsection, and in the
19 event of conflict this subsection shall obtain.

20 "Each owner making application for credit because of age shall
21 annually, on or before July 1, file a verified statement with the county
22 assessor, showing:

23 a. He was sixty-five (65) years of age before midnight on December
24 31 of the year immediately preceding the year of the tax levy.

25 b. His income, when included with that of his spouse, if any, during
26 the last preceding twelve-month income tax accounting period is less
27 than three thousand five hundred (3,500) dollars.

28 c. The real value of all additions or improvements made to the
29 homestead during the preceding year, and describing them. If any
30 such addition or improvement, exclusive of repairs and maintenance,
31 has been made the assessor shall determine whether the assessed valu-
32 ation of the homestead shall be increased and if so the amount thereof.
33 The additional credit provided herein shall not be allowed if such in-
34 creases in valuation are in excess of one thousand (1,000) dollars, in
35 the aggregate, during each five-year period commencing with the year
36 in which application is first made under this subsection.

37 "The tax credit under this subsection shall also be allowable where
38 there is more than one (1) "owner" as defined in this chapter, if any
39 one of them is more than sixty-five (65) years of age and is occupying
40 the premises as a homestead within the meaning of this chapter. The
41 state tax commission shall determine the evidence requirements for all
42 matters of fact to be shown by each owner making application for
43 credit.

44 "For the purpose of this subsection 'income' means taxable income
45 for federal income tax purposes plus income from securities of state
46 and other political subdivisions exempt from federal income tax and
47 income from social security and other tax-exempt retirement or pen-
48 sion plans."

1 SEC. 49. Section four hundred twenty-five point eleven (425.11),
2 subsection two (2), Code of Iowa, is hereby amended by adding there-
3 to the following sentence:

4 "For the purpose of this chapter the word 'owner' shall be construed
5 to mean a bona fide owner and not one for the purpose only of availing
6 himself of the benefits of this chapter."

1 SEC. 50. In order to accommodate the orderly initiation of the pro-
2 visions of this Act the following sums shall be appropriated for the
3 period beginning July 1, 1967 to December 31, 1967:

4 For	General Aid	\$24,816,000.00
5	Supplemental Aid	4,192,000.00
6	Transportation Aid	2,992,000.00

1 SEC. 51. Section four hundred twenty-six point one (426.1), Code
2 of Iowa, is amended by striking from line nine (9) the word "fifteen"
3 and inserting in lieu thereof the word "eighteen".

1 SEC. 52. If any section, subsection, subdivision, paragraph, sen-
2 tence or clause of this Act is held invalid or unconstitutional, such
3 decision shall not affect the remaining portions of this Act.

1 SEC. 53. This Act shall operate retroactively and retrospectively,
2 with full force and effect, to and from July 1, 1967.

1 SEC. 54. This Act, being deemed of immediate importance, shall
2 take effect after its passage, approval and publication in The Times
3 Plain Dealer, a newspaper published at Cresco, Iowa, and in the Neola
4 Gazette Reporter, a newspaper published at Neola, Iowa.

Approved July 20, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, House File 686, was published in The Times Plain Dealer, Cresco, Iowa, July 26, 1967, and in the Neola Gazette Reporter, Neola, Iowa, July 27, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 357

TAX SALE OF ENCUMBERED PROPERTY

H. F. 547

AN ACT relating to the redemption or sale of encumbered property.

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

1 SECTION 1. Section four hundred forty-seven point nine (447.9),
2 Code 1966, is hereby amended as follows:

3 1. By inserting after the figures "446.18" in line four (4) the
4 following: "or section four hundred forty-six point thirty-eight
5 (446.38)".

6 2. By adding at the end thereof the following: "Such notice shall
7 also be served on any city or town where such real estate is situated."

1 SEC. 2. Section four hundred forty-six point thirty-eight (446.38),
2 Code 1966, is hereby amended by adding at the end thereof the follow-
3 ing: "In such cases the requirements of section four hundred forty-six
4 point eighteen (446.18) to the effect that the real estate shall have
5 been advertised and offered for sale two years or more, shall not be
6 applicable."

1 SEC. 3. Section four hundred forty-six point thirty-seven (446.37),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "ten" and by inserting in
4 lieu thereof the word "five (5)".

5 2. By striking from lines two (2) and three (3) the words "no
6 action has been taken by" and by inserting in lieu thereof the words
7 "action has not been completed during such time which qualifies".

8 3. By adding at the end of said section the following: "Certificates
9 outstanding on July 1, 1967 when this Act becomes effective, five years
10 or more from time of tax sale, on which such qualifying action has not
11 been completed, shall be so cancelled, if such action is not completed
12 before July 1, 1968."

1 SEC. 4. Section two hundred forty-nine point nineteen (249.19),
 2 Code 1966, is amended by adding the following at the end thereof:
 3 "The real estate in such an estate shall not be sold at other than
 4 public auction and not by use of sealed bids."

1 SEC. 5. Section five hundred sixty-nine point eight (569.8), Code
 2 1966, is amended by adding at the end thereof the following:
 3 "Real property sold under this section shall be sold at public auction
 4 and not by use of sealed bids, but only after notice thereof has been
 5 published once in a newspaper of general circulation in the county
 6 wherein the property is located, stating the description of the prop-
 7 erty to be sold and the date, place and time of such sale, at least ten
 8 (10) days, but not more than fifteen (15) days prior to the date of
 9 such sale."

1 SEC. 6. Section three hundred ninety-one point thirty-five
 2 (391.35), Code 1966, is hereby amended by inserting after the word
 3 "liens" in line nine (9) the words "shall have equal precedence with
 4 ordinary taxes and".

Approved June 22, 1967.

CHAPTER 358

INHERITANCE TAXES

S. F. 31

AN ACT relating to inheritance taxes.

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

1 SECTION 1. Section four hundred fifty point ten (450.10), Code
 2 1966, is hereby amended by adding thereto the following new subsec-
 3 tion:

4 "When the property or any interest therein, or income therefrom,
 5 taxable under the provisions of this chapter passes to any person
 6 included under subsections one (1) or two (2) hereof, there shall be
 7 credited to the tax imposed on the individual share so passing an
 8 amount equal to the tax imposed on the decedent on any property, real,
 9 personal or mixed, or the proportionate share thereof on property
 10 passing to the person taxed hereunder, which can be identified as
 11 having been received by the decedent as a share in the estate of any
 12 person who died within two (2) years prior to the death of the dece-
 13 dent, or which can be identified as having been acquired by the dece-
 14 dent in exchange for property so received."

1 SEC. 2. Section four hundred fifty point twelve (450.12), Code
 2 1966, is hereby amended by striking all of subsection three (3).

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 Le Mars Daily Sentinel, a newspaper published at Le Mars, Iowa and
4 in * Kingsley News Times, a newspaper published at Kingsley, Iowa.

Approved July 27, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3.9, Code of Iowa, 1966, there being no newspaper by the name of Kingsley News Times, published in Kingsley, Iowa, I hereby designate The Kingsley News-Times, published in Kingsley, Iowa, to publish the foregoing Act, Senate File 31.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, Senate File 31, was published in The Kingsley News-Times, Kingsley, Iowa, August 3, 1967, and in the LeMars Daily Sentinel, LeMars, Iowa, August 3, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

*According to enrolled Act.

CHAPTER 359

INVESTMENT OF PUBLIC FUNDS

H. F. 697

AN ACT relating to the investment of funds not needed for current expenses of the state and its political subdivisions.

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

1 SECTION 1. Section four hundred fifty-two point ten (452.10),
2 Code 1966, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words "each
4 county treasurer" and inserting in lieu thereof the words "the treas-
5 urer of each political subdivision".

6 2. By inserting in line seven (7) after the word "state" the words
7 "and the treasurer of each political subdivision".

8 3. By striking all of such section after the word "therefor." in line
9 fourteen (14).

1 SEC. 2. Section four hundred fifty-three point one (453.1), Code
2 1966, is hereby amended by striking lines eleven (11) through twenty-
3 two (22) and inserting in lieu thereof the following:

4 "respectively; provided, however, that the treasurer of state and the
5 treasurer of each political subdivision shall invest all funds not needed
6 for current operating expenses in time certificates of deposit in banks
7 listed as approved depositories pursuant to this chapter or in invest-
8 ments permitted by section four hundred fifty-two point ten (452.10)
9 of the Code. The list of public depositories and the".

1 SEC. 3. Section four hundred fifty-three point five (453.5), Code
2 1966, is hereby amended as follows:

3 1. By striking from lines seven (7), eight (8) and nine (9) the
4 words "secures resolutions duly adopted by the board of directors of
5 two or more lawful depository banks to which" and inserting in lieu
6 thereof the words "makes in writing to all qualified, approved deposi-
7 tories".

8 2. By striking from lines fourteen (14), fifteen (15) and sixteen
9 (16) the words "which resolutions are dated within ten days of the
10 proffer and decline such public deposit" and inserting in lieu thereof
11 the words "such proffer is not then accepted".

1 SEC. 4. Section four hundred fifty-three point six (453.6), Code
2 1966, is hereby amended by striking all of such section after the word
3 "funds." in line six (6) and inserting in lieu thereof the following:

4 "A committee composed of the superintendent of banking, the com-
5 missioner of insurance, and the treasurer of state shall meet on or
6 about the first of each month and by majority action shall establish the
7 rate to be earned on state funds placed in time deposits during the
8 period until the next meeting of the committee. State funds invested
9 by the treasurer of state in bank time certificates of deposit shall draw
10 interest at the rate so determined, effective on the date of investment.

11 "Public funds invested in bank time certificates of deposit by a pub-
12 lic body or officer other than the treasurer of state shall draw interest
13 at rates to be determined by the public body or officer and the bank,
14 which rates shall not be greater than the rate set under this section for
15 state funds nor more than one (1) percent of interest below that rate."

1 SEC. 5. Section four hundred fifty-four point two (454.2), Code
2 1966, is hereby amended by inserting in line five (5) after the word
3 "deposited" the words "in demand or time deposits".

1 SEC. 6. Section one hundred seventy-six A point eight (176A.8),
2 subsection sixteen (16), Code 1966, is hereby amended by inserting in
3 line twelve (12) after the word "county." the following:

4 "The treasurer of the extension council with the approval of the
5 council may invest agricultural extension education funds retained by
6 the council and not needed for current expenses in the manner author-
7 ized for treasurers of political subdivisions under section four hundred
8 fifty-three point one (453.1) of the Code."

1 SEC. 7. The treasurer of each political subdivision except town-
2 ships shall submit an investment report to the auditor of state on
3 forms provided within fifteen (15) days following the close of each
4 fiscal year of the political subdivision. The report shall be comprised
5 of the following information, all of which shall relate to the previous
6 calendar year: total demand deposits placed in depositories; total
7 funds invested; description and disposition of investments; dates of
8 investment; rates of interest earned or return on the investments;
9 and such other information as the auditor of state may reasonably
10 require pertaining to public funds.

1 SEC. 8. This Act, being deemed of immediate importance, shall
2 take effect and be in force from and after its publication, in the Max-
3 well Tribune, a newspaper published in Maxwell, Iowa, and in The
4 Ocheyedan Press, a newspaper published in Ocheyedan, Iowa.

Approved June 22, 1967.

I hereby certify that the foregoing Act, House File 697, was published in the Maxwell
Tribune, Maxwell, Iowa, June 29, 1967, and in The Ocheyedan Press, Ocheyedan, Iowa,
June 29, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 360

DRAINAGE AND LEVEE FUND

H. F. 651

AN ACT relating to the drainage and levee fund.

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

1 SECTION 1. Section four hundred fifty-five point sixty-one
 2 (455.61), Code 1966, is hereby repealed and the following enacted in
 3 lieu thereof:
 4 "Such taxes when collected shall be kept in a separate fund known
 5 as the county drainage or levee fund and shall be paid out only for
 6 purposes properly connected with and growing out of the county
 7 drainage and levee districts on order of the board. The auditor shall
 8 continue to keep a record of each of the drainage and levee district's
 9 funds so as to accurately reflect the financial condition of each such
 10 district account. The treasurer, on order of the board of supervisors,
 11 shall invest such funds not immediately needed for current operating
 12 expenses in United States government bonds, in time certificates of
 13 deposit, in savings accounts in such banks as the board shall approve,
 14 in the interest bearing obligations of the drainage and levee districts
 15 of the county, or as provided by chapter four hundred fifty-three
 16 (453) of the Code. Interest collected by the treasurer on the funds so
 17 invested shall be deposited in the county drainage or levee fund, and
 18 on January 1 of each year the auditor shall apportion and credit such
 19 interest to each drainage or levee district account in the proportion
 20 which the average credit balance of each district bears to the average
 21 balance of the county drainage or levee fund. The averages to be as-
 22 certained shall be the averages of the balances existing on the first of
 23 each month during the calendar year immediately preceding. Interest
 24 and penalties collected on drainage or levee district taxes shall be
 25 credited to the district for which the taxes are being collected. This
 26 section shall not be construed so as to permit expenditures in behalf
 27 of any district in excess of its share of the county drainage or levee
 28 fund. The provisions of this section shall not apply to drainage and
 29 levee districts under trustee management unless the trustees consent
 30 thereto, and in the absence of such consent section four hundred sixty-
 31 two point twenty-nine (462.29) shall apply."

Approved June 26, 1967.

CHAPTER 361

METROPOLITAN PLANNING COMMISSIONS

H. F. 599

AN ACT relating to metropolitan planning commissions.

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

1 SECTION 1. Section four hundred seventy-three A point one
 2 (473A.1), Code 1966, is hereby amended as follows:

- 3 1. By inserting in line two (2) after the word "cities" the words
4 "or towns".
- 5 2. By inserting in line five (5) after the word "cities" the words
6 "or towns".
- 7 3. By inserting in line seven (7) after the word "cities" the words
8 "or town or towns".
- 9 4. By inserting in line nine (9) after the word "cities" the words
10 "or towns".
- 11 5. By inserting in line nineteen (19) after the word "cities," the
12 word "towns,".
- 13 6. By inserting in line twenty-one (21) after the word "cities" the
14 word ", towns,".
- 1 SEC. 2. Section four hundred seventy-three A point two (473A.2),
2 Code 1966, is hereby amended by inserting in line seven (7) after the
3 word "city" the words "or town".
- 1 SEC. 3. Section four hundred seventy-three A point four (473A.4),
2 Code 1966, is hereby amended as follows:
- 3 1. By inserting in line forty-two (42) after the word "cities," the
4 word "towns,".
- 5 2. By inserting in line forty-nine (49) after the word "cities" the
6 word ", towns,".
- 7 3. By inserting in line fifty (50) after the word "cities" the word
8 ", towns,".
- 9 4. By inserting in line fifty-five (55) after the word "cities" the
10 word ", towns,".
- 1 SEC. 4. Section four hundred seventy-three A point five (473A.5),
2 Code 1966, is hereby amended by striking from line seven (7) the
3 words "and cities" and inserting in lieu thereof the words ", cities,
4 and towns".
- 1 SEC. 5. Section four hundred seventy-three A point six (473A.6),
2 Code 1966, is hereby amended as follows:
- 3 1. By striking from line four (4) the words "and city" and insert-
4 ing in lieu thereof the words ", city, and town".
- 5 2. By striking from line seven (7) the words "or city" and insert-
6 ing in lieu thereof the words ", city, or town".
- 7 3. By striking from line twelve (12) the words "or city" and insert-
8 ing in lieu thereof the words ", city, or town".
- 9 4. By striking from lines twelve (12) and thirteen (13) the words
10 "or city" and inserting in lieu thereof the words ", city, or town".
- 1 SEC. 6. Section four hundred seventy-three A point seven
2 (473A.7), Code 1966, is hereby amended in the following manner:
- 3 1. By inserting in line three (3) after the word "cities," the word
4 "towns,".
- 5 2. By inserting in line ten (10) after the word "cities" the word
6 ", towns,".
- 7 3. By inserting in line ten (10) after the word "city" the word
8 ", town,".

9 4. By inserting in line twenty-five (25) after the word "cities," the
10 word "towns,".

Approved June 22, 1967.

CHAPTER 362

ELECTRIC TRANSMISSION LINES

H. F. 668

AN ACT relating to the use of eminent domain for the purpose of erecting electric transmission lines.

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

1 SECTION 1. Section four hundred eighty-nine point six (489.6),
2 Code 1966, is amended by adding thereto the following:
3 "Where a petition seeks the use of the right of eminent domain over
4 specific parcels of real property, the commission shall prescribe the
5 notice to be served upon the owners of record and parties in possession
6 of said property over which the use of the right of eminent domain is
7 sought."

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 363

INDEMNIFICATION OF CORPORATION OFFICERS

H. F. 563

AN ACT relating to indemnification of officers, directors, employees, and agents of corporations.

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

1 SECTION 1. Section four hundred ninety-six A point four (496A.4),
2 Code 1966, is hereby amended by striking therefrom subsection fifteen
3 (15).

1 SEC. 2. Chapter four hundred ninety-six A (496A), Code 1966, is
2 hereby amended by adding thereto the following new section:

3 **Indemnification of officers, directors, employees and agents; insur-**
4 **ance.**

5 1. A corporation shall have power to indemnify any person who was
6 or is a party or is threatened to be made a party to any threatened,
7 pending or completed action, suit or proceeding, whether civil, crim-
8 inal, administrative, or investigative (other than an action by or in
9 the right of the corporation) by reason of the fact that he is or was a
10 director, officer, employee, or agent of the corporation, or is or was
11 serving at the request of the corporation as a director, officer, em-
12 ployee, or agent of another corporation, partnership, joint venture,

13 trust or other enterprise, against expenses (including attorneys' fees),
14 judgments, fines and amounts paid in settlement actually and reason-
15 ably incurred by him in connection with such action, suit, or proceed-
16 ing if he acted in good faith and in a manner he reasonably believed
17 to be in or not opposed to the best interests of the corporation, and,
18 with respect to any criminal action or proceeding, had no reasonable
19 cause to believe his conduct was unlawful. The termination of any
20 action, suit or proceeding by judgment or order against such person
21 on the merits, conviction, or upon a plea of nolo contendere or its
22 equivalent, shall, of itself, create a presumption that the person did
23 not act in good faith and in a manner which he reasonably believed to
24 be in or not opposed to the best interests of the corporation, and, with
25 respect to any criminal action or proceeding, had reasonable cause to
26 believe that his conduct was unlawful.

27 2. A corporation shall have power to indemnify any person who was
28 or is a party or is threatened to be made a party to any threatened,
29 pending or completed action or suit by or in the right of the corpora-
30 tion to procure a judgment in its favor by reason of the fact that he
31 is or was a director, officer, employee, or agent of the corporation, or
32 is or was serving at the request of the corporation as a director, offi-
33 cer, employee, or agent of another corporation, partnership, joint
34 venture, trust or other enterprise, against expenses (including attor-
35 neys' fees) actually and reasonably incurred by him in connection
36 with the defense or settlement of such action or suit if he acted in
37 good faith and in a manner he reasonably believed to be in or not
38 opposed to the best interests of the corporation. However, no indem-
39 nification shall be made in respect of any claim, issue or matter as to
40 which such person shall have been adjudged to be liable for negligence,
41 fraud or other civil or criminal misconduct in the performance of his
42 duty to the corporation.

43 3. To the extent that a director, officer, employee, or agent of a cor-
44 poration has been successful on the merits or otherwise in defense of
45 any action, suit, or proceeding referred to in subsections one (1) and
46 two (2) of this section, or in defense of any claim, issue or matter
47 therein, he shall be indemnified against expenses (including attorneys'
48 fees) actually and reasonably incurred by him in connection there-
49 with.

50 4. Any indemnification under subsections one (1) and two (2) of
51 this section (unless ordered by a court) shall be made by the corpora-
52 tion only as authorized in the specific case upon a determination that
53 indemnification of the director, officer, employee, or agent is proper in
54 the circumstances because he has met the applicable standard of con-
55 duct set forth in subsections one (1) and two (2) of this section. Such
56 determination shall be made (a) by the board of directors by a major-
57 ity vote of a quorum consisting of directors who were not parties to
58 such action, suit or proceeding; or (b) if such a quorum is not obtain-
59 able, or, even if obtainable a majority vote of a quorum of disinter-
60 ested directors so directs, by independent legal counsel in a written
61 opinion; or (c) by the shareholders.

62 5. The indemnification provided by this section shall not be deemed
63 exclusive of any other rights to which a person indemnified may be
64 entitled under any by-law, agreement, vote of shareholders or dis-

65 interested directors or otherwise, both as to action in his official
 66 capacity and as to action in another capacity while holding such office,
 67 and shall continue as to a person who has ceased to be a director,
 68 officer, employee, or agent and shall inure to the benefit of the heirs,
 69 executors, and administrators of such a person.

70 6. A corporation shall have power to purchase and maintain insur-
 71 ance on behalf of any person who is or was a director, officer, employee
 72 or agent of the corporation, or is or was serving at the request of the
 73 corporation as a director, officer, employee, or agent of another cor-
 74 poration, partnership, joint venture, trust, or other enterprise against
 75 any liability asserted against him and incurred by him in any such
 76 capacity, or arising out of his status as such, whether or not the cor-
 77 poration would have the power to indemnify him against such liability
 78 under the provisions of this section.

1 SEC. 3. Chapter four hundred ninety-one (491), Code 1966, is
 2 hereby amended by adding thereto the following new section:

3 The provisions of section two (2) of this Act shall apply to cor-
 4 porations organized under or subject to this chapter.

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 Southern County News, a newspaper published at Thornton, Iowa
 4 and in The Red Oak Express, a newspaper published at Red Oak,
 5 Iowa.

Approved July 24, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, House File 563, was published in the Southern
 County News, Thornton, Iowa, August 3, 1967, and in The Red Oak Express, Red Oak,
 Iowa, July 31, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 364

IOWA CENTENNIAL MEMORIAL FOUNDATION

H. F. 168

AN ACT to amend section five hundred four point thirty-two (504.32), Code 1966, rela-
 tive to the Iowa Centennial Memorial Foundation.

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

1 SECTION 1. Section five hundred four point thirty-two (504.32),
 2 Code 1966, is hereby amended by striking from line nine (9) of the
 3 second paragraph the word "education" and inserting in lieu thereof
 4 the word "regents".

Approved May 18, 1967.

CHAPTER 365

UNAUTHORIZED INSURERS

H. F. 312

AN ACT relating to unauthorized insurers and persons doing an insurance business in Iowa.

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

1 SECTION 1. Chapter five hundred seven A (507A), Code 1966, is
2 hereby repealed.

1 SEC. 2. This chapter may be cited as the "Iowa Unauthorized In-
2 surers Act".

1 SEC. 3. The purpose of this chapter is to subject certain persons
2 and insurers to the jurisdiction of the insurance commissioner and the
3 courts of this state in suits by or on behalf of the state and insureds
4 or beneficiaries under insurance contracts. The general assembly here-
5 by declares that it is a subject of concern that many residents of this
6 state hold policies of insurance issued by persons and insurers not
7 authorized to do insurance business in this state, thus presenting to
8 such residents the often insuperable obstacle of asserting their legal
9 rights under such policies in forums foreign to them under laws and
10 rules of practice with which they are not familiar. The general as-
11 sembly further declares that it is also concerned with the protection
12 of residents of this state against acts by persons and insurers not
13 authorized to do an insurance business in this state, by the mainte-
14 nance of fair and honest insurance markets, by protecting the pre-
15 mium tax revenues of this state, by protecting authorized persons and
16 insurers which are subject to regulation from unfair competition by
17 unauthorized persons and insurers, and by protecting against the eva-
18 sion of the insurance regulatory laws of this state.

19 In furtherance of such state interest, the general assembly herein
20 provides methods for substituted service of process upon such persons
21 or insurers in any proceeding, suit or action in any court and substi-
22 tute service of any notice, order, pleading or process upon such per-
23 sons or insurers in any proceeding before the commissioner of insur-
24 ance to enforce or effect full compliance with the insurance and tax
25 laws of this state. In so doing, the state exercises its powers to pro-
26 tect residents of this state and to define what constitutes doing an
27 insurance business in this state, and also exercises powers and privi-
28 leges available to this state by virtue of Public Law 79-15, 79th Con-
29 gress of the United States, Chapter 20, 1st Sess., S. 340, 59 Stat. L.
30 33; 15 U.S.C. 1011 to 1015 incl., as amended, which declares that the
31 business of insurance and every person engaged therein shall be sub-
32 ject to the laws of the several states.

1 SEC. 4. Unless otherwise indicated, the term "insurer" as used in
2 this section includes all corporations, associations, partnerships and
3 individuals engaged in the business of insurance. Any of the follow-
4 ing acts in this state, effected by mail or otherwise, by an unauthorized
5 foreign or alien insurer is defined to be doing an insurance business in
6 this State.

- 7 1. The making of or proposing to make, as an insurer, an insurance
8 contract.
- 9 2. The taking or receiving of any application for insurance.
- 10 3. The receiving or collection of any premiums, membership fees,
11 assessments, dues or other considerations for any insurance.
- 12 4. The issuance or delivery of contracts of insurance to residents of
13 this state or to corporations or persons authorized to do business in
14 this state.
- 15 5. The doing of any kind of insurance business specifically recog-
16 nized as constituting the doing of an insurance business within the
17 meaning of the statutes relating to insurance.
- 18 6. The doing or proposing to do any insurance business in substance
19 equivalent to any of the foregoing in a manner designed to evade the
20 provisions of the insurance laws of this state.
- 21 7. Any other transactions of business relating directly to insurance
22 in this state by an insurer.
- 23 The venue of an act committed by mail is at the point where the
24 matter transmitted by mail is delivered and takes effect.

- 1 SEC. 5. The provisions of this Act shall not apply to:
- 2 1. The lawful transaction of surplus lines insurance as permitted by
3 sections five hundred fifteen point one hundred forty-seven (515.147)
4 through five hundred fifteen point one hundred fifty (515.150) of the
5 Code.
- 6 2. The lawful transaction of reinsurance by insurers.
- 7 3. Attorneys acting in the ordinary relation of attorney and client
8 in the adjustment of claims or losses.
- 9 4. Transactions in this state involving a policy lawfully solicited,
10 written, and delivered outside of this state, covering subjects of insur-
11 ance not resident located, or expressly to be performed in this state at
12 the time of issue; and which transactions are subsequent to the issu-
13 ance of the policy.
- 14 5. Transactions in this state involving group or blanket insurance
15 and group annuities where the master policy of such groups was law-
16 fully issued and delivered in a state in which the company was author-
17 ized to do an insurance business.
- 18 6. Transactions in this state involving any policy of insurance is-
19 sued prior to July 1, 1967.
- 20 7. Any life insurance company organized and operated, without
21 profit to any private shareholder or individual, exclusively for the
22 purpose of aiding educational or scientific institutions organized and
23 operated without profit to any private shareholder or individual by
24 issuing insurance and annuity contracts direct from the home office of
25 the company and without agents or representatives in this state only
26 to or for the benefit of such institutions and to individuals engaged in
27 the services of such institutions; nor shall this Act apply to any life,
28 disability or annuity contracts issued by such life insurance company,
29 provided such contracts otherwise comply with the statutes.
- 30 8. Insurance on vessels, craft or hulls, cargoes, marine builder's
31 risk, marine protection and indemnity or other risk including strikes
32 and war risks commonly insured under ocean or wet marine forms of
33 policy.

34 9. Transactions involving risks located in this state where the pol-
 35 icy or contract of insurance for such risk was principally negotiated
 36 and delivered outside this state and was lawfully issued in a state or
 37 foreign country in which the foreign or alien insurer was authorized
 38 to do an insurance business, and where such insurer has no contact
 39 with this state except in connection with inspections or losses required
 40 by virtue of the contract or policy of insurance covering the risk lo-
 41 cated in this state.

1 SEC. 6.

2 1. No person or insurer shall directly or indirectly perform any of
 3 the acts of doing an insurance business as defined in this Act except
 4 as provided by and in accordance with the specific authorization by
 5 statute. However, should any unauthorized person or insurer perform
 6 any act of doing an insurance business as set forth in this Act, it shall
 7 be equivalent to and shall constitute an irrevocable appointment by
 8 such person or insurer, binding upon him, his executor or adminis-
 9 trator, or successor in interest if a corporation, of the commissioner
 10 of insurance or his successor in office, to be the true and lawful attor-
 11 ney upon whom may be served all lawful process in any action, suit or
 12 proceeding in any court arising out of doing an insurance business in
 13 this state or instituted by or on behalf of an insured or beneficiary
 14 arising out of any such acts of doing an insurance business, except in
 15 an action, suit or proceeding by the commissioner of insurance or by
 16 the state. Any act of doing an insurance business by any unauthorized
 17 person or insurer shall be signification of its agreement that such
 18 service of process is of the same legal force and validity as personal
 19 service of process in this state upon such person or insurer.

20 2. Service of process shall be made by delivering to and leaving with
 21 the commissioner of insurance or some person in apparent charge of
 22 his office two (2) copies thereof and the payment to him of such fees
 23 as may be prescribed by law. The commissioner of insurance shall
 24 forthwith forward by certified mail one (1) of the copies of such
 25 process to the defendant at the last known principal place of business
 26 and shall keep a record of all process so served. Such service of proc-
 27 ess shall be sufficient to provide notice if:

28 a. A copy of the process is sent within ten (10) days thereafter by
 29 certified mail by plaintiff or plaintiff's attorney to the defendant at
 30 the last known principal place of business.

31 b. The defendant's receipt or receipt issued by the post office show-
 32 ing the name of the sender of the letter and the name and address of
 33 the person to whom the letter is addressed and an affidavit by the
 34 plaintiff or plaintiff's attorney showing a compliance herewith are
 35 filed with the clerk of the court in which such action is pending on or
 36 before the date the defendant is required to appear or within such
 37 further time as the court may allow.

38 3. Service of process in any such action, suit, or proceeding shall in
 39 addition to the manner as provided in this Act be valid if served upon
 40 any person within this state who, in this state on behalf of such in-
 41 surer, is soliciting insurance, making, issuing, or delivering any con-
 42 tract of insurance, or collecting or receiving any premium, member-
 43 ship fee, assessment, or other consideration for insurance, and if:

44 *a.* A copy of such process is sent within ten (10) days thereafter by
45 certified mail by the plaintiff or plaintiff's attorney to the defendant
46 at the last known principal place of business of the defendant.

47 *b.* The defendant's receipt, or the receipt issued by the post office
48 showing the name of the sender of the letter and the name and address
49 of the person to whom the letter is addressed, and an affidavit of the
50 plaintiff or plaintiff's attorney showing a compliance herewith are
51 filed with the clerk of the court in which such action is pending on or
52 before the date the defendant is required to appear or within such
53 further time as the court may allow.

54 4. No plaintiff shall be entitled to a judgment by default under this
55 Act until the expiration of thirty (30) days from date of the filing of
56 the affidavit of compliance.

57 5. Nothing in this section shall limit or abridge the right to serve
58 any process, notice, or demand upon any insurer in any other manner
59 now or hereafter permitted by law.

1 SEC. 7.

2 1. Any act of doing an insurance business as set forth in this Act
3 by any unauthorized person or insurer is equivalent to and shall con-
4 stitute an irrevocable appointment by such person and insurer, bind-
5 ing upon him, his executor or administrator, or successor in interest
6 if a corporation, of the secretary of state or his successor in office, to
7 be the true and lawful attorney of such person or insurer upon whom
8 may be served all legal process in any action, suit, or proceeding in
9 any court by the commissioner of insurance or by the state and upon
10 whom may be served any notice, order, pleading or process in any pro-
11 ceeding before the commissioner of insurance and which arises out of
12 doing an insurance business in this state by such person or insurer.
13 Any act of doing an insurance business in this state by any unauthor-
14 ized person or insurer shall be signification of its agreement that any
15 such legal process in such court action, suit, or proceeding and any
16 such notice, order, pleading, or process in such administrative proceed-
17 ing before the commissioner of insurance so served shall be of the same
18 legal force and validity as personal service of process in this state upon
19 such person or insurer.

20 2. Service of process in such action shall be made by delivering to
21 and leaving with the secretary of state or some person in apparent
22 charge of his office, two (2) copies thereof. Service upon the secretary
23 of state as such attorney shall be service upon the principal.

24 3. The secretary of state shall forthwith forward by certified mail
25 one (1) of the copies of such process or such notice, order, pleading,
26 or process in proceedings before the commissioner to the defendant in
27 such court proceeding or to whom the notice, order, pleading, or process
28 in such administrative proceeding is addressed or directed at the
29 last known principal place of business and shall keep a record of all
30 process so served on him which shall show the day and hour of serv-
31 ice. Such service is sufficient, provided:

32 *a.* Notice of such service and a copy of the court process or the
33 notice, order, pleading, or process in such administrative proceeding
34 is sent within ten (10) days thereafter by certified mail by the plain-
35 tiff or the plaintiff's attorney in the court proceeding or by the com-
36 missioner of insurance in the administrative proceeding to the defend-

37 ant in the court proceeding or to whom the notice, order, pleading, or
38 process in such administrative proceeding is addressed or directed at
39 the last known principal place of business of the defendant in the
40 court or administrative proceeding.

41 b. The defendant's receipt or receipts issued by the post office with
42 which the letter is registered, showing the name of the sender of the
43 letter and the name and address of the person or insurer to whom the
44 letter is addressed, and an affidavit of the plaintiff or the plaintiff's
45 attorney in court proceeding or of the commissioner of insurance in ad-
46 ministrative proceeding, showing compliance therewith are filed with
47 the clerk of the court in which such action, suit, or proceeding is pend-
48 ing or with the commissioner in administrative proceedings, on or
49 before the date the defendant in the court or administrative proceed-
50 ing is required to appear or respond thereto, or within such further
51 time as the court or commissioner of insurance may allow.

52 4. No plaintiff shall be entitled to a judgment or a determination
53 by default in any court or administrative proceeding in which court
54 process or notice, order, pleading, or process in proceedings before the
55 commissioner of insurance is served under this section until the ex-
56 piration of forty-five (45) days from the date of filing of the affidavit
57 of compliance.

58 5. Nothing in this section shall limit or abridge the right to serve
59 any process, notice, order, or demand upon any person or insurer in
60 any other manner now or hereafter permitted by law.

61 6. The attorney general upon request of the commissioner may pro-
62 ceed in the courts of this state or any other state or in any federal
63 court or agency to enforce an order or decision in any court proceed-
64 ing or in any administrative proceeding before the commissioner of
65 insurance.

1 SEC. 8.

2 1. Before any unauthorized person or insurer files or causes to be
3 filed any pleading or process in an administrative proceeding before
4 the commissioner of insurance, instituted against such person or in-
5 surer, by service made as provided in this Act, such person or insurer
6 shall either:

7 a. Deposit with the clerk of the court in which such action, suit, or
8 proceeding is pending, or with the commissioner of insurance in ad-
9 ministrative proceedings before the commissioner, cash or securities,
10 or file with such clerk or commissioner a bond with good and sufficient
11 sureties, to be approved by the clerk or commissioner in an amount to
12 be fixed by the court or commissioner sufficient to secure the payment
13 of any final judgment which may be rendered in such action or ad-
14 ministrative proceeding.

15 b. Procure a certificate of authority to transact the business of in-
16 surance in this state.

17 2. The court in any action, suit, or proceeding in which service is
18 made as provided in subsections two (2) and three (3) of section
19 seven (7) of this Act, or the commissioner of insurance in any ad-
20 ministrative proceeding before the commissioner in which service is
21 made as provided in subsections two (2) and three (3) of section
22 seven (7) of this Act, may in his discretion, order such postponement
23 as may be necessary to afford the defendant reasonable opportunity to

24 comply with the provisions of subsection one (1) of this section and
25 to defend such action.

26 3. Nothing in subsection one (1) of this section shall be construed
27 to prevent an unauthorized person or foreign or alien insurer from fil-
28 ing a motion to quash a writ or to set aside service thereof made in
29 the manner provided in sections six (6) and seven (7) of this Act,
30 on the ground that such unauthorized person or insurer has not done
31 any of the acts enumerated in section four (4) of this Act.

32 4. In an action against an unauthorized person or insurer upon a
33 contract of insurance issued or delivered in this state to a resident
34 thereof or to a corporation authorized to do business therein, if the
35 person or insurer has failed for thirty (30) days after demand prior
36 to the commencement of the action to make payment in accordance
37 with the terms of the contract, and it appears to the court that such
38 refusal was without reasonable cause, the court may allow to the
39 plaintiff a reasonable attorney fee and include such fee in any judg-
40 ment that may be rendered in such action. Failure of the person or
41 insurer to defend any such action shall be deemed prima facie evidence
42 that its failure to make payment was without reasonable cause.

1 SEC. 9.

2 1. Whenever the commissioner of insurance has reason to believe
3 that insurance has been effectuated by or for any person in this state
4 with an unauthorized insurer the commissioner shall in writing order
5 such person to produce for examination all insurance contracts and
6 other documents evidencing insurance with both authorized and un-
7 authorized insurers and to disclose to the commissioner the amount of
8 insurance, name and address of each insurer, gross amount of premium
9 paid or to be paid and the name and address of the person or persons
10 assisting or aiding in the solicitation, negotiation, or effectuation of
11 such insurance.

12 2. Every person investigating or adjusting any loss or claim on a
13 subject of insurance in this state shall immediately report to the com-
14 missioner every insurance policy or contract which has been entered
15 into by any insurer not authorized to transact such insurance in this
16 state.

17 3. Every person who, for thirty (30) days after receipt of written
18 order pursuant to subsection one (1) of this section, neglects to com-
19 ply with the requirements of such order or who willfully makes a dis-
20 closure that is untrue, deceptive, or misleading shall forfeit fifty (50)
21 dollars.

1 SEC. 10.

2 1. Effective with all premiums collected during the calendar year
3 1967, except premiums on lawfully procured surplus lines insurance,
4 every unauthorized insurer shall pay to the commissioner of insurance
5 before March 1, next succeeding the calendar year in which the insur-
6 ance was so effectuated, continued, or renewed a premium tax of two
7 (2) percent of gross premiums charged for such insurance on subjects
8 resident, located, or to be performed in this state. Such insurance
9 whether procured through negotiation or an application, in whole or
10 in part occurring or made within or outside of this state, or for which
11 premiums in whole or in part are remitted directly or indirectly from

12 within or outside of this state, shall be deemed to be insurance pro-
 13 cured or continued in this state. The term "premium" includes all
 14 premiums, membership fees, assessments, dues, and any other consid-
 15 eration for insurance. If the tax prescribed by this section is not paid
 16 within the time stated, the tax shall be increased by a penalty of
 17 twenty-five (25) percent and by the amount of an additional penalty
 18 computed at the rate of one (1) percent per month or any part thereof
 19 from the date such payment was due to the date paid.

20 2. If the policy covers risks or exposures only partly in the state,
 21 the tax payable shall be computed on the portions of the premium
 22 which are properly allocable to the risks or exposures located in the
 23 state. In determining the amount of premiums taxable in this state,
 24 all premiums written, procured, or received in this state and all pre-
 25 miums on policies negotiated in this state shall be deemed written on
 26 property or risks located or resident in this state, except such pre-
 27 miums as are properly allocated or apportioned and reported as tax-
 28 able premiums of any other state or states.

29 3. The attorney general, upon request of the commissioner of insur-
 30 ance, shall proceed in the courts of this state or any other state or in
 31 any federal court or agency to recover such tax not paid within the
 32 time prescribed in this section.

1 SEC. 11. Any unauthorized foreign or alien insurer who does any
 2 unauthorized act of an insurance business as set forth in this Act shall
 3 be fined not more than five thousand (5,000) dollars. In addition to
 4 any other penalty provided for in this Act or otherwise provided by
 5 law, any person or insurer violating this Act shall forfeit to the state
 6 the sum of five hundred (500) dollars for each offense and an addi-
 7 tional sum of five hundred (500) dollars for each month during which
 8 any such person or insurer continues such violation.

1 SEC. 12. If any provision of this Act or the application thereof to
 2 any person or circumstances is held invalid, such invalidity shall not
 3 affect other provisions or applications of the Act which can be given
 4 effect without the invalid provision and to this end the provisions of
 5 this Act are declared to be severable.

Approved June 30, 1967.

CHAPTER 366

LIFE INSURANCE INVESTMENTS

H. F. 345

AN ACT relating to the investment of funds of life insurance companies.

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

1 SECTION 1. Section five hundred eleven point eight (511.8), Code
 2 1966, is hereby amended as follows:

3 1. By striking from line nineteen (19) the words "and no company
 4 organized"; also by striking lines twenty (20) to twenty-two (22)
 5 inclusive and inserting in lieu thereof a period.

6 2. By striking from subsection nine (9), paragraph *f*, line forty-
7 eight (48), the word "ten" and inserting in lieu thereof the word
8 "fifteen (15)".

9 3. By adding thereto the following new subsection:
10 "*Common stocks or shares.* Common stock or shares issued by sol-
11 vent corporations or institutions shall be eligible if the total invest-
12 ment in shares of such corporations or institutions does not exceed
13 ten (10) percent of legal reserves provided not more than one-half
14 ($\frac{1}{2}$) percent of the legal reserve is invested in the shares of any one
15 (1)* corporation, and if the stock is listed or admitted to trading on
16 a securities exchange located in the United States of America or is
17 publicly held and has been traded in the 'over the counter market' and
18 market quotations are readily available, and if such investment does
19 not create for any officer or director of the company a conflict of in-
20 terest between the insurance company and the corporation whose stock
21 is purchased."

1 SEC. 2. Section five hundred eight point thirty-three (508.33),
2 Code 1966, is hereby amended by striking from line eight (8) the
3 word "chapter" and inserting in lieu thereof the word "title".

Approved May 25, 1967.

*According to enrolled Act.

CHAPTER 367

LIFE INSURANCE INVESTMENTS

S. F. 264

AN ACT relating to the investment of funds of life insurance companies.

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

1 SECTION 1. Section five hundred eleven point eight (511.8), sub-
2 section four (4), Code 1966, is amended by striking the period (.)
3 after the word "report" in line six (6), and adding after the word
4 "report" the following:
5 " , or by the Inter-American Development Bank in an amount not to
6 exceed two (2) percent of its total assets as shown by the last annual
7 report."

Approved June 19, 1967.

CHAPTER 368

BENEVOLENT ASSOCIATIONS

S. F. 601

AN ACT relating to the regulation of benevolent associations.

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

1 SECTION 1. When used in this Act:

2 1. A "benevolent association" shall mean any person, firm, com-
3 pany, partnership, association or corporation, organized to enroll
4 persons as members of a group for the purpose of providing an agency
5 by which persons so enrolled may in the event of the death of any
6 other member of the group make voluntary contributions to be dis-
7 tributed in whole or in part by the benevolent association to the bene-
8 ficiary of the deceased member, or to members as contribution towards
9 expense incurred by accident or sickness.

10 2. A "member" shall be any person who participates in a plan or
11 agreement to make voluntary contribution through a benevolent as-
12 sociation.

13 3. "Commissioner" when used in this Act shall mean the commis-
14 sioner of insurance.

1 SEC. 2. The commissioner shall promulgate such reasonable rules
2 and regulations as he deems necessary to assure the proper operation
3 of benevolent associations.

1 SEC. 3. Before a benevolent association shall operate in this state
2 it shall first incorporate in accordance with the laws of this state, and
3 the articles of incorporation and bylaws shall be submitted to the
4 commissioner. If he finds they conform to the requirements of the law
5 and all rules and regulations promulgated under this Act, he shall
6 approve the articles of incorporation and file them with the secretary
7 of state. Every benevolent association formed and operating before
8 January 1, 1967, and not so incorporated, shall be required to com-
9 plete their incorporation before January 1, 1968. Every benevolent
10 association at the time of its incorporation, or in the case of a benevo-
11 lent association incorporated and operating prior to January 1, 1967
12 within six months after the effective date of this Act, shall submit its
13 general plan of operation to the commissioner and if he finds it con-
14 forms to the requirements of the law and all reasonable rules and
15 regulations promulgated under this Act, he shall issue a license to
16 expire on the thirty-first day of March after issuance. Said license
17 shall be renewed from year to year upon application of the association,
18 if the commissioner finds from his examination that it has conformed
19 to the requirements of all laws and regulations applicable thereto.

1 SEC. 4. The association shall keep a record of all its transactions
2 and shall file an annual report thereof for the preceding calendar year
3 on or before the first day of March on a form prescribed by the com-
4 missioner. The commissioner shall also prescribe the method of keep-
5 ing books and accounts of benevolent associations.

1 SEC. 5. There shall be paid to the commissioner for services re-
2 quired under the provisions of this Act the following fees, which shall

3 be accounted for by him in the same manner as other fees received in
4 the discharge of the duties of his office:

5 1. For filing and examination of the articles of incorporation for
6 organization in this state and the accompanying general plan of oper-
7 ation of any benevolent association, and the issuing of the permission
8 to do business, ten dollars.

9 2. For filing an annual statement of a benevolent association, and
10 issuing the renewal of the permission required by law to authorize
11 continuance in business, three dollars.

1 SEC. 6. Such associations may operate without the establishment
2 of reserves or surplus except for current expenses. Contributions for
3 expenses shall be added as a separate item to contributions for mem-
4 bership benefits. A reasonable membership fee to cover initial ex-
5 penses may be charged.

1 SEC. 7. Within thirty days after acceptance to membership a cer-
2 tificate, the form of which has been approved by the commissioner,
3 shall be delivered to each member. The certificate shall set forth the
4 name of the association, the name of the member, a statement as to
5 the benefits of membership, to whom such benefits are payable, and
6 such other provisions as are, in the opinion of the commissioner, neces-
7 sary to inform the member of his rights in the association. The com-
8 missioner before approving any certificate shall be satisfied that any
9 benefits to be paid a member or the beneficiary of a member are rea-
10 sonable in relationship to any and all charges made or assessed against
11 the membership. The certificate shall not indicate therein that the
12 plan or benefits constitute an insurance policy.

1 SEC. 8. Except as otherwise provided by law, it shall be unlawful
2 for any person or corporation to operate a benevolent association in
3 this state except as provided for in this Act. Any person violating the
4 provisions of this Act shall be subject to a fine not exceeding one
5 thousand dollars or imprisonment in the county jail not exceeding
6 thirty days, or both such fine and imprisonment.

Approved June 22, 1967.

CHAPTER 369

PHARMACEUTICAL SERVICE

H. F. 176

AN ACT to amend chapter five hundred fourteen (514), Code 1966, relating to the participation of pharmacies in a pharmaceutical service plan.

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

1 SECTION 1. Section five hundred fourteen point one (514.1), Code
2 1966, is hereby amended by inserting in line nineteen (19) after the
3 word "contract" the following:

4 "or any such corporation organized for the purpose of establishing,
5 maintaining, and operating a nonprofit pharmaceutical service plan,

6 whereby pharmaceutical service may be provided by the said corpora-
 7 tion or by a licensed pharmacy with which it has a contract for such
 8 service, to such of the public who become subscribers to said plan
 9 under a contract which entitles each subscriber to pharmaceutical
 10 service.”.

1 SEC. 2. Section five hundred fourteen point two (514.2), Code
 2 1966, is hereby amended by inserting in line three (3) after the word
 3 “corporation” the following:
 4 “, or a nonprofit pharmaceutical service corporation”.

1 SEC. 3. Section five hundred fourteen point five (514.5), Code
 2 1966, is hereby amended by adding paragraph three (3) as follows:
 3 “Any pharmaceutical service corporation organized under the pro-
 4 visions of said chapter may enter into contracts for the rendering of
 5 pharmaceutical service to any of its subscribers. Membership in any
 6 pharmaceutical service corporation shall be open to all pharmacies
 7 licensed under chapter one hundred fifty-five (155) of the Code.”

1 SEC. 4. Section five hundred fourteen point six (514.6), Code
 2 1966, is hereby amended by inserting in line three (3) after the word
 3 “service” the following:
 4 “, or for pharmaceutical service”.

1 SEC. 5. Section five hundred fourteen point seven (514.7), Code
 2 1966, is hereby amended as follows:
 3 1. By inserting in line three (3) after the word “service” the fol-
 4 lowing: “or for pharmaceutical service”.
 5 2. By adding at the end of said section the following: “The com-
 6 missioner shall require that participating pharmacies be reimbursed
 7 by the pharmaceutical service corporation at rates or prices equal to
 8 the rates or prices charged nonsubscribers, unless the commissioner
 9 determines otherwise to prevent loss to subscribers.”

1 SEC. 6. Section five hundred fourteen point eight (514.8), Code
 2 1966, is hereby amended by inserting in line six (6) after the word
 3 “service” the following:
 4 “, or with participating pharmacies for pharmaceutical service”.

1 SEC. 7. Section five hundred fourteen point eleven (514.11), Code
 2 1966, is hereby amended by inserting in line four (4) after the word
 3 “plan” the following:
 4 “or pharmaceutical service plan.”.

1 SEC. 8. Section five hundred fourteen point thirteen (514.13),
 2 Code 1966, is hereby amended by inserting in line nine (9) after the
 3 word “service” the following:
 4 “or any pharmacy with whom any such corporation has a contract
 5 for pharmaceutical service.”.

1 SEC. 9. Section five hundred fourteen point sixteen (514.16), Code
 2 1966, is hereby amended as follows:
 3 1. By inserting in line eight (8) after the second word “plan” the
 4 following:
 5 “or pharmaceutical service plan.”.

- 6 2. By inserting in line sixteen (16) after the word "plan" the fol-
 7 lowing:
 8 "or pharmaceutical service plan".
 9 3. By inserting in line twenty-six (26) after the word "corpora-
 10 tion" the following:
 11 "or pharmaceutical service corporation".
- 1 SEC. 10. This Act being deemed of immediate importance shall be
 2 in full force and effect from and after its passage and publication in
 3 The Sioux Center News, a newspaper published at Sioux Center, Iowa,
 4 and in The Marion Sentinel, a newspaper published at Marion, Iowa.

Approved June 15, 1967.

I hereby certify that the foregoing Act, House File 176, was published in The Sioux Center News, Sioux Center, Iowa, June 29, 1967, and in The Marion Sentinel, Marion, Iowa, June 22, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 370

FIRE AND CASUALTY INSURANCE

H. F. 696

AN ACT relating to subsidiary companies of fire and casualty insurance companies.

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

- 1 SECTION 1. Chapter five hundred fifteen (515), Code 1966, is here-
 2 by amended by adding thereto the following section:
 3 "Any insurance company incorporated in this state may organize,
 4 or acquire by purchase, in whole or in part, subsidiary insurance and
 5 investment companies in which it owns not less than fifty-one (51)
 6 percent of the common stock, and, subject to the approval of the in-
 7 surance commissioner and provided that no company invest an amount
 8 in excess of thirty percent (30%) of its capital and surplus in the
 9 stock of such subsidiary companies, may:
 10 1. Invest funds from surplus for each purpose.
 11 2. Make loans to such subsidiaries.
 12 3. Permit all or part of its officers and directors to serve as officers
 13 or directors of any such subsidiary companies."

Approved June 30, 1967.

CHAPTER 371

REINSURANCE FROM FOREIGN OR ALIEN COMPANIES

H. F. 71

AN ACT relating to the accreditation of certain reinsurance purchased by Iowa companies from foreign or alien insurance companies.

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

- 1 SECTION 1. Section five hundred fifteen point forty-seven (515.47),
 2 Code 1966, is hereby amended as follows:
 3 1. Subsection one (1) is hereby amended by striking all of such sub-
 4 section after the word "reinsurance" in line six (6) and inserting in
 5 lieu thereof the following: "as provided for in section five hundred
 6 fifteen point forty-nine (515.49) of the Code."
 7 2. Subsection two (2) is hereby amended by striking all of such
 8 subsection after the word "reinsurance" in lines seven (7) and eight
 9 (8) and inserting in lieu thereof the following: "as provided for in
 10 section five hundred fifteen point forty-nine (515.49) of the Code."
 11 3. Subsection three (3), lines eight (8) and nine (9), is hereby
 12 amended by striking the words "in authorized companies or associa-
 13 tions" and inserting in lieu thereof the following: "as provided for in
 14 section five hundred fifteen point forty-nine (515.49) of the Code".
 15 4. Subsection four (4), lines seven (7) and eight (8), is hereby
 16 amended by striking the words "in authorized companies or associa-
 17 tions" and inserting in lieu thereof the following: "as provided in
 18 section five hundred fifteen point forty-nine (515.49) of the Code".
 19 5. Subsection six (6), lines seven (7) and eight (8), is hereby
 20 amended by striking the words "in authorized companies or associa-
 21 tions" and inserting in lieu thereof the following: "as provided for in
 22 section five hundred fifteen point forty-nine (515.49) of the Code".

- 1 SEC. 2. Section five hundred fifteen point forty-nine (515.49),
 2 subsection seven (7), Code 1966, is hereby amended by striking lines
 3 twelve (12) through twenty-one (21) of said subsection and inserting
 4 in lieu thereof the following:
 5 "No company shall expose itself to loss on any one risk or hazard to
 6 an amount exceeding ten percent of its surplus to policyholders: (1)
 7 unless the excess shall be reinsured in some other good and reliable
 8 company licensed to do an insurance business in this state, but in no
 9 case shall such excess reinsurance exceed ten percent of the capital of
 10 the reinsuring company, and a certificate of such reinsurance shall be
 11 furnished to the insured; or (2) unless the excess shall be reinsured
 12 by a group of individual unincorporated insurers who are authorized
 13 to transact an insurance business in at least one state of the United
 14 States and who possess assets which are held in trust for the benefit
 15 of the American policyholders in the sum of not less than fifty million
 16 dollars, and a certificate of such reinsurance shall be furnished to the
 17 insured."

- 1 SEC. 3. Section five hundred fifteen point fifty (515.50), Code
 2 1966, is hereby amended by striking from lines three (3) and four (4)
 3 the words "in companies only authorized to do business in this state"
 4 and inserting in lieu thereof the following: "in companies or groups

5 authorized to do business in this state, as set forth in section five
6 hundred fifteen point forty-nine (515.49) of the Code”.

1 SEC. 4. Section five hundred twenty-one point thirteen (521.13),
2 Code 1966, is hereby repealed and the following is enacted in lieu
3 thereof:

4 “No company or companies as described in section five hundred
5 twenty-one point one (521.1) of the Code shall consolidate or reinsure
6 except insofar as provided by section five hundred fifteen point forty-
7 nine (515.49) of the Code with any other company or companies not
8 authorized to transact business in this state.”

Approved April 28, 1967.

CHAPTER 372

MORTGAGE GUARANTY INSURANCE

S. F. 56

AN ACT relating to mortgage guaranty insurance.

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

1 SECTION 1. Section five hundred fifteen C point one (515C.1),
2 Code 1966, is hereby amended by inserting in line eight (8) after the
3 word “estate” the words “or on an owner-occupied mobile home”.

1 SEC. 2. Section five hundred fifteen C point five (515C.5), Code
2 1966, is hereby amended by striking the last sentence in said section
3 and inserting in lieu thereof the following:

4 “Coverage may be provided only if the properties in such tract are
5 residential buildings, buildings designed for occupancy by not more
6 than four (4) families, or owner-occupied mobile homes.”

1 SEC. 3. Section five hundred fifteen C point eight (515C.8), Code
2 1966, is hereby amended by inserting in line five (5) after the word
3 “dwellings” the words “and owner-occupied mobile homes.”

Approved May 11, 1967.

CHAPTER 373

MORTGAGE LIABILITY INSURANCE

H. F. 236

AN ACT relating to the contingency reserve and coverage of mortgage liability insurance.

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

1 SECTION 1. Section five hundred fifteen C point four (515C.4),
2 Code 1966, is amended by striking lines one (1) through eleven (11)

3 and the words "months has elapsed" in line twelve (12), and by in-
4 serting in lieu thereof the following:

5 "For the protection of the people of this state and for the purpose
6 of protecting against the effect of adverse economic cycles, the com-
7 pany shall establish a contingency reserve. The company shall annu-
8 ally contribute fifty percent of the earned premiums to this reserve.
9 The earned premiums so reserved may be released annually after the
10 period of time required by the commissioner, provided that said time
11 shall not be less than one hundred twenty (120) months."

1 SEC. 2. Chapter five hundred fifteen C (515C), Code 1966, is
2 amended by adding the following new section:

3 "A mortgage guaranty insurer in addition to coverage provided
4 under section five hundred fifteen C point five (515C.5) of the Code
5 may insure mortgages secured by first lien upon improved real estate
6 which is used for commercial purposes, except for those types of com-
7 mercial properties specifically excluded by the commissioner of insur-
8 ance."

Approved May 18, 1967.

CHAPTER 374

UNINSURED MOTOR VEHICLES COVERAGE

H. F. 561

AN ACT relating to motor vehicle liability insurance and protection against uninsured motor vehicles and hit-and-run motor vehicles.

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

1 SECTION 1. No automobile liability or motor vehicle liability insur-
2 ance policy insuring against liability for bodily injury or death arising
3 out of the ownership, maintenance, or use of a motor vehicle shall be
4 delivered or issued for delivery in this state with respect to any motor
5 vehicle registered or principally garaged in this state, unless coverage
6 is provided in such policy or supplemental thereto, for the protection
7 of persons insured under such policy who are legally entitled to re-
8 cover damages from the owner or operator of an uninsured motor
9 vehicle or a hit-and-run motor vehicle because of bodily injury, sick-
10 ness, or disease, including death resulting therefrom, caused by acci-
11 dent and arising out of the ownership, maintenance, or use of such
12 uninsured motor vehicle, or arising out of physical contact of such
13 hit-and-run motor vehicle with the person insured or with a motor
14 vehicle which the person insured is occupying at the time of the acci-
15 dent. Such coverage shall include limits for bodily injury or death at
16 least equal to those stated in subsection ten (10) of section three hun-
17 dred twenty-one A point one (321A.1) of the Code. The form and
18 provisions of such coverage shall be examined and approved by the
19 commissioner of insurance.

*According to enrolled Act.

20 However, the named insured shall have the right to reject such
21 coverage by written rejection signed by the named insured. If such
22 rejection is made on a form or document furnished by an insurance
23 company or insurance agent, it shall be on a separate sheet of paper
24 which contains only such rejection and information directly related
25 thereto. Such coverage need not be provided in or supplemental to a
26 renewal policy where the named insured has rejected such coverage in
27 connection with a policy previously issued to him by the same insurer.

1 SEC. 2. Nothing contained in this Act shall be construed as requir-
2 ing forms of coverage provided pursuant hereto, whether alone or in
3 combination with similar coverage afforded under other automobile
4 liability or motor vehicle liability policies, to afford limits in excess of
5 those that would be afforded had the insured thereunder been involved
6 in an accident with a motorist who was insured under a policy of
7 liability insurance with the minimum limits for bodily injury or death
8 prescribed in subsection ten (10) of section three hundred twenty-one
9 A point one (321A.1) of the Code. Such forms of coverage may in-
10 clude terms, exclusions, limitations, conditions, and offsets which are
11 designed to avoid duplication of insurance or other benefits.

1 SEC. 3. For the purpose of this Act, the term "uninsured motor
2 vehicle" shall, subject to the terms and conditions of the coverage
3 herein required, be deemed to include an insured motor vehicle with
4 respect to which insolvency proceedings have been instituted against
5 the liability insurer thereof by the insurance regulatory official of this
6 or any other state or territory of the United States or of the District
7 of Columbia.

8 An insurer's insolvency protection shall be applicable only to acci-
9 dents occurring during a policy period in which its insured's unin-
10 sured motorist coverage is in effect and only if the liability insurer of
11 the tortfeasor is insolvent at the time of such an accident or becomes
12 insolvent within one year after such an accident.

1 SEC. 4. In the event of payment to any person under the coverage
2 required by this Act and subject to the terms and conditions of such
3 coverage, the insurer making such payment shall, to the extent there-
4 of, be entitled to the proceeds of any settlement or judgment resulting
5 from the exercise of any rights of recovery of such person against any
6 person or organization legally responsible for the bodily injury for
7 which such payment is made, including the proceeds recoverable from
8 the assets of the insolvent insurer. The person to whom said payment
9 is made under the insolvency protection required by this Act shall to
10 the extent thereof, be deemed to have waived any right to proceed to
11 enforce such a judgment against the assets of the judgment debtor who
12 was insured by the insolvent insurer whose insolvency resulted in said
13 payment being made, other than assets recovered or recoverable by
14 such judgment debtor from such insolvent insurer.

1 SEC. 5. This Act shall be applicable with respect to policies deliv-
2 ered, issued for delivery or renewed in this state with policy periods
3 beginning on and after October 1, 1967.

Approved May 16, 1967.

CHAPTER 375

INTEREST ON SAVINGS ACCOUNTS AND TIME DEPOSITS

S. F. 298

AN ACT relating to interest on savings accounts and time deposits.

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

1 SECTION 1. Section five hundred twenty-eight point eleven
2 (528.11), Code 1966, is hereby amended by striking all of such section
3 after the word "annum," in line six (6) and inserting in lieu thereof
4 the following:
5 "except any savings accounts or time deposits bearing interest at a
6 rate greater than four (4) percent per annum shall be reported to the
7 superintendent of banking at least quarterly or upon the superintend-
8 ent's call as excess interest bearing deposits, which deposits the super-
9 intendent may consider as he would borrowed money in evaluating the
10 liquidity of the bank. No interest in any event shall be paid upon time
11 deposits other than savings deposits for any period less than ninety
12 (90) days."

Approved June 26, 1967.

CHAPTER 376

BANK PARKING LOT OFFICES

H. F. 474

AN ACT to amend section five hundred twenty-eight point fifty-one (528.51), Code 1966, relating to bank parking lot offices.

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

1 SECTION 1. Section five hundred twenty-eight point fifty-one
2 (528.51), Code 1966, is hereby amended as follows:
3 1. By inserting in line ten (10) after the word "counties" the words
4 "surrounding and".
5 2. By inserting in line eleven (11) after the word "to" the words
6 "or touching or cornering upon".
7 3. By striking everything after the word "establish" in line twenty-
8 three (23) and substituting the following therefor:
9 "two (2) parking lot offices for servicing accounts, for receiving and
10 paying out deposits; issuing and cashing checks, drafts, money orders
11 and traveler's checks, for the storage of supplies and noncurrent bank
12 records, for safety deposits of customers and for the performance of
13 such other clerical and routine duties not inconsistent with this sec-
14 tion. The parking lot office shall be located within the corporate limits
15 of the city or town where the bank is located, shall have an adequate
16 off-street parking area as determined by the superintendent and may
17 be for the service of both drive-up and pedestrian customers. Such a
18 facility located in the proximity of the bank may be found by the
19 superintendent to be an integral part of the main bank operation so
20 as to permit the approval of two (2) parking lot offices elsewhere.

21 The bank may supervise the operation of the parking lot office but the
 22 executive and official business of the bank shall not be transacted at
 23 such an office; no current records of the bank shall be located at a
 24 parking lot office, and all transactions of the parking lot business shall
 25 be immediately transmitted to the bank. Nothing in this section shall
 26 prohibit national banks the privilege of this section whenever they
 27 may be so authorized by federal law."

Approved May 23, 1967.

CHAPTER 377

PERSONAL PROPERTY OWNED OR LEASED BY BANKS

S. F. 729

AN ACT relating to the power of state and savings banks to own and lease certain personal property.

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

1 SECTION 1. Chapter five hundred twenty-eight (528), Code 1966,
 2 is hereby amended by adding the following new section thereto:
 3 "In addition to the other powers granted to state and savings banks,
 4 such banks may, subject to regulations of and prior approval of the
 5 superintendent of banking, become the owner and lessor of personal
 6 property acquired upon the specific request of and for the use of a
 7 customer, and may incur such additional obligations as may be inci-
 8 dent to becoming an owner and lessor of such property."

Approved July 5, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 378

CAPITAL NOTES OR DEBENTURES OF STATE BANKS

S. F. 436

AN ACT to amend chapter five hundred twenty-eight (528), Code 1966, relating to the power of state and savings banks to issue capital notes or debentures.

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

1 SECTION 1. Chapter five hundred twenty-eight (528), Code 1966,
 2 is hereby amended by adding thereto the following new sections:
 3 1. "In addition to the other powers granted to state and savings
 4 banks, such banks may, with the prior approval of the superintendent
 5 of banking and the affirmative vote of three-fourths ($\frac{3}{4}$) of the out-
 6 standing voting stock of the bank, issue capital notes or debentures in
 7 a total amount not in excess of the paid-in capital stock and unim-
 8 paired surplus of the bank. The amounts, maturities, rate of interest,
 9 relative rights with other creditors, and other terms and conditions

10 shall be set forth on the face of said capital notes or debentures as
 11 approved and as may be required by the superintendent, provided that
 12 said capital notes and debentures shall always be subordinated to the
 13 rights of all depositors at all times and for all purposes."

14 2. "No bank shall retire or make any payments of principal or
 15 interest on any capital notes or debentures when and so long as its
 16 capital is impaired and until liquidation or removal of the impair-
 17 ment."

18 3. "No bank may issue such capital notes or debentures within the
 19 first five (5) years after it is originally certified to commence business
 20 as such. Such capital notes or debentures shall not be deemed 'capi-
 21 tal,' 'capital stock,' or 'paid-up capital' or any such descriptive termi-
 22 nology similar in nature, as such terms are used in the laws of this
 23 state relating to banks or banking and shall not be considered a part
 24 of the capital structure of the bank for any purpose."

Approved May 5, 1967.

CHAPTER 379

INSTALLMENT LOANS BY BANKS

S. F. 184

AN ACT to amend chapter five hundred twenty-nine (529), Code 1966, relating to installment loans by banks.

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

1 SECTION 1. Section five hundred twenty-nine point three (529.3),
 2 Code 1966, is hereby amended as follows:

3 1. By striking from line five (5) the words "five thousand" and in-
 4 sserting in lieu thereof the words "ten thousand".

5 2. By striking from line eight (8) the word "fifteen" and inserting
 6 in lieu thereof the word "twenty-five (25)".

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 380
DEBT MANAGEMENT

H. F. 284

AN ACT to regulate the business of debt management; to require licenses and to fix fees therefor; to prescribe the powers and duties of the superintendent of banking; to prescribe conditions for debt management contract; to provide for the disposition of revenues; and to provide penalties for violations of the provisions of this Act.

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

- 1 **SECTION 1. As used in this Act:**
2 1. "Debt management" means the planning and management of the
3 financial affairs of a debtor and the receiving therefrom of money or
4 evidences thereof for the purpose of distributing the same to his
5 creditors in payment or partial payment of his obligations for a fee.
6 2. "Licensee" means any individual, partnership, unincorporated as-
7 sociation, agency or corporation licensed under this Act.
8 3. "Superintendent" means the superintendent of banking.
9 4. "Debtor" means any natural person.
10 5. "Office" means each location by street number, building number,
11 city, and state where any person engages in debt management.
12 6. "Creditor" means a person for whose benefit moneys are being
13 collected and distributed by licensees.

- 1 **SEC. 2.**
2 1. No individual, partnership, unincorporated association, agency
3 or corporation shall engage in the business of debt management in this
4 state without a license therefor as provided for in this Act, except that
5 the following persons shall not be required to be licensed when engaged
6 in the regular course of their respective businesses and professions:
7 a. Attorneys at law.
8 b. Banks, savings and loan associations, insurance companies and
9 similar fiduciaries, chattel loan companies licensed under chapter five
10 hundred thirty-six (536) of the Code and industrial loan companies
11 licensed under chapter five hundred thirty-six A (536A) of the Code,
12 as duly licensed in Iowa by law, authorized and admitted to transact
13 business in this state and performing credit and financial adjusting in
14 the regular course of their principal business, or while performing an
15 escrow function.
16 c. Abstract companies, while performing an escrow function.
17 d. Employees of licensees under this Act.
18 e. Judicial officers or others acting under court orders.
19 f. Nonprofit religious, fraternal or cooperative organizations, in-
20 cluding credit unions, offering to debtors gratuitous debt-management
21 service.
22 g. Those persons, associations, or corporations whose principal busi-
23 ness is the origination of first mortgage loans on real estate for their
24 own portfolios or for sale to institutional investors.
25 2. The application for such license shall be in writing, under oath,
26 and in the form prescribed by the superintendent. The application
27 shall contain the name of the applicant; date of incorporation, if in-
28 corporated, and the address where the business is to be conducted; and

29 similar information as to any branch office of the applicant; the name
30 and resident address of the owner or partners, or, if a corporation,
31 association or agency, of the directors, trustees, principal officers, and
32 agents, and such other pertinent information as the superintendent
33 may require. If the applicant is a partnership, a copy of the certificate
34 of assumed name or articles of partnership shall be filed with the
35 application. If the applicant is a corporation, a copy of the articles of
36 incorporation shall be filed with the application.

37 3. Each application shall be accompanied by a bond to be approved
38 by the superintendent to the people of the state of Iowa in the penal
39 sum of ten thousand (10,000) dollars for each office, providing, how-
40 ever, the superintendent may require such bond to be raised to a maxi-
41 mum sum of twenty-five thousand (25,000) dollars, and conditioned
42 that the obligor will not violate any law pertaining to such business
43 and upon the faithful accounting of all moneys collected upon accounts
44 entrusted to such person engaged in debt management, and their em-
45 ployees and agents for the purpose of indemnifying debtors for loss
46 resulting from conduct prohibited by this Act. The aggregate liability
47 of the surety to all debtors doing business with the office for which
48 the bond is filed shall, in no event, exceed the penal sum of such bond.
49 The surety on the bond shall have the right to cancel such bond upon
50 giving thirty (30) days notice to the superintendent and thereafter
51 shall be relieved of liability for any breach of condition occurring after
52 the effective date of said cancellation. No individual, partnership, un-
53 incorporated association, agency or corporation shall engage in the
54 business of debt management until a good and sufficient bond is filed
55 in accordance with the provisions of this Act.

56 4. Each applicant shall furnish with his application a copy of the
57 contract he proposes to use between himself and the debtor, which
58 shall contain a schedule of fees to be charged the debtor for his serv-
59 ices.

60 5. At the time of making such application the applicant shall pay to
61 the superintendent the sum of fifty (50) dollars as a license fee for
62 each of his offices and an investigation fee in the sum of one hundred
63 (100) dollars. A separate application shall be made for each office
64 maintained by the applicant.

1 SEC. 3.

2 1. Upon the filing of each application and the payment of such fees,
3 the superintendent shall fix a date and a time for a hearing upon such
4 application, and shall make an investigation of the facts concerning
5 the application and the requirements provided for in subsection three
6 (3) of this section.

7 2. The superintendent shall grant or deny each application for a
8 license within sixty (60) days from the filing thereof with the re-
9 quired fee, unless the period is extended by written agreement between
10 the applicant and the superintendent.

11 3. a. If the superintendent shall find the experience, financial re-
12 sponsibility, character and general fitness of the applicant is such as
13 to command the confidence of the public and to warrant belief that the
14 business will be operated lawfully, honestly, fairly and efficiently with-
15 in the purposes of this Act, and that the applicant, or if the applicant
16 is an unincorporated association, agency or partnership, then the in-

17 individuals involved, or if the applicant is a corporation then the offi-
18 cers and directors thereof, have not been convicted of a felony or a
19 misdemeanor involving moral turpitude, or have not had a record of
20 having defaulted in payment of money collected for others, including
21 the discharge of such debts through bankruptcy proceedings, the
22 superintendent shall thereupon enter an order granting such applica-
23 tion and forthwith issue and deliver a license to the applicant. The
24 superintendent may require as part of the application a credit report
25 and other information.

26 *b.* If the applicant has, at the time of the application, a license for
27 an office located within ten (10) statute miles of the location of the
28 office named in the application, no license shall be issued unless the
29 superintendent finds that public convenience will be served by the
30 issuance of such license.

31 *c.* No license shall be transferable or assignable.

32 4. If the superintendent finds the applicant not qualified by subsec-
33 tion three (3) of this section, he shall enter an order denying such
34 application and forthwith notify the applicant of the denial, returning
35 the license fee. Within fifteen (15) days after the entry of such order,
36 he shall prepare written findings and shall forthwith deliver a copy
37 thereof to the applicant.

1 SEC. 4. The license issued under this Act shall expire on July 1
2 next following its issuance unless sooner surrendered, revoked or sus-
3 pended, but may be renewed as provided in this Act.

1 SEC. 5. Each licensee on or before July 1 may make application to
2 the superintendent for renewal of its license. The application shall be
3 on the form prescribed by the superintendent and shall be accompanied
4 by a fee of one hundred (100) dollars, together with a bond as in the
5 case of an original application. A separate renewal application shall
6 be made for each office maintained by the applicant.

1 SEC. 6.

2 1. No licensee shall transact business until it shall have first ap-
3 pointed in writing the superintendent as agent of the licensee for
4 service of process in this state. Service upon the superintendent or,
5 in his absence, any employee in charge of his office, shall be of the
6 same legal force and validity as if served upon any licensee under this
7 Act.

8 2. Whenever lawful process against any licensee shall be served
9 upon the superintendent, two (2) copies shall be furnished and he
10 shall forthwith forward a copy of the process served on him, by cer-
11 tified mail, postpaid and directed to the licensee. For each service of
12 process the sum of two (2) dollars shall be collected, which shall be
13 paid by the plaintiff at the time of such service, the same to be re-
14 covered by him as part of the taxable costs, if he prevails in the suit.

1 SEC. 7.

2 1. The superintendent may revoke or suspend any license issued or
3 applied for under this Act for the following causes:

4 *a.* Conviction of a felony or of a misdemeanor involving moral tur-
5 pitude.

6 *b.* For intentionally violating any of the provisions of this Act.

7 c. For fraud or deceit in procuring the issuance of a license or re-
8 newal under this Act.

9 d. For indulging in a continuous course of unfair conduct.

10 e. For insolvency, bankruptcy, receivership or assignment for the
11 benefit of creditors by a licensee or applicant for a license under this
12 Act.

13 2. The denial, revocation or suspension shall be made only upon spe-
14 cific charges in writing, under oath, filed with the superintendent or
15 by the superintendent whereupon a hearing shall be had as to the
16 reasons for any denial, revocation or suspension and a certified copy
17 of the charges shall be served on the licensee or applicant for license
18 not less than ten (10) days prior to the hearing.

1 SEC. 8.

2 1. Each licensee shall make a written contract between himself and
3 a debtor and shall immediately and before collecting any fee, furnish
4 the debtor with a true copy of the contract. The contract shall set
5 forth the complete list of creditors who are to receive payments under
6 the contract, the total charges agreed upon for the services of the
7 licensee, a statement of how the charges are to be paid, and the be-
8 ginning and expiration date of the contract. No contract shall extend
9 for a period longer than thirty-six (36) months.

10 2. Each licensee shall maintain a separate bank trust account in
11 which all payments received from debtors for the benefit of creditors
12 shall be deposited and in which all payments shall remain until a re-
13 mittance is made to either the debtor or the creditor. Every licensee
14 shall keep, and use in his business, books, accounts and records which
15 will enable the superintendent to determine whether such licensee is
16 complying with the provisions of this Act and with the rules and regu-
17 lations of the superintendent. Every licensee shall preserve such
18 books, accounts and records for at least seven (7) years after making
19 the final entry on any transaction recorded therein.

20 3. Each licensee shall keep complete and adequate records during
21 the term of the contract and for a period of five (5) years from the
22 date of cancellation or completion of the contract with each debtor,
23 which records shall contain complete information regarding the con-
24 tract, extensions thereof, payments, disbursements, and charges,
25 which records shall be open to inspection by the superintendent and
26 his duly appointed agents during normal business hours.

27 4. Each licensee shall make remittances to creditors within forty-
28 five (45) days after initial receipt of funds, and thereafter remit-
29 tances shall be made to creditors within thirty (30) days of receipt,
30 less fees and costs, unless the reasonable payment of one (1) or more
31 of the debtor's obligations requires that such funds be held for a longer
32 period so as to accumulate a sum certain.

33 5. Each licensee shall, upon request, furnish the debtor a written
34 statement of his account monthly or a verbal accounting at any time
35 the debtor may request it during normal business hours. A monthly
36 written statement of disbursements made and fees deducted from his
37 account shall be made to the debtor, whether he requests it or not.

38 6. A licensee shall not receive any fee unless he has the consent of
39 at least fifty (50) percent of the total number of the creditors listed in
40 the licensee's contract with the debtor, or such a like number of cred-

41 itors have accepted a distribution of payment. The debtor shall be
42 informed by the licensee of those creditors who have not agreed to the
43 licensee's handling of the account. No licensee shall accept an account
44 unless a written and thorough budget analysis has been performed
45 which indicates that the debtor can meet the requirements determined
46 by the budget analysis.

47 7. In the event a compromise of a debt is arranged by the licensee
48 with any one or more creditors, the debtor shall have the full benefit
49 of such compromise.

1 SEC. 9. The fee of the licensee shall be agreed upon in advance and
2 stated in the contract and provision for settlement in case of cancel-
3 lation or prepayment shall be clearly stated herein. The fee of the
4 licensee shall not exceed twelve and one-half (12½) percent of any
5 payment made by the debtor and distributed to the creditors pursuant
6 to the contract. In case of total payment of the contract before the
7 contract period has expired, the licensee shall be entitled only to a fee
8 of no more than three (3) percent of such final payment.

1 SEC. 10.

2 1. The superintendent may examine the condition and affairs of said
3 licensee. In connection with any examination, the superintendent may
4 examine on oath any licensee, and any director, officer, employee, cus-
5 tomer, creditor or stockholder of a licensee concerning the affairs and
6 business of the licensee. The superintendent shall ascertain whether
7 the licensee transacts its business in the manner prescribed by the law
8 and the rules and regulations issued thereunder. The licensee shall
9 pay the cost of the examination as determined by the superintendent,
10 which fee shall not exceed the sum of one hundred (100) dollars per
11 day of examination. Failure to pay the examination fee within thirty
12 (30) days of receipt of demand from the superintendent shall auto-
13 matically suspend the license until the fee is paid.

14 2. In the investigation of alleged violations of this Act, the super-
15 intendent may compel the attendance of any person or the production
16 of any books, accounts, records and files used therein, and may ex-
17 amine under oath all persons in attendance pursuant thereto.

18 The superintendent is authorized to make and promulgate as pre-
19 scribed by law regulations necessary to carry out the purposes of this
20 Act.

1 SEC. 11.

2 It shall be unlawful and a violation of this Act for the holder of any
3 license issued under the terms and provisions hereto:

4 1. To purchase from a creditor any obligation of a debtor.

5 2. To operate as a collection agent and as a licensee as to the same
6 debtor's account without first disclosing in writing such fact to both
7 the debtor and creditor.

8 3. To execute any contract or agreement to be signed by the debtor
9 unless the contract or agreement is fully and completely filled in and
10 finished.

11 4. To receive or charge any fee in the form of a promissory note or
12 other promise to pay, or receive or accept any mortgage or other secu-
13 rity for any fee, both as to real or personal property.

14 5. To pay any bonus or other consideration to any individual, agen-
15 cy, partnership, unincorporated association or corporation for the
16 referral of a debtor to his business, or to accept or receive any bonus,
17 commission or other consideration for referring any debtor to any
18 individual, partnership, unincorporated association, agency or corpo-
19 ration for any reason.

20 6. To advertise his services, display, distribute, broadcast or tele-
21 vise or permit to be displayed, advertised, distributed, broadcast or
22 televised his services in any manner inconsistent with the law.

23 7. To collect a fee or any other consideration from both the debtor
24 and any creditor.

1 SEC. 12. Any individual, partnership, unincorporated association,
2 agency or corporation lawfully engaged in debt management in this
3 state for a period of at least one (1) year immediately preceding the
4 effective date of this Act shall be entitled to receive a license within
5 the provisions of this Act by filing an application, furnishing a bond
6 and paying the annual fee as herein specified within ninety (90) days
7 after the effective date of this Act.

1 SEC. 13. It shall be unlawful for an individual, partnership, unin-
2 corporated association, agency or corporation to engage in the busi-
3 ness of debt management without first obtaining a license as required
4 by this Act. Any individual, partnership, unincorporated association,
5 agency, corporation or any other group of individuals, however organ-
6 ized, or any owner, partner, member, officer, director, employee, agent
7 or representative thereof who shall willfully or knowingly engage in
8 the business of debt management without the license required by this
9 Act, shall be guilty of a misdemeanor and upon conviction thereof shall
10 be fined not more than one thousand (1,000) dollars for each violation
11 or imprisoned in the county jail for not more than six (6) months, or
12 by both such fine and imprisonment.

1 SEC. 14. All moneys received by the superintendent from fees,
2 licenses and examinations pursuant to this Act shall be deposited by
3 the superintendent with the treasurer of state.

1 SEC. 15. Any applicant or licensee aggrieved by a final decision of
2 the superintendent pursuant to sections three (3) and seven (7) of
3 this Act may, within ten (10) days after receiving notification of such
4 decision, file a petition for review in the district court of the county in
5 which the applicant or business resides. The review shall be in the
6 form prescribed by the Code for writs of certiorari and tried on the
7 record of evidence made before the superintendent. The decision of
8 the superintendent shall be affirmed if supported by a preponderance
9 of competent and relevant evidence.

Approved June 27, 1967.

CHAPTER 381

CREDIT UNIONS

H. F. 320

AN ACT relating to credit unions.

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

- 1 SECTION 1. Section five hundred thirty-three point ten (533.10),
 2 Code 1966, is hereby amended by striking from line thirteen (13) the
 3 words "approval must be unanimous" and inserting in lieu thereof the
 4 words "may grant approval thereof".

Approved May 5, 1967.

CHAPTER 382

SAVINGS AND LOAN ASSOCIATIONS

H. F. 62

AN ACT relating to savings and loan associations.

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

- 1 SECTION 1. Section five hundred thirty-four point two (534.2),
 2 Code 1966, is hereby amended by striking from line six (6) of subsec-
 3 tion five (5) the word "fifty" and inserting in lieu thereof the words
 4 "one hundred".

- 1 SEC. 2. Section five hundred thirty-four point ten (534.10), Code
 2 1966, is hereby amended by adding after the word "amount" in line
 3 twenty-two (22) the following:
 4 " , excepting that an association may classify its savings accounts
 5 according to the character, amount or duration thereof, or regularity
 6 of additions thereto, and may agree in advance to pay an additional
 7 rate of earnings for particular classes of accounts such as a variable
 8 rate or bonus for saving larger amounts, or for maintaining such sav-
 9 ings over a longer period of time or with regularity, as determined by
 10 the board of directors; however, all such accounts shall be available to
 11 all qualifying members. The board of directors may also determine
 12 that earnings shall not be paid on any such account which has a with-
 13 drawable value in an amount less than fifty (50) dollars".

- 1 SEC. 3. Section five hundred thirty-four point seventeen (534.17),
 2 Code 1966, is hereby amended by adding the following paragraph
 3 thereto:
 4 "No association shall invest in any loan at any time when its liquid
 5 assets are less than five (5) percent of its savings liability, unless the
 6 supervisor of savings and loan associations shall have issued written
 7 approval."

- 1 SEC. 4. Section five hundred thirty-four point nineteen (534.19),
 2 Code 1966, is hereby amended by striking the period at the end of
 3 subsection one (1) and inserting in lieu thereof the following:

4 “, together with such implied powers as are reasonably necessary for
5 the purpose of carrying out the express powers granted in this chap-
6 ter.”

7 Said section is further amended by striking from line fifteen (15)
8 of subsection six (6) the word “five” and inserting in lieu thereof the
9 word “six”.

10 Said section is further amended by striking from lines seven (7)
11 and eight (8) and nine (9) of subsection fifteen (15) the words
12 “which the corporations could individually do under their own author-
13 ity”.

14 Said section is further amended by adding at the end of subsection
15 fifteen (15) the following: “An association may invest in capital
16 stock, obligations, or other securities of service corporations in an
17 amount not to exceed one (1) percent of the association’s assets.”

1 SEC. 5. Section five hundred thirty-four point twenty-one
2 (534.21), Code 1966, is hereby amended by adding after the word
3 “persons” in line [five]* 5 the following: “or one professional ap-
4 praiser”.

5 Said section is further amended by adding to subsection one (1) the
6 following:

7 “If agreed in writing by written instrument separate from the note
8 and mortgage at any time after execution of the note and mortgage,
9 any prepayment of an installment may be applied on the final install-
10 ment of the note or other obligation until fully paid, and thereafter
11 on the installments in the inverse order of their maturity.”

12 Said section is further amended by striking from line twelve (12)
13 of subsection three (3) the word “thirty” and inserting in lieu thereof
14 the word “forty”.

15 Said section is further amended by striking from line two (2) of
16 subsection four (4) the word “thirty” and inserting in lieu thereof
17 the word “forty”.

18 Said section is further amended by striking from lines six (6) and
19 nine (9) of subsection four (4) paragraph “d” the word “thirty” and
20 inserting in lieu thereof the word “forty”.

21 Said section is further amended by striking all of subsection ten
22 (10) and inserting in lieu thereof the following:

23 “Real estate loans on one to four family dwellings may be repaid in
24 part or in full at any time, excepting that the association may charge
25 not to exceed six months advance interest on that part of the aggre-
26 gate amount of all prepayments made on such loan in any twelve-
27 month period which exceeds twenty (20) percent of the original prin-
28 cipal amount of the loan; and may charge any negotiated rate not to
29 exceed three (3) percent of the original principal for prepayment on
30 other loans during the first three (3) years of said loans, after which
31 time the association may charge as above provided for on one to four
32 family dwellings.”

1 SEC. 6. Section five hundred thirty-four point twenty-four
2 (534.24), Code 1966, is hereby amended by inserting after the word
3 “members” in line [eight]* 8 of subsection one (1) the following:
4 “, in person or by proxy, such vote to be”.

*Word supplied by editor, see §3.1(3) of the Code.

5 Said section is further amended by inserting after the word "asso-
6 ciation" in line five (5) of subsection two (2) the following: ", in
7 person or by proxy, such vote to be".

8 Said section is further amended by striking from line thirty-five
9 (35) of subsection one (1) the word "of" and inserting in lieu thereof
10 the word "or".

11 Said section is further amended by striking from line thirty-six
12 (36) of subsection two (2) the word "section" and inserting in lieu
13 thereof the word "chapter".

1 SEC. 7. Section five hundred thirty-four point thirty-one (534.31),
2 Code 1966, is hereby amended by striking all after the period in line
3 eleven (11) and inserting in lieu thereof the following:

4 "Every association organized under the provisions of this chapter
5 shall have and exercise all of the rights, powers and privileges dealing
6 with a bonus plan or variable dividend rate plan or similar plans
7 which are for the purpose of encouraging systematic, long-term or
8 stable savings which are not in conflict otherwise with the laws of this
9 state pertaining to such associations and which are similar to such
10 powers as may be conferred upon federal savings and loan associa-
11 tions, if such plan is approved by the supervisor and the auditor by
12 departmental rule. The plan is to be made available to all qualifying
13 members."

1 SEC. 8. Section five hundred thirty-four point forty-two (534.42),
2 Code 1966, is hereby amended by adding the following thereto:

3 "The board of directors of an association may classify its savings
4 accounts according to the character, amount or duration thereof, or
5 regularity of additions thereto, and may agree in advance to pay an
6 additional or variable rate of earnings for particular classes of ac-
7 counts as an incentive or bonus for larger amounts, or for maintain-
8 ing such savings over a longer period of time or with regularity, as
9 determined by the board of directors, this plan to be made available
10 to all qualifying members. The board of directors may also determine
11 that the earnings shall not be paid on any such account which has a
12 withdrawable value in an amount less than fifty (50) dollars."

1 SEC. 9. Section five hundred thirty-four point forty-four (534.44),
2 Code 1966, is hereby repealed and the following enacted in lieu there-
3 of:

4 "All expenses for management in conducting the affairs of an as-
5 sociation, excluding the cost of borrowed money, shall be paid from
6 interest, service charges and other sources of profit. The said expense
7 for an association in any one year shall not exceed three (3) percent
8 for associations with assets not to exceed eight hundred thousand
9 (800,000) dollars and two (2) percent for those over such amount as
10 shown by the associations in their last annual report."

1 SEC. 10. Section five hundred thirty-three B point three (533B.3),
2 Code 1966, is hereby amended by adding after the period in line ten
3 (10) the following: "The Federal Home Loan Bank of Des Moines
4 and federally chartered and state chartered savings and loan associa-

5 tions may sell checks, drafts, or money orders for single transaction
6 transmission of money.”

Approved March 10, 1967.

CHAPTER 383

INSPECTION OF BONDED WAREHOUSES

S. F. 441

AN ACT relating to duties and powers of the Iowa state commerce commission.

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

1 SECTION 1. Section five hundred forty-three point two (543.2),
2 Code 1966, is hereby amended by striking in line eleven (11) thereof
3 the word “three” and inserting in lieu thereof the word “six (6)”.*

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

*See also ch. 384.

CHAPTER 384

AGRICULTURAL WAREHOUSES

H. F. 201

AN ACT 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 two (543.2),
2 Code 1966, is hereby amended as follows:

3 1. By inserting in line eight (8) following the word “thereof.” the
4 following: “If upon any such inspection a deficiency is found to exist
5 as to the quantity or quality of agricultural products stored, the com-
6 mission shall have the authority to, and may require an inspector to
7 remain at the licensed warehouse and supervise all operations con-
8 ducted thereat involving agricultural products stored under the pro-
9 visions of this chapter until such deficiency is corrected.”

10 2. By striking from line eleven (11) the word “three” and by in-
11 inserting in lieu thereof the word “six”.*

1 SEC. 2. Section five hundred forty-three point eleven (543.11),
2 Code 1966, is hereby amended by striking all of said section after the
3 figures “543.15” in line fifteen (15) and by inserting in lieu thereof
4 the following:

5 “. If such additional insurance is not provided within five days
6 after notice by certified mail the license of the warehouseman con-
7 cerned shall be automatically suspended. If such additional insurance

*See also ch. 383.

8 is not filed within another twenty-five days, the warehouse license
9 shall be automatically revoked. If additional bond is not provided
10 within thirty days after receiving notice by certified mail the ware-
11 house license shall be suspended. If such additional bond is not filed
12 within sixty days the warehouse license shall be automatically revoked.
13 When a license is so revoked, the commission shall notify each holder
14 of an outstanding warehouse receipt of such revocation. The commis-
15 sion shall further notify each receipt holder that his grain must be
16 removed from the warehouse not later than the thirtieth day following
17 the initial revocation as herein set forth. Such notice shall be by ordi-
18 nary mail sent to the last known address of each receipt holder.

19 "Whenever the commission shall receive notice from a surety that
20 it has cancelled the bond of a warehouseman, the commission shall
21 automatically suspend the warehouse license if a new bond is not
22 received by the commission within thirty days of receipt of the notice
23 of cancellation. The commission shall cause an inspection of the
24 licensed warehouse immediately at the end of such thirty-day period.
25 If a new bond is not received within sixty days of receipt of the notice
26 of cancellation the commission shall revoke the warehouse license.
27 The commission shall cause a further inspection of the licensed ware-
28 house at the end of such sixty-day period. When a license is so revoked
29 the commission shall give notice of such revocation to each holder of
30 an outstanding warehouse receipt. The commission shall further
31 notify each receipt holder that his grain must be removed from the
32 warehouse not later than the ninetieth day following receipt of notice
33 of cancellation, by the commission. Such notice to each receipt holder
34 shall be sent by ordinary mail to the last known address of each
35 receipt holder. The commission shall cause a final inspection of the
36 licensed warehouse immediately after the end of such ninety-day
37 period."

1 SEC. 3. Section five hundred forty-three point thirteen (543.13),
2 Code 1966, is hereby amended as follows:

3 1. By inserting in line seven (7) following the word "state" the
4 following:

5 "No bond shall be cancelled by the surety on less than ninety (90)
6 days notice by certified mail to the commission and the principal."

7 2. By adding at the end thereof the following:

8 "Notwithstanding any other provisions of this chapter, the bond
9 provided in this section shall cover all bulk grain deposited with a
10 licensed warehouseman."

1 SEC. 4. Section five hundred forty-three point seventeen (543.17),
2 Code 1966, is hereby amended as follows:

3 1. By adding at the end thereof the following:

4 "Notwithstanding any of the above provisions of this section, a
5 written agreement may be made at the time of the delivery of any bulk
6 grain to the warehouseman that payment will be deferred to a future
7 date. Such agreement shall contain a statement therein informing
8 the seller that the warehouseman is not required to carry insurance
9 or bond on such grain for the benefit of the seller and that the payment
10 for such grain becomes a common claim against the warehouseman.

11 "The agreement in addition to such other information as may be
12 required shall contain the following:

- 13 1. The seller's, or depositor's, name and address.
 14 2. The conditions of delivery.
 15 3. The amount and kind of grain delivered.
 16 4. The price per bushel or basis of value.
 17 5. The date payment is to be made.

18 Such agreement must be signed by both parties and executed in trip-
 19 licate. One copy shall be retained by the warehouseman, one copy shall
 20 be delivered to the seller and one copy shall be forwarded to the com-
 21 mission within five days from execution of such agreement."

22 2. By striking from line fourteen (14) the word "ten" and by in-
 23 serting in lieu thereof the word "thirty".

24 3. By striking from line sixteen (16) the word "nine" and by in-
 25 serting in lieu thereof the word "twenty-nine".

26 4. By striking from line seventeen (17) the word "tenth" and by
 27 inserting in lieu thereof the word "thirtieth".

28 5. By striking from line twenty-six (26) the word "ten" and by in-
 29 serting in lieu thereof the word "thirty".

30 6. By striking all after the period in line sixty-five (65) through the
 31 period in line seventy-two (72).

1 SEC. 5. Section five hundred forty-three point fifteen (543.15),
 2 Code 1966, is hereby amended as follows:

3 1. By inserting in line sixteen (16) following the word "commis-
 4 sion." the following:

5 "No insurance policy shall be cancelled by the insurance company on
 6 less than fifteen days notice by certified mail to the commission and the
 7 principal unless such policy is being replaced with another policy and
 8 evidence of the new policy is filed with the commission at the time of
 9 cancellation of the policy on file."

10 2. By striking the last sentence and by inserting in lieu thereof the
 11 following:

12 "Claimants against such insurance shall have precedence in the fol-
 13 lowing order:

14 1. Holders of warehouse receipts other than the warehouseman and
 15 owners of bulk grain other than the warehouseman.

16 2. Owners of all other agricultural products as their interests ap-
 17 pear.

18 3. Warehousemen who have warehouse receipts.

19 4. Warehousemen owners of bulk grain."

1 SEC. 6. Section five hundred forty-three point seven (543.7), Code
 2 1966, is hereby repealed.

1 SEC. 7. Section five hundred forty-three point thirty-three
 2 (543.33), Code 1966, is hereby amended by adding a new subsection
 3 as follows:

4 "For the cost of maintaining an inspector at a licensed warehouse to
 5 supervise the correction of a deficiency, thirty dollars per day."

1 SEC. 8. Section five hundred forty-three point thirty-five (543.35),
 2 Code 1966, line nine (9), is hereby amended by striking the word
 3 "always" and by inserting after the word "available" the words "for
 4 the six previous years".

1 SEC. 9. Chapter five hundred forty-three (543), Code 1966, is
 2 hereby amended by adding the following new sections thereto:

3 "Failure to pay the annual fee provided for in section five hundred
4 forty-three point thirty-three (543.33) of the Code on or before the
5 date the same shall become due shall cause a license to terminate. The
6 annual fee shall become due on June 30 each year.
7 "Nothing in this chapter shall be construed to imply any guarantee
8 or obligation on the part of the state of Iowa, or any of its agencies,
9 employees or officials, either elective or appointive, in respect of any
10 agreement or undertaking to which the provisions of this chapter
11 relate."

1 SEC. 10. Section five hundred forty-three point twenty-eight
2 (543.28), Code 1966, is hereby amended by striking from lines twenty-
3 six (26) and twenty-seven (27) the words "issuance of the warehouse
4 receipt" and by inserting in lieu thereof the words "delivery to the
5 warehouse".

1 SEC. 11. Section five hundred forty-three point thirteen (543.13),
2 subsection one (1), Code 1966, is hereby amended by striking all of
3 such subsection after the word "follows:" in line five (5) and insert-
4 ing in lieu thereof the following:

5 "a. For intended storage of bulk grain in any quantity less than
6 twenty thousand (20,000) bushels, the minimum amount of the bond
7 shall be six thousand (6,000) dollars plus one thousand (1,000) dol-
8 lars for each two thousand (2,000) bushels or fraction thereof in
9 excess of twelve thousand (12,000) bushels up to a total of twenty
10 thousand (20,000) bushels.

11 "b. For intended storage of bulk grain in any quantity not less
12 than twenty thousand (20,000) bushels and not more than fifty thou-
13 sand (50,000) bushels, the minimum amount of the bond shall be ten
14 thousand (10,000) dollars plus one thousand (1,000) dollars for each
15 three thousand (3,000) bushels or fraction thereof in excess of twenty
16 thousand (20,000) bushels up to a total of fifty thousand (50,000)
17 bushels.

18 "c. For intended storage of bulk grain in any quantity not less than
19 fifty thousand (50,000) bushels and not more than seventy thousand
20 (70,000) bushels, the minimum amount of the bond shall be twenty
21 thousand (20,000) dollars plus one thousand (1,000) dollars for each
22 four thousand (4,000) bushels or fraction thereof in excess of fifty
23 thousand (50,000) bushels up to a total of seventy thousand (70,000)
24 bushels.

25 "d. For intended storage of bulk grain in any quantity not less than
26 seventy thousand (70,000) bushels, the minimum amount of the bond
27 shall be twenty-five thousand (25,000) dollars plus one thousand
28 (1,000) dollars for each five thousand (5,000) bushels or fraction
29 thereof in excess of seventy thousand (70,000) bushels."

1 SEC. 12. Chapter five hundred forty-three (543), Code 1966, is
2 hereby amended by adding thereto the following:

3 "A licensed warehouseman may store grain in any other licensed
4 warehouse in addition to his own facilities, subject to the following
5 conditions:

6 1. He must obtain from such warehouseman a nonnegotiable ware-
7 house receipt and such receipt must show clearly the following nota-
8 tion: 'Held in trust for' (customer's name and address).

9 2. Any grain stored by a licensed warehouseman in facilities li-
 10 censed by another warehouseman shall be stored within a radius of
 11 twenty-five (25) statute miles from the central facility of the ware-
 12 houseman where it was originally received for storage.

13 3. At such time as the warehouseman may begin to use the addi-
 14 tional facilities described in this section, he must furnish additional
 15 bond acceptable to the commission to cover the increase in his gross
 16 capacity.

17 4. A licensed warehouseman shall not accept grain for storage from
 18 another licensed warehouseman while he has grain stored under the
 19 provisions of this section."

Approved July 27, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 385

BULK GRAIN STORAGE LIMIT

H. F. 55

AN ACT relating to the length of time bulk grain may be deposited in a warehouse.

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

1 SECTION 1. Section five hundred forty-three point seventeen
 2 (543.17), Code 1966, is hereby amended as follows:

3 (1) By striking from line twenty (20) the word "tenth" and in-
 4 serting in lieu thereof the word "thirtieth".

5 (2) By striking from line thirty (30) the word "tenth" and in-
 6 serting in lieu thereof the word "thirtieth".

Approved June 8, 1967.

CHAPTER 386

AGRICULTURAL WAREHOUSEMEN

S. F. 752

AN ACT expressly providing for the issuance of warehouse receipts by licensed agri-
 cultural warehousemen for agricultural products owned by them and the effective-
 ness of a transfer of the title or interest in such products by means of such re-
 cepts.

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

1 SECTION 1. Chapter five hundred forty-three (543), Code 1966, is
 2 hereby amended by adding thereto the following section:

3 "A licensed warehouseman may issue a warehouse receipt for agri-
 4 cultural products owned by himself and dispose of the title to or inter-
 5 est in such products through the medium of such receipt. Such receipt
 6 shall be of the same standing as though it had been issued to a person
 7 other than the licensed warehouseman upon a rightful deposit of the

8 products by such other person. Sections five hundred forty-three point
 9 eighteen (543.18) and five hundred forty-three point nineteen (543.19)
 10 of the Code shall be applicable to any such receipt."

Approved June 14, 1967.

CHAPTER 387

GRAIN GRADING AND WEIGHING

S. F. 440

AN ACT relating to licensing to grade and weigh grain.

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

1 SECTION 1. Section five hundred forty-three point thirty (543.30),
 2 Code 1966, is hereby amended by striking all after the word "graded"
 3 in line six (6) thereof.

1 SEC. 2. Section five hundred forty-three point thirty-one (543.31),
 2 Code 1966, is hereby repealed.

1 SEC. 3. Section five hundred forty-three point thirty-two (543.32),
 2 Code 1966, is hereby repealed.

1 SEC. 4. Upon the effective date of this Act, all licenses issued under
 2 the provisions of section five hundred forty-three point thirty-one
 3 (543.31), Code 1966, shall become null and void.

Approved May 22, 1967.

CHAPTER 388

REAL ESTATE PARTNERSHIPS

S. F. 156

AN ACT relating to the powers of partnerships as to real estate and to amend chapter five hundred forty-five (545), Code 1966.

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

1 SECTION 1. Chapter five hundred forty-five (545), Code 1966, be-
 2 ing the limited partnership law, is amended by adding the following
 3 new section:

4 "Powers as to Real Estate. The partnership may take, hold, mort-
 5 gage, encumber, lease or convey, in fee simple, or for any less estate,
 6 real estate or interests therein, in the firm name. The place of record
 7 of the certificate or articles of partnership shall be stated in all instru-
 8 ments of writing relating to real estate, but failure so to state shall
 9 not invalidate the instrument. Any instrument relating to real estate
 10 may be signed or sealed by one or more of the general partners, for the
 11 partnership and in the partnership name, if the certificate, articles of
 12 partnership, by-laws, rules or regulations shall so provide, but in case

13 less than all the general partners are vested with this power the fact
 14 shall be stated in the original certificate or articles of partnership, or
 15 in amendments thereto, or in a statement duly signed and acknowl-
 16 edged by the general partners and recorded in the office of the recorder
 17 of deeds in the county in which the real estate is situated."

Approved June 26, 1967.

CHAPTER 389

SECURITY INTEREST IN VEHICLES

S. F. 560

AN ACT to amend the Uniform Commercial Code to conform to other provisions of the Code of Iowa as they relate to perfection of a security interest in a vehicle.

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

1 SECTION 1. Section five hundred fifty-four point nine thousand
 2 three hundred two (554.9302), Code 1966, is hereby amended by de-
 3 leting from line nine (9) of subsection three (3) the word "motor".

1 SEC. 2. Section five hundred fifty-four point nine thousand three
 2 hundred two (554.9302), Code 1966, is hereby further amended by
 3 deleting the word "motor" in lines fourteen (14) and eighteen (18)
 4 of subsection one (1).

Approved June 10, 1967.

CHAPTER 390

UNIFORM COMMERCIAL CODE FILING FEES

S. F. 561

AN ACT relating to filing fees and filing procedures under the Uniform Commercial Code.

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

1 SECTION 1. Section five hundred fifty-four point nine thousand
 2 four hundred three (554.9403), Code 1966, is hereby amended by
 3 striking from subsection five (5) all after the word "statement" in
 4 line three (3) and inserting in lieu thereof the following:

5 "on a form conforming to standards prescribed by the secretary of
 6 state shall be one (1) dollar and fifty (50) cents. If the statement is
 7 not on a form conforming to standards prescribed by the secretary of
 8 state but otherwise conforms to the requirements of the law, the fee
 9 shall be two (2) dollars and fifty (50) cents."

1 SEC. 2. Section five hundred fifty-four point nine thousand four
 2 hundred four (554.9404), Code 1966, is hereby amended as follows:

3 1. By striking from subsection one (1) in lines sixteen (16) and

4 seventeen (17) the words "thereof shall be one dollar." and inserting
5 in lieu thereof the following:

6 "on a form conforming to standards prescribed by the secretary of
7 state shall be one (1) dollar and fifty (50) cents, or if the assignment
8 or statement thereof otherwise conforms to the requirements of this
9 section, two (2) dollars and fifty (50) cents."

10 2. By inserting in line two (2) of subsection three (3) after the
11 word "statement" the words "on a form conforming to standards pre-
12 scribed by the secretary of state."

13 3. By inserting in line four (4) of subsection three (3) after the
14 word "dollar" the words "and fifty (50) cents, or if the termination
15 statement otherwise conforms to the requirements of this section, two
16 (2) dollars and fifty (50) cents."

1 SEC. 3. Section five hundred fifty-four point nine thousand four
2 hundred five (554.9405), Code 1966, is hereby amended as follows:

3 1. By striking from subsection one (1) all after the partial word
4 "ment" in line fifteen (15) and inserting in lieu thereof the following:
5 "on a form conforming to standards prescribed by the secretary of
6 state shall be one (1) dollar and fifty (50) cents, or if such statement
7 otherwise conforms to the requirements of this section, two (2) dol-
8 lars and fifty (50) cents."

9 2. By striking from subsection two (2) all after the partial word
10 "ment" in line twenty (20) and inserting in lieu thereof the following:
11 "on a form conforming to standards prescribed by the secretary of
12 state shall be one (1) dollar and fifty (50) cents, or if such statement
13 otherwise conforms to the requirements of this section, two (2) dol-
14 lars and fifty (50) cents."

1 SEC. 4. Section five hundred fifty-four point nine thousand four
2 hundred six (554.9406), Code 1966, is hereby amended by striking all
3 of said section after the word "release" in line fifteen (15) and insert-
4 ing in lieu thereof the following:

5 "on a form conforming to standards prescribed by the secretary of
6 state shall be one (1) dollar and fifty (50) cents, or if such statement
7 otherwise conforms to the requirements of this section, two (2) dol-
8 lars and fifty (50) cents."

1 SEC. 5. Section five hundred fifty-four point nine thousand four
2 hundred seven (554.9407), Code 1966, is hereby amended as follows:

3 1. By striking from subsection two (2) the word "one" in line ten
4 (10), all of lines eleven (11) and twelve (12), and the words "reported
5 therein." in line thirteen (13) and inserting in lieu thereof the follow-
6 ing:

7 "two (2) dollars if the request for the certificate is on a form con-
8 forming to standards prescribed by the secretary of state; otherwise,
9 three (3) dollars."

10 2. By inserting in line thirteen (13) after the word "request" the
11 words "and the payment of the appropriate fee".

1 SEC. 6. Chapter five hundred fifty-four (554), Code 1966, is here-
2 by amended by adding thereto the following new section:

3 "The secretary of state shall make and promulgate rules and regu-
4 lations for all filing and indexing pursuant to chapter five hundred

5 fifty-four (554) and chapter five hundred fifty-five (555) of the Code,
6 including but not limited to rules and regulations on whether state-
7 ments and documents shall be indexed in real estate records.”

Approved June 8, 1967.

CHAPTER 391

DISPOSITION OF UNCLAIMED PROPERTY

H. F. 101

AN ACT relating to the disposition of unclaimed property and making uniform the law with reference thereto.

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

1 SECTION 1. **Definitions and Use of Terms.** As used in this Act,
2 unless the context otherwise requires:
3 1. “Banking organization” means any bank, trust company, savings
4 bank, industrial bank, land bank, safe deposit company, or a private
5 banker engaged in business in this state.
6 2. “Business association” means any corporation other than a pub-
7 lic corporation, joint stock company, business trust, partnership, or
8 any association for business purposes of two or more individuals.
9 3. “Financial organization” means any savings and loan association,
10 building and loan association, credit union, cooperative bank or invest-
11 ment company, engaged in business in this state.
12 4. “Holder” means any person in possession of property subject to
13 this Act belonging to another, or who is trustee in case of a trust, or
14 is indebted to another on an obligation subject to this Act.
15 5. “Life insurance corporation” means any association or corpora-
16 tion transacting within this state the business of insurance on the lives
17 of persons or insurance appertaining thereto, including, but not by
18 way of limitation, endowments and annuities.
19 6. “Owner” means a depositor in case of a deposit, a beneficiary in
20 case of a trust, a creditor, claimant, or payee in case of other choses
21 in action, or any person having a legal or equitable interest in property
22 subject to this Act, or his legal representative.
23 7. “Person” means any individual, business association, government
24 or political subdivision, public corporation, public authority, estate,
25 trust, two or more persons having a joint or common interest, or any
26 other legal or commercial entity.
27 8. “Utility” means any person who owns or operates within this
28 state, for public use, any plant, equipment, property, franchise, or
29 license for the transmission of communications or the production,
30 storage, transmission, sale, delivery, or furnishing of electricity, water,
31 steam, or gas.

1 SEC. 2. **Property Held by Banking or Financial Organizations or**
2 **by Business Associations.** The following property held or owing by a
3 banking or financial organization or by a business association is pre-
4 sumed abandoned:

- 5 1. Any demand, savings, or matured time deposit made in this state
6 with a banking organization, together with any interest or dividend
7 thereon, excluding any charges that may lawfully be withheld, unless
8 the owner has, within ten (10) years:
- 9 a. Increased or decreased the amount of the deposit, or presented
10 the passbook or other similar evidence of the deposit for the crediting
11 of interest.
- 12 b. Corresponded in writing with the banking organization concern-
13 ing the deposit.
- 14 c. Otherwise indicated an interest in the deposit as evidenced by a
15 memorandum on file with the banking organization. Such memoran-
16 dum shall be dated and may have been prepared by the banking organi-
17 zation, in which case it shall be signed by an official of the bank, or it
18 may have been prepared by the owner.
- 19 2. Any funds paid in this state toward the purchase of shares or
20 other interest in a financial organization or any deposit made there-
21 with in this state, and any interest or dividends thereon, excluding any
22 charges that may lawfully be withheld, unless the owner has within
23 ten (10) years:
- 24 a. Increased or decreased the amount of the funds or deposit, or pre-
25 sented an appropriate record for the crediting of interest or dividends.
- 26 b. Corresponded in writing with the financial organization concern-
27 ing the funds or deposit.
- 28 c. Otherwise indicated an interest in the funds or deposit as evi-
29 denced by a memorandum on file with the financial organization. Such
30 memorandum shall be dated and may have been prepared by the finan-
31 cial organization, in which case it shall be signed by an officer of the
32 financial organization, or it may have been prepared by the owner.
- 33 3. Any sum payable on checks certified in this state or on written
34 instruments issued in this state on which a banking or financial or-
35 ganization or business association is directly liable, including, by way
36 of illustration but not of limitation, certificates of deposit, drafts,
37 money orders, and traveler's checks, that, with the exception of trav-
38 eler's checks, has been outstanding for more than ten (10) years from
39 the date it was payable, or from the date of its issuance if payable on
40 demand, or, in the case of traveler's checks, that has been outstanding
41 for more than fifteen (15) years from the date of its issuance, unless
42 the owner has within ten (10) years, or within fifteen (15) years in
43 the case of traveler's checks, corresponded in writing with the banking
44 or financial organization or business association concerned, or other-
45 wise indicated an interest as evidenced by a memorandum on file with
46 the banking or financial organization or business association. Such
47 memorandum shall be dated and may have been prepared by the bank-
48 ing or financial organization or business association, in which case it
49 shall be signed by an officer of the banking or financial organization, or
50 a member of the business association, or it may have been prepared by
51 the owner.
- 52 4. Any funds or other personal property, tangible or intangible, re-
53 moved from a safe deposit box or any other safekeeping repository or
54 agency or collateral deposit box in this state on which the lease or
55 rental period has expired due to nonpayment of rental charges or other
56 reason, or any surplus amounts arising from the sale thereof pursuant

57 to law, that have been unclaimed by the owner for more than ten (10)
58 years from the date on which the lease or rental period expired.

1 **SEC. 3. Unclaimed Funds Held by Life Insurance Corporations.**

2 1. Unclaimed funds, as defined in this section, held and owing by
3 a life insurance corporation shall be presumed abandoned if the last
4 known address, according to the records of the corporation, of the
5 person entitled to the funds is within this state. If a person other than
6 the insured or annuitant is entitled to the funds and no address of
7 such person is known to the corporation or if it is not definite and
8 certain from the records of the corporation what person is entitled to
9 the funds, it is presumed that the last known address of the person
10 entitled to the funds is the same as the last known address of the in-
11 sured or annuitant according to the records of the corporation.

12 2. "Unclaimed funds," as used in this section, means all moneys held
13 and owing by any life insurance corporation unclaimed and unpaid for
14 more than ten (10) years after the moneys became due and payable
15 as established from the records of the corporation under any life or
16 endowment insurance policy or annuity contract which has matured
17 or terminated. A life insurance policy not matured by actual proof of
18 the death of the insured is deemed to be matured and the proceeds
19 thereof are deemed to be due and payable if such policy was in force
20 when the insured attained the limiting age under the mortality table
21 on which the reserve is based, unless the person appearing entitled
22 thereto has within the preceding ten (10) years, (1) assigned, re-
23 adjusted, or paid premiums on the policy, or subjected the policy to
24 loan, or (2) corresponded in writing with the life insurance corpora-
25 tion concerning the policy. Moneys otherwise payable according to the
26 records of the corporation are deemed due and payable although the
27 policy or contract has not been surrendered as required.

1 **SEC. 4. Deposits and Refunds Held by Utilities.** The following
2 funds held or owing by any utility are presumed abandoned:

3 1. Any deposit in excess of fifty (50) dollars made by a subscriber
4 with a utility to secure payment for, or any sum in excess of fifty (50)
5 dollars paid in advance for, utility services to be furnished in this
6 state, less any lawful deductions, that has remained unclaimed by the
7 person appearing on the records of the utility entitled thereto for more
8 than seven (7) years after the termination of the services for which
9 the deposit or advance payment was made.

10 2. Any sum in excess of fifty (50) dollars which a utility has been
11 ordered to refund and which was received for utility services rendered
12 in this state, together with any interest thereon, less any lawful de-
13 ductions, that has remained unclaimed by the person appearing on the
14 records of the utility entitled thereto for more than seven (7) years
15 after the date it became payable in accordance with the final determi-
16 nation or order providing for the refund.

1 **SEC. 5. Undistributed Dividends and Distributions of Business As-**
2 **sociations.** Any stock or other certificate of ownership, or any divi-
3 dend, profit, distribution, interest, payment on principal, or other sum
4 held or owing by a business association for or to a shareholder, cer-
5 tificate holder, member, bondholder, or other security holder, or a
6 participating patron of a cooperative, who has not claimed it, or cor-

7 responded in writing with the business association concerning it,
8 within ten (10) years after the date prescribed for payment or deliv-
9 ery, is presumed abandoned if:

10 1. It is held or owing by a business association organized under the
11 laws of or created in this state; or

12 2. It is held or owing by a business association doing business in this
13 state, but not organized under the laws of or created in this state, and
14 the records of the business association indicate that the last known
15 address of the person entitled thereto is in this state.

1 **SEC. 6. Property of Business Associations and Banking or Finan-**
2 **cial Organizations Held in Course of Dissolution.** Except as provided
3 in section four hundred ninety-six A point one hundred and one
4 (496A.101) of the Code, all intangible personal property distributable
5 in the course of a voluntary dissolution of a business association, bank-
6 ing organization, or financial organization organized under the laws of
7 or created in this state, that is unclaimed by the owner within two (2)
8 years after the date for final distribution, is presumed abandoned.

1 **SEC. 7. Property Held by Fiduciaries.** All intangible personal
2 property and any income or increment thereon, held in a fiduciary
3 capacity for the benefit of another person is presumed abandoned
4 unless the owner has, within ten (10) years after it becomes payable
5 or distributable, increased or decreased the principal, accepted pay-
6 ment of principal or income, corresponded in writing concerning the
7 property, or otherwise indicated an interest as evidenced by a memo-
8 randum on file with the fiduciary which shall have been dated and may
9 have been prepared by the fiduciary or by the owner:

10 1. If the property is held by a banking organization or a financial
11 organization, or by a business association organized under the laws of
12 or created in this state; or

13 2. If it is held by a business association, doing business in this state,
14 but not organized under the laws of or created in this state, and the
15 records of the business association indicate that the last known address
16 of the person entitled thereto is in this state; or

17 3. If it is held in this state by any other person.

1 **SEC. 8. Property Held by State Courts and Public Officers and**
2 **Agencies.** All intangible personal property held for the owner by any
3 court, public corporation, public authority, or public officer of this
4 state, or a political subdivision thereof, that has remained unclaimed
5 by the owner for more than ten (10) years is presumed abandoned.

1 **SEC. 9. Miscellaneous Personal Property Held for Another Person.**
2 All intangible personal property, not otherwise covered by this Act,
3 including any income or increment thereon and deducting any lawful
4 charges, that is held or owing in this state in the ordinary course of
5 the holder's business and has remained unclaimed by the owner for
6 more than ten (10) years after it became payable or distributable is
7 presumed abandoned.

1 **SEC. 10. Reciprocity for Property Presumed Abandoned or Es-**
2 **cheated Under the Laws of Another State.** If specific property which
3 is subject to the provisions of sections two (2), five (5), six (6), seven

4 (7), and nine (9) of this Act is held for or owed or distributable to
5 an owner whose last known address is in another state by a holder who
6 is subjected to the jurisdiction of that state, the specific property is
7 not presumed abandoned in this state and subject to this Act if:
8 1. It may be claimed as abandoned or escheated under the laws of
9 such other state; and
10 2. The laws of such other state make reciprocal provision that simi-
11 lar specific property is not presumed abandoned or escheatable by such
12 other state when held for or owed or distributable to an owner whose
13 last known address is within this state by a holder who is subject to
14 the jurisdiction of this state.

1 **SEC. 11. Report of Abandoned Property.**

2 1. Every person holding funds or other property, tangible or intan-
3 gible, presumed abandoned under this Act shall report to the state
4 treasurer with respect to the property as hereinafter provided.

5 2. The report shall be verified and shall include:

6 *a.* Except with respect to traveler's checks and money orders, the
7 name, if known, and last known address, if any, of each person appear-
8 ing from the records of the holder to be the owner of any property of
9 the value of three (3) dollars or more presumed abandoned under this
10 Act.

11 *b.* In case of unclaimed funds of life insurance corporations, the full
12 name of the insured or annuitant and his last known address according
13 to the life insurance corporation's records.

14 *c.* The nature and identifying number, if any, or description of the
15 property and the amount appearing from the records to be due, except
16 that items of value under three (3) dollars each may be reported in
17 aggregate.

18 *d.* The date when the property became payable, demandable, or re-
19 turnable, and the date of the last transaction with the owner with
20 respect to the property.

21 *e.* Other information which the state treasurer prescribes by rule as
22 necessary for the administration of this Act.

23 3. If the person holding property presumed abandoned is a successor
24 to other persons who previously held the property for the owner, or if
25 the holder has changed his name while holding the property, he shall
26 file with his report all prior known names and addresses of each holder
27 of the property.

28 4. The report shall be filed before November 1 of each year as of
29 June 30 next preceding, but the report of life insurance corporations
30 shall be filed before May 1 of each year as of December 31 next pre-
31 ceding. The state treasurer may postpone the reporting date upon
32 written request by any person required to file a report.

33 5. If the holder of property presumed abandoned under this Act
34 knows the whereabouts of the owner and if the owner's claim has not
35 been barred by the statute of limitations, the holder shall, before filing
36 the annual report, communicate with the owner and take necessary
37 steps to prevent abandonment from being presumed. The holder shall
38 exercise due diligence to ascertain the whereabouts of the owner.

39 6. Verification, if made by a partnership, shall be executed by a
40 partner; if made by an unincorporated association or private corpo-

41 ration, by an officer; and if made by a public corporation, by its chief
42 fiscal officer.

43 7. The initial report filed under this Act shall include all items of
44 property that would have been presumed abandoned if this Act had
45 been in effect during the ten (10) year period preceding its effective
46 date.

1 **SEC. 12. Notice and Publication of Lists of Abandoned Property.**

2 1. Within one hundred twenty (120) days from the final date for
3 filing of the report required by section eleven (11) of this Act, the
4 state treasurer shall cause notice to be published at least once each
5 week for two (2) successive weeks in an English language newspaper
6 of general circulation in the county in this state in which is located
7 the last known address of any person to be named in the notice. If no
8 address is listed or if the address is outside this state, the notice shall
9 be published in the county in which the holder of the abandoned prop-
10 erty has his principal place of business within this state.

11 2. The published notice shall be entitled "Notice of Names of Per-
12 sons Appearing to be Owner of Abandoned Property" and shall con-
13 tain:

14 a. The names in alphabetical order and last known addresses, if any,
15 of persons listed in the report and entitled to notice within the county
16 as hereinbefore specified.

17 b. A statement that information concerning the amount or descrip-
18 tion of the property and the name and address of the holder may be
19 obtained by any persons possessing an interest in the property by
20 addressing an inquiry to the state treasurer.

21 c. A statement that if proof of claim is not presented by the owner
22 to the holder and if the owner's right to receive the property is not
23 established to the holder's satisfaction within sixty-five (65) days
24 from the date of the second published notice, the abandoned property
25 will be placed not later than eighty-five (85) days after such publica-
26 tion date in the custody of the state treasurer to whom all further
27 claims must thereafter be directed.

28 3. The state treasurer is not required to publish in such notice any
29 item of less than twenty-five (25) dollars unless he deems such publi-
30 cation to be in the public interest.

31 4. Within one hundred twenty (120) days from the receipt of the
32 report required by section eleven (11) of this Act, the state treasurer
33 shall mail a notice to each person having an address listed therein who
34 appears to be entitled to property of the value of twenty-five (25)
35 dollars or more presumed abandoned under this Act.

36 5. The mailed notice shall contain:

37 a. A statement that, according to a report filed with the state treas-
38 urer, property is being held to which the addressee appears entitled.

39 b. The name and address of the person holding the property and any
40 necessary information regarding changes of name and address of the
41 holder.

42 c. A statement that, if satisfactory proof of claim is not presented
43 by the owner to the holder by the date specified in the published notice,
44 the property will be placed in the custody of the state treasurer to
45 whom all further claims must be directed.

46 6. This section is not applicable to sums payable on traveler's checks
47 or money orders presumed abandoned under section two (2) of this
48 Act.

1 **SEC. 13. Payment or Delivery of Abandoned Property.** Every
2 person who has filed a report under section eleven (11) of this Act,
3 within twenty (20) days after the time specified in section twelve
4 (12) of this Act for claiming the property from the holder, or in the
5 case of sums payable on traveler's checks or money orders presumed
6 abandoned under section two (2) of this Act within twenty (20) days
7 after the filing of the report, shall pay or deliver to the state treasurer
8 all abandoned property specified in this report, except that, if the
9 owner establishes his right to receive the abandoned property to the
10 satisfaction of the holder within the time specified in section twelve
11 (12) of this Act, or if it appears that for some other reason the pre-
12 sumption of abandonment is erroneous, the holder need not pay or
13 deliver the property, which will no longer be presumed abandoned,
14 to the state treasurer, but in lieu thereof shall file a verified written
15 explanation of the proof of claim or of the error in the presumption of
16 abandonment.

1 **SEC. 14. Relief from Liability by Payment or Delivery.** Upon the
2 payment or delivery of abandoned property to the state treasurer, the
3 state shall assume custody and shall be responsible for the safekeeping
4 thereof. Any person who pays or delivers abandoned property to the
5 state treasurer under this Act is relieved of all liability to the extent
6 of the value of the property so paid or delivered for any claim which
7 then exists or which thereafter may arise or be made in respect to the
8 property. Any holder who has paid moneys to the state treasurer pur-
9 suant to this Act may make payment to any person appearing to such
10 holder to be entitled thereto, and upon proof of such payment and
11 proof that the payee was entitled thereto, the state treasurer shall
12 forthwith reimburse the holder for the payment.

1 **SEC. 15. Income Accruing After Payment or Delivery.** When
2 property is paid or delivered to the state treasurer under this Act, the
3 owner is not entitled to receive income or other increments accruing
4 thereafter.

1 **SEC. 16. Periods of Limitation Not a Bar.** The expiration of any
2 period of time specified by statute or court order, during which an
3 action or proceeding may be commenced or enforced to obtain payment
4 of a claim for money or recovery of property, shall not prevent the
5 money or property from being presumed abandoned property, nor
6 affect any duty to file a report required by this Act or to pay or deliver
7 abandoned property to the state treasurer.

1 **SEC. 17. Sale of Abandoned Property.**
2 1. All abandoned property other than money delivered to the state
3 treasurer under this Act shall within one (1) year after the delivery
4 be sold by him to the highest bidder at public sale in whatever city in
5 the state affords in his judgment the most favorable market for the
6 property involved. The state treasurer may decline the highest bid and
7 reoffer the property for sale if he considers the price bid insufficient.

8 He need not offer any property for sale if, in his opinion, the probable
9 cost of sale exceeds the value of the property.

10 2. Any sale held under this section shall be preceded by a single
11 publication of notice thereof at least three (3) weeks in advance of
12 sale in an English language newspaper of general circulation in the
13 county where the property is to be sold.

14 3. The purchaser at any sale conducted by the state treasurer pur-
15 suant to this Act shall receive title to the property purchased, free
16 from all claims of the owner or prior holder thereof and of all persons
17 claiming through or under them. The state treasurer shall execute all
18 documents necessary to complete the transfer of title.

1 **SEC. 18. Deposit of Funds.**

2 1. All funds received under this Act, including the proceeds from
3 the sale of abandoned property under section seventeen (17) of this
4 Act, shall forthwith be deposited by the state treasurer in the general
5 funds of the state, except that the treasurer shall retain in a separate
6 trust fund an amount not exceeding twenty-five thousand (25,000)
7 dollars from which he shall make prompt payment of claims duly al-
8 lowed by him as hereinafter provided. Before making the deposit,
9 he shall record the name and last known address of each person appear-
10 ing from the holders' reports to be entitled to the abandoned property
11 and of the name and last known address of each insured person or
12 annuitant, and with respect to each policy or contract listed in the
13 report of a life insurance corporation, its number, the name of the
14 corporation, and the amount due. The record shall be available for
15 public inspection at all reasonable business hours.

16 2. Before making any deposit to the credit of the general funds, the
17 state treasurer may deduct:

- 18 a. Any costs in connection with sale of abandoned property.
19 b. Any costs of mailing and publication in connection with any
20 abandoned property.
21 c. Reasonable service charges.

1 **SEC. 19. Claim for Abandoned Property Paid or Delivered.** Any
2 person claiming an interest in any property delivered to the state
3 under this Act may file a claim thereto or to the proceeds from the sale
4 thereof on the form prescribed by the state treasurer.

1 **SEC. 20. Determination of Claims.**

2 1. The state treasurer shall consider any claim filed under this Act
3 and may hold a hearing and receive evidence concerning it. If a hear-
4 ing is held, he shall prepare a finding and a decision in writing on each
5 claim filed, stating the substance of any evidence heard by him and
6 the reasons for his decision. The decision shall be a public record.

7 2. If the claim is allowed, the state treasurer shall make payment
8 forthwith. The claim shall be paid without deduction for costs of
9 notices or sale or for service charges.

1 **SEC. 21. Judicial Action upon Determinations.** Any person ag-
2 grieved by a decision of the state treasurer or as to whose claim the
3 treasurer has failed to act within ninety (90) days after the filing of
4 the claim, may commence an action in the district court to establish
5 his claim. The proceeding shall be brought within ninety (90) days

6 after the decision of the treasurer or within one hundred eighty (180)
7 days from the filing of the claim if the treasurer fails to act. The
8 action shall be tried de novo without a jury.

1 **SEC. 22. Election to Take Payment or Delivery.** The state treas-
2 urer, after receiving reports of property deemed abandoned pursuant
3 to this Act, may decline to receive any property reported which he
4 deems to have a value less than the cost of giving notice and holding
5 sale, or he may, if he deems it desirable because of the small sum in-
6 volved, postpone taking possession until a sufficient sum accumulates.
7 Unless the holder of the property is notified to the contrary within
8 one hundred twenty (120) days after filing the report required under
9 section eleven (11) of this Act, the state treasurer shall be deemed to
10 have elected to receive the custody of the property.

1 **SEC. 23. Examination of records.** The auditor of state may at
2 reasonable times and upon reasonable notice examine the records of
3 any person if he has reason to believe that such person has failed to
4 report property that should have been reported pursuant to this Act.

1 **SEC. 24. Proceeding to Compel Delivery of Abandoned Property.**
2 If any person refuses to deliver property to the state treasurer as
3 required under this Act, the treasurer shall bring an action in a court
4 of appropriate jurisdiction to enforce such delivery.

1 **SEC. 25. Penalties.**

2 1. Any person who wilfully fails to render any report or perform
3 other duties required under this Act, shall be punished by a fine of
4 twenty-five (25) dollars for each day such report is withheld, but not
5 more than five hundred (500) dollars.

6 2. Any person who wilfully refuses to pay or deliver abandoned
7 property to the state treasurer as required under this Act shall be
8 punished by a fine of not less than five hundred (500) dollars nor more
9 than one thousand (1,000) dollars, or imprisonment for not more than
10 six (6) months, or both, in the discretion of the court.

1 **SEC. 26. Rules and Regulations.** The state treasurer is hereby
2 authorized to make necessary rules and regulations to carry out the
3 provisions of this Act.

1 **SEC. 27. Effect of Laws of Other States.** This Act shall not apply
2 to any property that has been presumed abandoned or escheated under
3 the laws of another state prior to the effective date of this Act.

1 **SEC. 28. Severability.** If any provision of this Act or the appli-
2 cation thereof to any person or circumstances is held invalid, the in-
3 validity shall not affect other provisions or applications of the Act
4 which can be given effect without the invalid provisions or application,
5 and to this end the provisions of this Act are severable.

1 **SEC. 29. Uniformity of Interpretation.** This Act shall be so con-
2 strued as to effectuate its general purpose to make uniform the law of
3 those states which enact it.

1 **SEC. 30. Short Title.** This Act may be cited as the Uniform Dis-
2 position of Unclaimed Property Act.

1 SEC. 31. Sections six hundred eighty-two point thirty-nine
 2 (682.39) through six hundred eighty-two point forty-four (682.44),
 3 Code 1966, are hereby repealed.

Approved June 15, 1967.

CHAPTER 392

PUBLIC CONSTRUCTION CONTRACT PAYMENTS

S. F. 339

AN ACT relating to payments made under contract for the construction of public improvements.

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

1 SECTION 1. Section five hundred seventy-three point twelve
 2 (573.12), Code 1966, is hereby amended by striking all of such section
 3 after the word "delivered" in line five (5) and inserting in lieu thereof
 4 the following:

5 " . In making said payments, there shall be retained ten (10) per-
 6 cent of each said monthly estimate by the public corporation; pro-
 7 vided, however, that if the contract is for more than fifty thousand
 8 (50,000) dollars, and if the public corporation at any time after fifty
 9 (50) percent of the improvement has been completed finds that satis-
 10 factory progress is being made, the public corporation may authorize
 11 any of such remaining payments to be made in full."

1 SEC. 2. Section five hundred seventy-three point thirteen (573.13),
 2 Code 1966, is hereby amended by striking from line four (4) the word
 3 "ten" and inserting in lieu thereof the word "five (5)".

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 393

LEGALIZING TOWN PLATS

H. F. 23

AN ACT relating to the legalizing of town plats and amending the legalizing Acts pertaining to cities and towns.

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

1 SECTION 1. Section five hundred ninety-two point three (592.3),
 2 Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the figures "1940" and by insert-
 4 ing in lieu thereof the figures "1950".

5 2. By striking from line eleven (11) the figures "321" and "1939"
 6 and by inserting in lieu thereof respectively the figures "409" and
 7 "1950".

- 8 3. By striking from line thirty-two (32) the figures "1944" and by
 9 inserting in lieu thereof the figures "1954".
 10 4. By striking from line thirty-eight (38) the figures "1954" and by
 11 inserting in lieu thereof the figures "1968".
 12 5. By striking from line forty (40) the figures "1939" and by in-
 13 serting in lieu thereof the figures "1949".
 14 6. By striking from line forty (40) the figures "1920" and by in-
 15 serting in lieu thereof the figures "1930".

Approved June 8, 1967.

CHAPTER 394

MARRIAGE NOTICES

S. F. 32

AN ACT repealing the provision requiring the clerk of the district court to mail notices of marriages to other counties or states.

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

- 1 SECTION 1. Section five hundred ninety-five point seven (595.7),
 2 Code 1966, is hereby amended by striking all of said section after the
 3 word "return" in line five (5) and inserting in lieu thereof a period.

Approved March 15, 1967.

CHAPTER 395

SUPPORT AND MAINTENANCE DURING DIVORCE PROCEEDINGS

H. F. 17

AN ACT relating to support and maintenance of the parties during divorce litigation.

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

- 1 SECTION 1. Section five hundred ninety-eight point eleven
 2 (598.11), Code 1966, is hereby amended by adding thereto the follow-
 3 ing:
 4 "The court may make such an order, upon application of either
 5 party, after service of the original notice; provided, however, no such
 6 order shall be entered until at least five (5) days notice of hearing,
 7 and opportunity to be heard, is given the adverse party.
 8 "Appearance by an attorney or the defendant for such hearing shall
 9 be deemed a special appearance for the purpose of such hearing only
 10 and not a general appearance."

Approved May 25, 1967.

CHAPTER 396

ADOPTION OF CHILDREN

H. F. 20

AN ACT relating to adoption.

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

- 1 SECTION 1. Section six hundred point three (600.3), Code 1966, is
 2 amended as follows:
 3 1. In lines fourteen (14) through seventeen (17), strike the words
 4 “, or unless one or both of the parents have been deprived of the cus-
 5 tody of the child by judicial procedure because of unfitness to be its
 6 guardian.” and insert the following in lieu thereof:
 7 “. If the relationship between a parent and a child has been termi-
 8 nated as provided in chapter two hundred thirty-two (232) of the
 9 Code, by final court order which is not then appealable, the consent of
 10 such parent shall not be necessary; and in lieu of the consent of such
 11 parent, consent to such adoption may be given by the person, depart-
 12 ment, agency, or institution to which guardianship of the child has
 13 been transferred as provided in chapter two hundred thirty-two (232)
 14 of the Code or by the court terminating such parent-child relationship
 15 if the court has not transferred such guardianship.”
 16 2. Strike the sentence beginning with the word “If” in line thirty-
 17 two (32) and ending with the period in line forty-three (43).

Approved June 9, 1967.

CHAPTER 397

JURY SELECTION

H. F. 614

AN ACT relating to jury selection.

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

- 1 SECTION 1. Section six hundred two point thirty-six (602.36),
 2 Code 1966, is hereby amended by striking from lines nine (9) and ten
 3 (10) the words “the jury commission” and inserting in lieu thereof
 4 the following:
 5 “or at such other time designated by a majority of the jury commis-
 6 sion but within ten (10) days prior to the last day of the month, the
 7 jury commission or a majority thereof”.

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 398

MUNICIPAL COURT BAILIFFS

H. F. 733

AN ACT relating to the salaries of bailiffs in cities of one hundred fifty thousand or more inhabitants.

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

- 1 SECTION 1. Section six hundred two point forty-nine (602.49),
- 2 Code 1966, is hereby amended by striking from line twenty-one (21)
- 3 the word "eight" and inserting in lieu thereof the word "ten (10)".

Approved June 27, 1967.

CHAPTER 399

JUDICIAL DISTRICTS

S. F. 283

AN ACT to establish the judicial districts for the district courts and to provide for determination of the number of judges in each district.

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 1966, is hereby repealed and the following enacted in lieu thereof:
- 3 For judicial purposes the state is hereby divided into eighteen (18)
- 4 judicial districts as follows:
- 5 The first district shall consist of the counties of Lee, Henry, Des
- 6 Moines and Louisa.
- 7 The second district shall consist of the counties of Lucas, Monroe,
- 8 Wapello, Jefferson, Davis, Van Buren and Appanoose.
- 9 The third district shall consist of the counties of Wayne, Decatur,
- 10 Clarke, Union, Ringgold, Taylor and Adams.
- 11 The fourth district shall consist of the counties of Woodbury and
- 12 Monona.
- 13 The fifth district shall consist of the counties of Dallas, Guthrie,
- 14 Adair, Madison, Warren and Marion.
- 15 The sixth district shall consist of the counties of Jasper, Poweshiek,
- 16 Mahaska, Keokuk and Washington.
- 17 The seventh district shall consist of the counties of Muscatine, Scott,
- 18 Clinton and Jackson.
- 19 The eighth district shall consist of the counties of Iowa, Johnson,
- 20 Linn, Jones and Cedar.
- 21 The ninth district shall consist of the county of Polk.
- 22 The tenth district shall consist of the counties of Buchanan, Black
- 23 Hawk and Grundy.
- 24 The eleventh district shall consist of the counties of Story, Boone,
- 25 Webster, Hamilton, Hardin, Franklin and Wright.
- 26 The twelfth district shall consist of the counties of Bremer, Butler,
- 27 Floyd, Mitchell, Worth, Cerro Gordo, Hancock and Winnebago.

28 The thirteenth district shall consist of the counties of Clayton, Du-
29 buque, Delaware, Allamakee, Fayette, Winneshiek, Howard and
30 Chickasaw.

31 The fourteenth district shall consist of the counties of Buena Vista,
32 Clay, Palo Alto, Kossuth, Emmet, Dickinson, Humboldt and Poca-
33 hontas.

34 The fifteenth district shall consist of the counties of Pottawattamie,
35 Cass, Shelby, Audubon, Montgomery, Mills, Page, Fremont and Har-
36 rison.

37 The sixteenth district shall consist of the counties of Ida, Sac, Cal-
38 houn, Crawford, Carroll and Greene.

39 The seventeenth district shall consist of the counties of Tama, Ben-
40 ton and Marshall.

41 The eighteenth district shall consist of the counties of Cherokee,
42 O'Brien, Osceola, Lyon, Sioux and Plymouth.

1 SEC. 2.

2 "1. Subject to the provisions for temporary assignment of judges,
3 as set out in subsection nine (9) hereof, each district judge in office on
4 July 1, 1967 shall continue to serve in the district of his domicile so
5 long as he remains a district judge, regardless of the number of judge-
6 ships to which the district is entitled under subsection two (2) hereof.

7 "2. The number of judgeships to which each of the judicial districts
8 shall be entitled shall be determined from time to time according to the
9 following formula, giving equal weight to cases filed and population:
10 In districts containing a city of fifty thousand (50,000) or more popu-
11 lation, there shall be one (1) judgeship per five hundred fifty (550)
12 combined civil and criminal filings and forty thousand (40,000) popu-
13 lation, or major fraction of either; in all other districts there shall be
14 one (1) judgeship per four hundred fifty (450) combined civil and
15 criminal filings and forty thousand (40,000) population, or major
16 fraction of either; provided, the seat of government shall be entitled
17 to one (1) additional judgeship. The figures on filings shall be the
18 average for the latest available previous three-year (3) period and
19 when current census figures on population are not available, figures
20 shall be taken from the state department of health computations.

21 "3. A vacancy, for purposes of this Act, is defined as the death,
22 retirement, removal, or failure of retention in office at the judicial
23 election, of a judge.

24 "4. In those districts having more judges than the number of judge-
25 ships specified by the formula set out in subsection two (2) hereof,
26 vacancies shall not be filled.

27 "5. In those districts having fewer judges or the same number of
28 judges as the number of judgeships specified by the formula set out in
29 subsection two (2) hereof, vacancies in the number of judges shall be
30 filled as they occur.

31 "6. In those districts having fewer judges than the number of judge-
32 ships to which they are entitled under subsection two (2) hereof, the
33 appointment of an additional judge over the number presently existing
34 shall be made only when there is a vacancy in a district having more
35 judges, prior to such vacancy, than the number to which it is entitled
36 under subsection two (2) hereof; and in case there are two or more
37 districts with a deficiency in the number of judges under the number

38 of judgeships to which they are entitled under subsection two (2)
 39 hereof, the appointment shall be made in the particular district where
 40 the excess in civil and criminal filings and population per resident
 41 judge is greatest, giving consideration to filings and population as
 42 specified in subsection two (2) hereof.

43 "7. After the number of judges in each district equals the proper
 44 number of judgeships, as determined under subsection two (2) here-
 45 of, subsection six (6) hereof shall be of no further effect. Thereafter,
 46 a new judge shall be appointed in any district which becomes entitled
 47 to an additional judgeship, under subsection two (2) hereof; and
 48 vacancies shall not be filled in any district which may become entitled
 49 to fewer judgeships under said subsection; but no incumbent judge
 50 shall ever be removed from office by reason thereof.

51 "8. On January 2 of each year, and at such other times as may be
 52 appropriate, the chief justice shall make the determinations required
 53 under this Act, and shall notify the nominating commissions involved
 54 and the governor of any appointments that may be required as a result
 55 thereof.

56 "9. It shall be the duty of the chief justice to assign judges and
 57 other court personnel from one judicial district to another, on a con-
 58 tinuing basis, if need be, in order to provide a sufficient number of
 59 judges to handle the judicial business in all districts promptly and
 60 efficiently at all times."

1 SEC. 3. Section forty-six point three (46.3), Code 1966, is hereby
 2 repealed* and the following enacted in lieu thereof:

3 "In June, 1967, the governor shall appoint five electors in the first,
 4 eighth, tenth and thirteenth judicial districts established by this Act
 5 to the district judicial nominating commission for terms commencing
 6 July 1, 1967. He shall appoint two such commissioners to serve until
 7 June 30, 1969, two to serve until June 30, 1971, and one to serve until
 8 June 30, 1973. Upon the expiration of each of those terms and every
 9 six years thereafter, the governor shall so appoint district judicial
 10 nominating commissioners for six-year terms."

1 SEC. 4. Section forty-six point four (46.4), Code 1966, is hereby
 2 repealed* and the following enacted in lieu thereof:

3 "In June, 1967, the resident members of the bar of the first, eighth,
 4 tenth and thirteenth judicial districts established by this Act shall
 5 elect five electors of the district to the district judicial nominating
 6 commission for terms commencing July 1, 1967. One of such commis-
 7 sioners shall serve until June 30, 1969, two until June 30, 1971 and
 8 two until June 30, 1973, as determined by lot by such commissioners.
 9 In January next before expiration of each of those terms and every
 10 six years thereafter, such members of the bar of the respective judicial
 11 districts shall so elect district judicial nominating commissioners for
 12 six-year terms commencing July 1 following."

1 SEC. 5. Except as hereafter provided this Act shall be effective July
 2 1, 1967.

1 SEC. 6. The terms of office of district judicial nominating commis-
 2 sioners appointed and elected prior to the effective date of this Act

*See Opinion of the Attorney General, August 8, 1967.

3 shall continue until July 1, 1967 at which date said terms shall be
4 deemed abolished.*

Approved July 27, 1967.

This Act was passed by the G. A. before July 1, 1967.

*See Opinion of the Attorney General, August 8, 1967.

CHAPTER 400
ABOLISHING TERMS OF COURT

S. F. 288

AN ACT to abolish terms for holding court in the district courts of the state.

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

1 SECTION 1. Section twenty-nine A point forty-six (29A.46),
2 Code 1966, is amended by striking from line eighteen (18) the words
3 "in regular term time".

1 SEC. 2. Section sixty-six point seven (66.7), Code 1966, is amend-
2 ed by striking from line one (1) the words "the filing,"; all of line
3 two (2) and that part of line three (3) preceding the word "presen-
4 tation".

5 Further amend said section by striking from line three (3) the word
6 "same" and inserting in lieu thereof the word "petition".
7 Further amend said section by striking from line four (4) the
8 word "judge" preceding the comma and inserting in lieu thereof the
9 word "court" and by striking from line four (4) the words "or
10 judge" and from line five (5) the word "his" and inserting in lieu of
11 the latter the word "its".

1 SEC. 3. Section sixty-six point nine (66.9), Code 1966, is amend-
2 ed by striking from line two (2) the words "or of a judge thereof".

1 SEC. 4. Section sixty-six point eighteen (66.18), Code 1966, is
2 amended by striking from line two (2) the comma after the word
3 "nature" and inserting in lieu thereof the word "and".

4 Further amend said section by striking all after the word "action"
5 in line three (3).

1 SEC. 5. Section sixty-six point nineteen (66.19), Code 1966, is
2 amended by striking from line six (6) the words "or judge thereof".

1 SEC. 6. Section sixty-six point twenty-two (66.22), Code 1966, is
2 amended by striking from line four (4) thereof the words "or
3 judge".

1 SEC. 7. Section sixty-seven point three (67.3), Code 1966, is
2 amended by striking from line five (5) the words "or judge thereof".

3 Further amend said section by striking from lines six (6) and
4 seven (7) the words "or judge".

1 SEC. 8. Section seventy point five (70.5), Code 1966, is amended
2 by striking from line twenty-four (24) the words "entered on the".

3 Further amend said section by striking all of lines twenty-five
4 (25) and twenty-six (26) and inserting in lieu thereof the words
5 "accorded such preference in its assignment for trial as to assure its
6 prompt disposition."

1 SEC. 9. Section eighty-two point ten (82.10), Code 1966, is
2 amended by striking from lines fifteen (15), sixteen (16) and seven-
3 teen (17) the words "and the first term after the appeal is perfected
4 shall be the trial term".

1 SEC. 10. Section eighty-two point thirty-eight (82.38), Code
2 1966, is amended by striking all of lines four (4) to thirteen (13),
3 inclusive, beginning with the comma in line four (4) and ending with
4 the word "vacation" in line thirteen (13).

1 SEC. 11. Section eighty-four point twelve (84.12), Code 1966, is
2 amended by striking from subsection two (2), line seven (7) the
3 words "in term time or vacation".

1 SEC. 12. Section eighty-five point forty-five (85.45), Code 1966,
2 is amended by striking from subsection three (3), line two (2) the
3 words "or a judge thereof".

1 SEC. 13. Section eighty-five point forty-six (85.46), Code 1966,
2 is amended by striking from lines four (4) and five (5) the words
3 "or to any judge thereof".

4 Further amend said section by striking from line eleven (11) the
5 words "or judge in term time or vacation".

1 SEC. 14. Section eighty-five point forty-nine (85.49), Code 1966,
2 is amended by striking from lines eleven (11) and twelve (12) the
3 words ", during term time or in vacation".

1 SEC. 15. Section eighty-five point fifty-two (85.52), Code 1966, is
2 amended by striking from line seven (7) the words "or a judge
3 thereof".

4 Further amend said section by striking from line fifteen (15) the
5 words "or judge" and from lines seventeen (17) and eighteen (18)
6 the words "or judge".

1 SEC. 16. Section eighty-six point twenty-eight (86.28), Code 1966,
2 is repealed and the following enacted in lieu thereof:

3 "The appeal shall be triable at any time after the expiration of
4 twenty days from the date of filing the transcript by the commission-
5 er and after twenty days notice in writing by either party upon the
6 other. Such appeal shall be accorded priority over other matters
7 pending before the district court."

1 SEC. 17. Section ninety-six point fourteen (96.14), Code 1966, is
2 amended by striking from the second paragraph of subsection seven
3 (7) everything following the comma in line six (6) and inserting in
4 lieu thereof the following: "you will be adjudged in default, your
5 default entered of record, and judgment rendered against you for the
6 relief prayed in plaintiff's petition."

1 SEC. 18. Section ninety-nine point six (99.6), Code 1966, is
2 amended by striking from line three (3) the words "or judge in
3 vacation,".

4 Further amend said section by striking from line ten (10) the
5 words "or judge".

1 SEC. 19. Section ninety-nine point thirteen (99.13), Code 1966,
2 is repealed.

1 SEC. 20. Section ninety-nine point sixteen (99.16), Code 1966, is
2 amended by striking from line six (6) the words "more than one
3 term of court" and substituting in lieu thereof the words "beyond the
4 first trial calendar to which assigned".

1 SEC. 21. Section ninety-nine point eighteen (99.18), Code 1966,
2 is amended by striking from line six (6) the words ", or in vacation
3 of a judge thereof,".

1 SEC. 22. Section ninety-nine point nineteen (99.19), Code 1966,
2 is amended by striking from line five (5) the words "or judge".

1 SEC. 23. Section ninety-nine point twenty-six (99.26), Code 1966,
2 is amended by striking from lines six (6) and seven (7) the words
3 "or in vacation by the judge thereof" and by striking from line eleven
4 (11) the words "or in vacation the judge,".

1 SEC. 24. Section one hundred point seventeen (100.17), Code
2 1966, is amended by striking from lines four (4) and five (5) the
3 words "and term thereof".

1 SEC. 25. Section one hundred point eighteen (100.18), Code
2 1966, is repealed and the following enacted in lieu thereof:

3 "Said appeal shall be triable in equity any time after the filing of
4 the transcript. The court may affirm, modify or revoke the order
5 from which the appeal is taken."

1 SEC. 26. Section one hundred twelve point eight (112.8), Code
2 1966, is amended by striking from lines fifteen (15), sixteen (16)
3 and seventeen (17) the words "will come on for hearing at the next
4 succeeding term of the court and designating such term." and sub-
5 stituting in lieu thereof the words "may be heard at any time after
6 the expiration of twenty days following completion of service of
7 notice."

1 SEC. 27. Section one hundred thirteen point twenty-three
2 (113.23), Code 1966, is repealed and the following enacted in lieu
3 thereof:

4 "Any person affected by an order or decision of the fence viewers
5 may appeal to the district court by filing with the clerk of said court
6 a notice of appeal within twenty days after the rendition of the order
7 or decision appealed from and filing an appeal bond in an amount
8 approved by the township clerk. The township clerk, after recording
9 the original papers, shall thereupon file them in the office of the clerk
10 of the district court, certifying them to be such, and the clerk shall
11 docket them, entitling the applicant or petitioner as plaintiff, and it
12 shall stand for trial as other cases."

1 SEC. 28. Section one hundred twenty-three point sixty-six
2 (123.66), Code 1966, is repealed and the following enacted in lieu
3 thereof:

4 "Any action brought hereunder shall be accorded priority over
5 other business pending before the district court."

1 SEC. 29. Section one hundred twenty-three point sixty-eight
2 (123.68), Code 1966, is amended by striking from lines three (3)
3 and four (4) the words ", or in vacation a judge thereof," and strik-
4 ing from line nine (9) the words "or judge".

1 SEC. 30. Section one hundred twenty-three point seventy-seven
2 (123.77), Code 1966, is amended by striking from lines five (5), six
3 (6) and seven (7) the words "or in vacation by the clerk, auditor
4 and treasurer of the county," and by striking from lines ten (10) and
5 eleven (11) the words "or in vacation a judge".

1 SEC. 31. Section one hundred twenty-three point eighty-three
2 (123.83), Code 1966, is amended by striking from line eight (8) the
3 words "judge or".

1 SEC. 32. Section one hundred twenty-four point forty (124.40),
2 Code 1966, is amended by striking from lines sixty-seven (67) and
3 sixty-eight (68) the words ", or a judge thereof in vacation".

4 Further amend said section by striking from line seventy-eight
5 (78) the words "or judge".

6 Further amend said section by striking from line eighty-five (85)
7 the sentence following the words "appealed from." and inserting in
8 lieu thereof the following:

9 "The appeal shall be heard and determined by the district court
10 without jury and shall be accorded preference over other matters
11 pending in said court."

12 Further amend said section by striking from line ninety-three
13 (93) the words ", or judge thereof in vacation,".

14 Further amend said section by striking from line ninety-six (96)
15 the words "or judge".

1 SEC. 33. Section one hundred twenty-seven point seven (127.7),
2 Code 1966, is amended by striking from lines six (6) and seven (7)
3 the words "or a judge thereof".

4 Further amend said section by striking from line eight (8) the
5 words "or judge".

1 SEC. 34. Section one hundred twenty-eight point two (128.2),
2 Code 1966, is amended by striking from line two (2) the words ", or
3 a judge in vacation,".

4 Further amend said section by striking from lines six (6) and nine
5 (9) the words "or judge".

1 SEC. 35. Section one hundred twenty-eight point five (128.5),
2 Code 1966, is repealed and the following enacted in lieu thereof:

3 "Such action shall be accorded priority over other matters pending
4 in the district court."

1 SEC. 36. Section one hundred twenty-eight point eleven (128.11),
2 Code 1966, is amended by striking from lines two (2) and three (3)

3 the words "two terms of court" and inserting in lieu thereof the
4 words "for more than one hundred and twenty days after its com-
5 mencement".

1 SEC. 37. Section one hundred twenty-eight point thirteen
2 (128.13), Code 1966, is amended by striking from lines three (3) and
3 four (4) the words ", or in vacation a judge thereof,".

1 SEC. 38. Section one hundred twenty-eight point twenty-three
2 (128.23), Code 1966, is amended by striking from lines five (5), six
3 (6) and seven (7) the words "or, in vacation, by the clerk, auditor,
4 and treasurer of the county,".

5 Further amend said section by striking from line eleven (11) the
6 words ", or, in vacation, the judge,".

1 SEC. 39. Section one hundred twenty-eight point twenty-nine
2 (128.29), Code 1966, is amended by striking from line eight (8) the
3 words "judge or".

1 SEC. 40. Section one hundred thirty point three (130.3), Code
2 1966, is amended by striking all of said section after the comma in
3 line five (5) and inserting in lieu thereof the words "before service
4 of notice hereinafter provided".

1 SEC. 41. Section one hundred thirty point four (130.4), Code
2 1966, is repealed and the following enacted in lieu thereof:
3 "Notice of an application for a permit shall state the name of the
4 court and that the petition is on file in the office of the clerk of said
5 court. It shall further state the name of the applicant, with the firm
6 name, if any, under which he is doing business, the purpose of the
7 application, the particular location of the place where the proposed
8 business is to be carried on, and that the petition may be heard at
9 any time after a fixed date set forth in the notice which shall be at
10 least twenty days after the first publication of notice as hereinafter
11 provided."

1 SEC. 42. Section one hundred thirty point five (130.5), Code
2 1966, is amended by striking all of subsection one (1) after the word
3 "proceedings" in line nine (9).

1 SEC. 43. Section one hundred thirty point seven (130.7), Code
2 1966, is repealed and the following substitute is enacted in lieu there-
3 of:

4 "Such applications shall be accorded priority for disposition over
5 other business pending before the court."

1 SEC. 44. Section one hundred thirty point eight (130.8), Code
2 1966, is repealed.

1 SEC. 45. Section one hundred thirty point ten (130.10), Code
2 1966, is amended by striking from lines seven (7) and eight (8) the
3 words "by noon of the first day of the term" and inserting in lieu
4 thereof the words "on or before the day fixed in the notice".

1 SEC. 46. Section one hundred thirty point thirty-nine (130.39),
2 Code 1966, is amended by striking from line twelve (12) the words
3 ", or a judge thereof,".

4 Further amend said section by striking from line fourteen (14)
5 the words "or judge".

1 SEC. 47. Section one hundred thirty point forty-nine (130.49),
2 Code 1966, is amended by striking from line four (4) the words "a
3 court or judge" and inserting in lieu thereof the word "court".

4 Further amend said section by striking from line six (6) the words
5 "or a judge thereof,".

1 SEC. 48. Section one hundred thirty point fifty (130.50), Code
2 1966, is amended by striking from line six (6) the words "or judge".

1 SEC. 49. Section one hundred thirty point fifty-two (130.52),
2 Code 1966, is amended by striking from line eleven (11) the words
3 "or judge".

1 SEC. 50. Section one hundred thirty point fifty-three (130.53),
2 Code 1966, is amended by striking all of said section after the word
3 "court" in line three (3).

1 SEC. 51. Section one hundred thirty point fifty-seven (130.57),
2 Code 1966, is amended by striking from lines six (6) and seven (7)
3 the words "or judge thereof,".

1 SEC. 52. Section one hundred thirty-one point twenty-three
2 (131.23), Code 1966, is amended by striking from line six (6) the
3 words ", or to a judge thereof,".

1 SEC. 53. Section one hundred forty-seven point sixty-three
2 (147.63), Code 1966, is amended by striking from lines two (2) and
3 three (3) the words "or judge".

1 SEC. 54. Section one hundred forty-seven point sixty-five
2 (147.65), Code 1966, is repealed and the following enacted in lieu
3 thereof:

4 "The proceeding shall be summary in its nature and triable as an
5 equitable action."

1 SEC. 55. Section one hundred forty-seven point seventy-one
2 (147.71), Code 1966, is amended by striking from line four (4) the
3 words "or judge".

1 SEC. 56. Section two hundred eighteen point twenty-two
2 (218.22), Code 1966, is amended by striking from lines two (2) and
3 three (3) the words "judge or".

1 SEC. 57. Section two hundred eighteen point thirty-two (218.32),
2 Code 1966, is amended by striking from line six (6) the words "or
3 any judge thereof,".

4 Further amend said section by striking from line seven (7) the
5 words "or judge".

1 SEC. 58. Section two hundred twenty-seven point twelve
2 (227.12), Code 1966, is amended by striking from line seven (7) the
3 words ", or judge thereof,".

1 SEC. 59. Section two hundred twenty-eight point three (228.3),
 2 Code 1966, is amended by striking from lines two (2) and three (3)
 3 the words "or judges thereof".
 4 Further amend said section by striking the second sentence.

1 SEC. 60. Section two hundred twenty-nine point three (229.3),
 2 Code 1966, is amended by striking from lines seven (7) and eight
 3 (8) the words "or to a judge thereof".
 4 Further amend said section by striking from line eight (8) the
 5 words "or judge".
 6 Further amend said section by striking from line ten (10) the
 7 words "or judge".

1 SEC. 61. Section two hundred fifty-two point ten (252.10), Code
 2 1966, is amended by striking from line six (6) the words "or judge
 3 thereof".
 4 Further amend said section by striking from line eleven (11) the
 5 words "or judge".

1 SEC. 62. Section three hundred eleven point twenty-four
 2 (311.24), Code 1966, is amended by striking from lines twelve (12)
 3 and thirteen (13) the words "The appearance term shall be the trial
 4 term."
 5 Further amend said section by striking from line fourteen (14)
 6 the words "of the term" and inserting in lieu thereof the words
 7 "pending before the court".

1 SEC. 63. Section three hundred eleven point twenty-five (311.25),
 2 Code 1966, is amended by striking from lines five (5), six (6) and
 3 seven (7) the words "on or before the first day of the first term of
 4 the court, after taking said appeal," and inserting in lieu thereof the
 5 words "within twenty days after perfection of said appeal,".

1 SEC. 64. Section three hundred twenty-one point five hundred
 2 (321.500), Code 1966, is amended by striking all of said section after
 3 the word "court" in line fifteen (15).

1 SEC. 65. Section three hundred twenty-four point sixty-eight
 2 (324.68), Code 1966, is amended by striking from line twenty (20)
 3 the words "or to any judge thereof".
 4 Further amend said section by striking from line twenty-one (21)
 5 the words "or judge".

1 SEC. 66. Section three hundred twenty-five point twenty-two
 2 (325.22), Code 1966, is amended by striking all of said section after
 3 the word "court" in line six (6) and inserting in lieu thereof the
 4 words "within twenty days following the taking of such appeal."

1 SEC. 67. Section three hundred forty-nine point thirteen
 2 (349.13), Code 1966, is repealed and the following enacted in lieu
 3 thereof:
 4 "Said appeal shall be triable de novo as an equitable action without
 5 formal pleadings at any time after the expiration of twenty days
 6 following the filing of such transcript."

1 SEC. 68. Section three hundred fifty-six point seven (356.7),
2 Code 1966, is repealed and the following enacted in lieu thereof:

3 "On or before the fifteenth day of the months of January, April,
4 July and October each year, the sheriff of each county must return a
5 copy of such calendar to the district court of the district within which
6 his county is situated. If a sheriff neglects or refuses to do so, he
7 shall be punished by a fine not exceeding one hundred dollars."

1 SEC. 69. Section three hundred fifty-six point ten (356.10), Code
2 1966, is repealed and the following enacted in lieu thereof:

3 "Such inspectors shall visit and inspect such prisons twice each
4 year, and, on or before the fifteenth day of the first month of the next
5 calendar quarter, present to such court a detailed report of the con-
6 dition of such prisons at the time of such inspection."

1 SEC. 70. Section three hundred sixty-two point six (362.6), Code
2 1966, is amended by striking from lines thirteen (13) and fourteen
3 (14) the words ", or judge thereof,".

4 Further amend said section by striking from lines fifteen (15) and
5 sixteen (16) the words ", or judge in vacation".

6 Further amend said section by striking from lines sixteen (16)
7 and seventeen (17) the words "or judge thereof".

1 SEC. 71. Section three hundred sixty-two point seven (362.7),
2 Code 1966, is amended by striking from lines four (4) and five (5)
3 the words ", or in vacation a judge thereof,".

1 SEC. 72. Section three hundred sixty-two point eight (362.8),
2 Code 1966, is amended by striking from lines three (3) and four (4)
3 the words ", or in vacation a judge thereof,".

4 Further amend said section by striking from line thirteen (13) the
5 words "or judge".

1 SEC. 73. Section three hundred sixty-two point thirty-two
2 (362.32), Code 1966, is amended by striking from lines three (3) and
3 four (4) of subsection three (3) the words "at the next term there-
4 of" and inserting in lieu thereof the words "within thirty days fol-
5 lowing their appointment or at such later time as the court may
6 direct".

1 SEC. 74. Section three hundred sixty-five point twenty-five
2 (365.25), Code 1966, is amended by striking from line seven (7) the
3 words "or to any judge thereof".

4 Further amend said section by striking from line eight (8) the
5 words "or judge".

6 Further amend said section by striking from lines ten (10) and
7 eleven (11) the words "or judge".

1 SEC. 75. Section three hundred eighty-seven point fifteen
2 (387.15), Code 1966, is amended by striking from lines ten (10) and
3 eleven (11) the words "at the first term to which such action is
4 brought" and inserting in lieu thereof the words "within twenty days
5 after commencement of the action".

1 SEC. 76. Section three hundred ninety-one point eighty-three
2 (391.83), Code 1966, is amended by striking from lines eight (8) and
3 nine (9) the words “, or a judge thereof in vacation.”.

1 SEC. 77. Section three hundred ninety-one point eighty-nine
2 (391.89), Code 1966, is amended by striking from lines two (2) and
3 three (3) of subsection three (3) the words “on or before noon of
4 the second day of the first term of said court convening” and insert-
5 ing in lieu thereof the words “within twenty days”.

1 SEC. 78. Section four hundred nine point fifteen (409.15), Code
2 1966, is amended by striking from said section all after the word
3 “clerk” in line fifteen (15).

4 Further amend said section by adding at the end thereof the fol-
5 lowing: “Such appeal shall be triable de novo as an equitable pro-
6 ceeding and accorded such preference in assignment as to assure its
7 prompt disposition.”

1 SEC. 79. Section four hundred nine point twenty-two (409.22),
2 Code 1966, is amended by striking from said section all after the
3 comma in line eight (8) and inserting in lieu thereof the words “and
4 notice shall be published once each week for three consecutive weeks
5 in a newspaper of general circulation published within the county”.

1 SEC. 80. Section four hundred nine point twenty-three (409.23),
2 Code 1966, is repealed and the following enacted in lieu thereof:

3 “After completion of notice, the court shall fix a time for hearing
4 the petition and notice of the day so fixed shall be given by the clerk by
5 publication in a newspaper of general circulation published within the
6 county not less than twenty days in advance of the date set for hear-
7 ing.”

1 SEC. 81. Section four hundred thirteen point one hundred fourteen
2 (413.114), Code 1966, is amended by striking from lines four (4) and
3 five (5) the words “, or to any judge thereof in term time or vaca-
4 tion.”.

1 SEC. 82. Section four hundred thirteen point one hundred fifteen
2 (413.115), Code 1966, is amended by striking from lines five (5) and
3 six (6) the words “or to any judge thereof in term time or vacation”.

1 SEC. 83. Section four hundred thirteen point one hundred sixteen
2 (413.116), Code 1966, is amended by striking from lines one (1) and
3 two (2) the words “or any judge thereof”.

1 SEC. 84. Section four hundred twenty-one point twenty (421.20),
2 Code 1966, is amended by striking from lines three (3) and four (4)
3 the words “or before any judge thereof.”.

1 SEC. 85. Section four hundred fifty point twenty-four (450.24),
2 Code 1966, is amended by striking from lines two (2) and three (3)
3 the words “annually, at the first term of the court therein,” and in-
4 serting in lieu thereof the words “on or before January 15 of each
5 year.”.

6 Further amend said section by striking from line thirteen (13) all
7 after the word “court”.

8 Further amend said section by striking from line fourteen (14) the
9 words "court, or judge thereof in vacation," and inserting in lieu
10 thereof the words "The court".

11 Further amend said section by striking from line twenty (20) the
12 words "or by a judge in vacation".

1 SEC. 86. Section four hundred fifty point twenty-eight (450.28),
2 Code 1966, is amended by striking from line thirteen (13) the words
3 "or judge".

1 SEC. 87. Section four hundred fifty point thirty (450.30), Code
2 1966, is amended by striking from lines eight (8) and nine (9) the
3 words "if in session, or judge thereof in vacation,".

1 SEC. 88. Section four hundred fifty point forty-one (450.41), Code
2 1966, is amended by striking from lines seven (7) and eight (8) the
3 words "or judge thereof in vacation".

1 SEC. 89. Section four hundred fifty point forty-two (450.42), Code
2 1966, is amended by striking from line two (2) the words "or judge
3 thereof in vacation".

4 Further amend said section by striking from line nine (9) the words
5 "or judge".

1 SEC. 90. Section four hundred fifty point eighty-three (450.83),
2 Code 1966, is amended by striking from lines one (1) and two (2) the
3 words "On the first day of each regular term," and inserting in lieu
4 thereof the words "On or before the fifteenth day of the first month
5 of each calendar quarter".

6 Further amend said section by striking from line eight (8) the word
7 "term" and inserting in lieu thereof the words "quarterly inspection".

8 Further amend said section by striking from lines twenty-five (25)
9 and twenty-seven [27]* the words "or judge".

1 SEC. 91. Section four hundred fifty-five point ninety-four
2 (455.94), Code 1966, is amended by striking the comma after the word
3 "taken" in line six (6) and inserting in lieu thereof the word "and".

4 Further amend said section by striking from lines eight (8), nine
5 (9) and ten (10) the words "at the next succeeding term of the court
6 and designating such term" and inserting in lieu thereof the words
7 "thirty days following perfection of the appeal with allowances of
8 additional time for good cause shown".

1 SEC. 92. Section four hundred fifty-five point ninety-six (455.96),
2 Code 1966, is amended by striking from lines one (1) and two (2) the
3 words "On or before the first day of the next succeeding term of
4 court," and inserting in lieu thereof the words "Within twenty days
5 after perfection of the appeal,".

1 SEC. 93. Section four hundred fifty-five point one hundred ninety-
2 one (455.191), Code 1966, is amended by striking from line three (3)
3 the words "or a judge thereof,".

4 Further amend said section by striking from lines four (4) and five
5 (5) the words "which may be in term time or vacation,".

*Figures supplied by editor; see §3.1(3) of the Code.

1 SEC. 94. Section four hundred fifty-five point one hundred ninety-
2 two (455.192), Code 1966, is amended by striking from lines two (2)
3 and three (3) the words "or a judge thereof,".

4 Further amend said section by striking from line four (4) the words
5 "or judge".

1 SEC. 95. Section four hundred fifty-seven point twenty-six
2 (457.26), Code 1966, is hereby repealed and the following enacted in
3 lieu thereof:

4 "Within thirty days after completion of notice, the auditor shall,
5 acting jointly, prepare and certify to the clerk of the district court a
6 full and complete transcript of all proceedings had in such case. The
7 clerk of the district court shall thereupon docket the case and same
8 shall be triable in equity at any time after the expiration of twenty
9 days thereafter."

1 SEC. 96. Section four hundred sixty-one point twenty-eight
2 (461.28), Code 1966, is amended by striking from lines thirteen (13)
3 and fourteen (14) the words ", or to any judge thereof in term time,
4 or in vacation,".

1 SEC. 97. Section four hundred sixty-four point three (464.3),
2 Code 1966, is amended by striking from lines two (2) and three (3)
3 the words "judge for said court, either in session, or in vacation," and
4 inserting in lieu thereof the word "court".

1 SEC. 98. Section four hundred sixty-seven A point thirty
2 (467A.30), Code 1966, is amended by striking from lines eight (8),
3 nine (9) and ten (10) the words "at the next succeeding term of the
4 court and designating such term." and inserting in lieu thereof the
5 words "thirty days following perfection of the appeal with allowances
6 of additional time for good cause shown."

1 SEC. 99. Section four hundred sixty-seven A point thirty-one
2 (467A.31), Code 1966, is amended by striking all of lines one (1) and
3 two (2) and inserting in lieu thereof the words "Within twenty days
4 after perfection of notice,".

1 SEC. 100. Section four hundred seventy-two point nineteen
2 (472.19), Code 1966, is amended by striking from line thirteen (13)
3 the words "or a judge thereof,".

1 SEC. 101. Section four hundred seventy-two point twenty-two
2 (472.22), Code 1966, is amended by striking from lines two (2), three
3 (3) and four (4) the words "on or before the first day of the term to
4 which the appeal is taken," and inserting in lieu thereof the words
5 "within twenty days after perfection of the appeal,".

6 Further amend said section by inserting after the first sentence the
7 words "The court may for good cause shown grant additional time for
8 the filing of the petition."

1 SEC. 102. Section four hundred seventy-four point twenty
2 (474.20), Code 1966 is amended by striking from line seven (7) the
3 words "or judge thereof".

1 SEC. 103. Section four hundred seventy-four point twenty-five
2 (474.25), Code 1966, is amended by striking from lines four (4), five
3 (5) and six (6) the words "at the first term of court to which said
4 cause is brought, which shall be the trial term," and inserting in lieu
5 thereof the words "within twenty days after commencement of the
6 action".

1 SEC. 104. Section four hundred eighty point one (480.1), Code
2 1966, is repealed and the following enacted in lieu thereof:

3 "Any railroad desiring to change or remove the line of its road, after
4 the same has been permanently located and constructed, may file a
5 petition in the district court in any county wherein the change or
6 removal is proposed to be made, naming as defendants all trustees,
7 mortgagees, and other lienholders, and all townships, cities, and coun-
8 ties which have aided by taxation to build the road, describing with
9 reasonable accuracy that portion of its line which it seeks to have
10 changed or removed, and asking the court to grant authority to make
11 such change or removal."

1 SEC. 105. Section four hundred eighty point two (480.2), Code
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "Upon filing of the petition, notices shall be served upon the de-
4 fendants as in other actions and upon the public by notice addressed
5 'to all whom it may concern' published in a newspaper of general cir-
6 culation, printed within the county, once each week for a period of ten
7 consecutive weeks. All notices shall state the date of filing of the peti-
8 tion, the object thereof, and that the application may be heard at any
9 time after a fixed date prescribed by the notice, which shall be not less
10 than twenty days following the date of last publication. In addition,
11 the public notice shall notify all persons desiring the repayment of
12 money or return of property, as in this chapter provided, to appear
13 and present their claims therefor. The court may order any additional
14 notice or publication that it deems proper."

1 SEC. 106. Section four hundred eighty-four point eighteen
2 (484.18), Code 1966, is amended by striking the first two sentences
3 and substituting in lieu thereof the following:

4 "The appeal shall be triable in equity at any time following the ex-
5 piration of twenty days after filing of the transcript and shall be ac-
6 corded priority for disposition over all other civil causes."

1 SEC. 107. Section four hundred eighty-five point three (485.3),
2 Code 1966, is amended by striking from the seventh paragraph, line
3 four (4) the words "the first term" and inserting in lieu thereof the
4 words "within thirty days".

5 Further amend said section by striking from the seventh paragraph,
6 line seven (7) the words "and try the same thereat, if possible." and
7 inserting in lieu thereof the words "pending before the court."

1 SEC. 108. Section four hundred eighty-five point four (485.4),
2 Code 1966, is amended by striking from line nine (9) the words ", or
3 a judge thereof,".

1 SEC. 109. Section four hundred ninety-nine point nine (499.9),
2 Code 1966, is amended by striking from line four (4) of the third
3 paragraph the words "or any judge thereof".

1 SEC. 110. Section five hundred seven point ten (507.10), Code
2 1966, is amended by striking from lines eighteen (18) and nineteen
3 (19) the words "or any judge thereof".

1 SEC. 111. Section five hundred seven point seventeen (507.17),
2 Code 1966, is amended by striking from line nine (9) the words "or a
3 judge thereof".

1 SEC. 112. Section five hundred eight point fourteen (508.14),
2 Code 1966, is amended by striking from lines ten (10) and eleven (11)
3 the words ", if the court is in session, if not, to any judge thereof,".

4 Further amend said section by striking from lines thirteen (13) and
5 fourteen (14) the words "or judge, as the case may be,".

1 SEC. 113. Section five hundred eight point seventeen (508.17),
2 Code 1966, is amended by striking from line nine (9) the words "or
3 any judge thereof,".

4 Further amend said section by striking from line seventeen (17) the
5 words "judge of such".

1 SEC. 114. Section five hundred ten point twenty-seven (510.27),
2 Code 1966, is amended by striking from line two (2) the words "or
3 judge".

1 SEC. 115. Section five hundred twelve point one hundred one
2 (512.101), Code 1966, is amended by striking from line eighteen (18)
3 the words "or any judge thereof".

1 SEC. 116. Section five hundred fifteen point eighty-five (515.85),
2 Code 1966, is amended by striking from lines thirty-one (31) and
3 thirty-two (32) the words ", or if in vacation to one of the judges
4 thereof,".

5 Further amend said section by striking from line thirty-five (35)
6 the words "or judge, as the case may be,".

7 Further amend said section by striking from line thirty-eight (38)
8 the words "or his".

9 Further amend said section by striking from line forty-one (41) the
10 words "it or he" and inserting in lieu thereof the words "said court".

11 Further amend said section by striking from line forty-five (45)
12 the words "or judge".

13 Further amend said section by striking from lines forty-seven (47)
14 and forty-eight (48) the words "or judge".

1 SEC. 117. Section five hundred twenty-eight point thirty-three
2 (528.33), Code 1966, is amended by striking from line four (4) the
3 words ", or a judge thereof,".

1 SEC. 118. Section five hundred twenty-eight point thirty-seven
2 (528.37), Code 1966, is amended by striking from line three (3) the
3 words "or judge thereof".

1 SEC. 119. Section five hundred twenty-eight point forty-five
2 (528.45), Code 1966, is amended by striking from line three (3) the
3 words “, or any judge thereof,”.

4 Further amend said section by striking from line fourteen (14) the
5 words “or judge”.

1 SEC. 120. Section five hundred twenty-eight point forty-six
2 (528.46), Code 1966, is amended by striking from lines two (2), five
3 (5) and eight (8) the words “or judge” in each instance.

1 SEC. 121. Section five hundred twenty-eight point one hundred
2 twenty (528.120), Code 1966, is amended by striking from lines three
3 (3) and four (4) the words “or a judge thereof”.

1 SEC. 122. Section five hundred twenty-eight point one hundred
2 twenty-one (528.121), Code 1966, is amended by striking from line
3 four (4) the words “judge or”.

1 SEC. 123. Section five hundred twenty-eight point one hundred
2 twenty-three (528.123), Code 1966, is amended by striking from lines
3 twelve (12) and thirteen (13) the words “or a judge thereof”.

1 SEC. 124. Section five hundred sixty-one point eight (561.8), Code
2 1966, is amended by striking from line fourteen (14) the words “next
3 term of”.

4 Further amend said section by adding at the end thereof the words
5 “within thirty days after their qualification as referees”.

1 SEC. 125. Section five hundred sixty-six point four (566.4), Code
2 1966, is amended by striking from line twelve (12) the words “or
3 judge”.

1 SEC. 126. Section five hundred sixty-six point seven (566.7), Code
2 1966, is amended by striking from line four (4) the words “or judge”.

1 SEC. 127. Section five hundred sixty-six point eight (566.8), Code
2 1966, is amended by striking from line three (3) the words “or judge”.

1 SEC. 128. Section five hundred sixty-six point eleven (566.11),
2 Code 1966, is amended by striking from lines two (2) and three (3)
3 the words “or judge thereof”.

4 Further amend said section by striking from line four (4) the words
5 “or judge”.

1 SEC. 129. Section five hundred ninety-eight point twelve (598.12),
2 Code 1966, is amended by striking from line two (2) the words “or
3 judge”.

1 SEC. 130. Section five hundred ninety-eight point thirteen
2 (598.13), Code 1966, is amended by striking from line two (2) the
3 words “or judge”.

4 Further amend said section by striking from line seven (7) the
5 words “or judge”.

1 SEC. 131. Section six hundred one point eighty-nine (601.89),
2 Code 1966, is hereby repealed.

1 SEC. 132. Section six hundred one point ninety (601.90), Code
2 1966, is amended by striking from lines (3), four (4) and five (5)
3 the words "by noon of the second day of the term at which the appeal
4 should properly come on for trial" and inserting in lieu thereof the
5 words "within twenty days after perfection of the appeal".

6 Further amend said section by striking from line fifteen (15) the
7 words "stand for trial at that term," and inserting in lieu thereof the
8 words "be tried within ninety days thereafter,".

1 SEC. 133. Section six hundred one point ninety-six (601.96), Code
2 1966, is repealed and the following enacted in lieu thereof:

3 "If the appeal is taken from a judgment by default, defendant may
4 file within twenty days after perfection of the appeal in the court to
5 which it is taken any pleadings necessary to properly set forth any
6 defense he may have to the action. The court may, for good cause
7 shown, grant additional time for filing such pleadings. The plaintiff
8 shall reply thereto as in other cases. In such case the costs of the trial
9 before the justice shall be taxed to the defendant."

1 SEC. 134. Section six hundred one point one hundred three
2 (601.103), Code 1966, is amended by striking from line two (2) the
3 words "at the first term" and inserting in lieu thereof the words "at
4 any time after twenty days following issuance of the writ".

5 Further amend said section by striking from lines five (5), six (6)
6 and seven (7) the words "before noon of the second day of the term
7 at which the case should properly come on for hearing on such writ
8 of error," and inserting in lieu thereof the following words "within
9 twenty days after issuance of the writ".

1 SEC. 135. Section six hundred four point eleven (604.11), Code
2 1966, is amended by striking the words "terms are" from line one (1)
3 and inserting in lieu thereof the words "court is".

4 Further amend said section by striking from line four (4) the
5 words "for such terms," and inserting in lieu thereof the word "there-
6 for".

1 SEC. 136. Section six hundred four point twelve (604.12), Code
2 1966, is amended by striking from line two (2) the words "terms of".

1 SEC. 137. Section six hundred four point thirty-seven (604.37),
2 Code 1966, is repealed and the following enacted in lieu thereof:

3 "District judges shall not sit together in the trial of causes nor upon
4 the hearings of motions for new trials. They may, however, hold court
5 in the same county at the same time."

1 SEC. 138. Section six hundred four point thirty-nine (604.39),
2 Code 1966, is repealed and the following enacted in lieu thereof:

3 "Delay in the preparation and signing of the record of court pro-
4 ceedings shall not prevent the issuance of an execution and other pro-
5 ceedings may be had in the same manner as though the record had
6 been signed."

1 SEC. 139. Section six hundred four point forty (604.40), Code
2 1966, is repealed.

1 SEC. 140. Section six hundred four point forty-one (604.41), Code
2 1966, is repealed and the following enacted in lieu thereof:

3 "The record of any court proceedings is under the control of the
4 court and may be amended or any entry therein expunged before it
5 has been signed by the judge or within sixty days thereafter."

1 SEC. 141. Section six hundred four point forty-three (604.43),
2 Code 1966, is repealed and the following enacted in lieu thereof:

3 "Entries made and signed, unless amended or expunged as above
4 provided, may be altered only to correct an evident mistake."

1 SEC. 142. Section six hundred seven point six (607.6), Code 1966,
2 is repealed and the following enacted in lieu thereof:

3 "Upon conclusion of every calendar quarter the clerk of the district
4 court shall certify to the county auditor a list of the jurors with the
5 number of days attendance to which each one is entitled."

1 SEC. 143. Section* six hundred nine point eighteen (609.18) and
2 six hundred nine point nineteen (609.19), Code 1966, are hereby re-
3 pealed and the following enacted in lieu thereof:

4 "**Juries.** In counties containing a city having a population in excess
5 of fifty thousand according to the latest decennial census, petit jury
6 panels shall be drawn six times annually to serve for the following two
7 months, and in other counties they shall be drawn four times annually
8 to serve for the following three months. The number of jurors on a
9 panel shall be ordered by a judge of the district."

1 SEC. 144. Section six hundred nine point twenty (609.20), Code
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "Petit jurors shall be drawn by the ex officio commission at the
4 office of the clerk of the district court. The court may by order pre-
5 scribe the time for such drawing. The clerk shall notify the jurors
6 thus drawn of their selection and of their obligation to report for serv-
7 ice when called."

1 SEC. 145. Section six hundred nine point twenty-two (609.22),
2 Code 1966, is amended by striking from the end thereof the words
3 "for the ensuing term of the court".

1 SEC. 146. Section six hundred nine point twenty-five (609.25),
2 Code 1966, is amended by striking from lines four (4) and five (5)
3 the words "at the time of the drawing of the petit jury panel for the
4 January term" and inserting in lieu thereof the words "on the last
5 secular Monday of December preceding the new calendar year".

1 SEC. 147. Section six hundred nine point thirty (609.30), Code
2 1966, is amended by inserting after the word "immediately" in lines
3 two (2) and three (3) the words ", upon order of the court".

4 Further amend said section by striking from line five (5) the words
5 "at ten" and the remainder of that sentence and substituting in lieu
6 thereof the words "at such times as the court may prescribe, to serve
7 as petit or grand jurors, as the case may be,".

*According to enrolled Act.

1 SEC. 148. Section six hundred nine point thirty-two (609.32), Code
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "The twelve persons from whom the grand jury is to be impaneled
4 shall convene regularly four times a year on the first secular Monday
5 of the first month of each calendar quarter without summons, or upon
6 summons at such other additional times as the court may order."

1 SEC. 149. Section six hundred nine point thirty-three (609.33),
2 Code 1966, is amended by striking from line one (1) the word "sum-
3 moned" and inserting in line two (2) after the word "appear" the
4 words "at any regularly scheduled meeting date or when summoned".

1 SEC. 150. Section six hundred nine point thirty-five (609.35),
2 Code 1966, is amended by striking from line two (2) the word "term"
3 and inserting in lieu thereof the words "calendar quarter".

1 SEC. 151. Section six hundred nine point thirty-six (609.36), Code
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "The judge presiding over any trial calendar assignment may order
4 as many additional jurors drawn therefor, or for the trial of any case,
5 as he deems necessary."

1 SEC. 152. Section six hundred nine point forty-four (609.44),
2 Code 1966, is amended by striking from lines seven (7) and eight (8)
3 the words "for any term," and inserting in lieu thereof the following
4 words "during any calendar quarter".

1 SEC. 153. Section six hundred fourteen point three (614.3), Code
2 1966, is amended by striking from lines five (5) and six (6) the words
3 " , or a judge thereof,".

1 SEC. 154. Section six hundred sixteen point sixteen (616.16), Code
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "Actions against municipal corporations in all counties where the
4 district court convenes in more than one place must be brought in the
5 county and at the place where court is held nearest to where the cause
6 or subject of the action originated."

1 SEC. 155. Section six hundred twenty-two point seventy (622.70),
2 Code 1966, is amended by striking from line three (3) the word
3 "term" and inserting in lieu thereof the words "court session".

1 SEC. 156. Section six hundred twenty-two point eighty (622.80),
2 Code 1966, is amended by striking from line six (6) the words "during
3 the term of the court" and inserting in lieu thereof the words "by the
4 court within a reasonable time thereafter".

1 SEC. 157. Section six hundred twenty-two point eighty-four
2 (622.84), Code 1966, is amended by striking from lines eleven (11)
3 and twelve (12) the words "or a judge thereof,".

1 SEC. 158. Section six hundred twenty-two point one hundred two
2 (622.102), Code 1966, is amended by striking all of said section after
3 the word "issued" in line six (6).

1 SEC. 159. Section six hundred twenty-four point three (624.3),
2 Code 1966, is amended by striking from the last line thereof the words
3 "to the second term".

1 SEC. 160. Section six hundred twenty-four point six (624.6), Code
2 1966, is amended by striking from line two (2) the words "at the first
3 term" and inserting in lieu thereof the words "at any time after the
4 expiration of twenty days".

1 SEC. 161. Section six hundred twenty-four point seven (624.7),
2 Code 1966, is amended by striking from lines four (4) and five (5) the
3 words "either in term time or in vacation".

1 SEC. 162. Section six hundred twenty-four point eight (624.8),
2 Code 1966, is amended by striking from line five (5) the words "or
3 judge".

4 Further amend said section by striking from lines eleven (11),
5 twelve (12) and thirteen (13) the words "at the first term of court
6 of each year, and shall, at each succeeding term of court during said
7 year," and inserting in lieu thereof the words "on or before January
8 15, April 15, July 15 and October 15 of each year,".

9 Further amend said section by striking from line nineteen (19) the
10 words "at the commencement of each term".

1 SEC. 163. Section six hundred twenty-four point nine (624.9),
2 Code 1966, is amended by striking from lines five (5) and six (6) the
3 words "or judge".

4 Further amend said section by striking from line thirty-two (32)
5 the word " , judge,".

6 Further amend said section by striking from the last line thereof
7 the words "or judge".

1 SEC. 164. Section six hundred twenty-four point thirty-six
2 (624.36), Code 1966, is hereby repealed.

1 SEC. 165. Section six hundred twenty-six point nineteen (626.19),
2 Code 1966, is amended by striking from line twelve (12) the words
3 " , or a judge thereof,".

1 SEC. 166. Section six hundred twenty-six point twenty-eight
2 (626.28), Code 1966, is amended by striking from lines two (2) and
3 three (3) the words "next term thereafter" and inserting in lieu there-
4 of the words "clerk of court".

1 SEC. 167. Section six hundred twenty-six point thirty-one
2 (626.31), Code 1966, is amended by striking from line four (4) the
3 words "next term of" and from line nine (9) the word "next term of
4 the".

1 SEC. 168. Section six hundred twenty-six point thirty-three
2 (626.33), Code 1966, is amended by striking from line seven (7) the
3 words "or judge".

1 SEC. 169. Section six hundred twenty-six point seventy-nine
2 (626.79), Code 1966, is amended by striking from lines three (3) and
3 four (4) the words "at the same or the next term" and inserting in
4 lieu thereof the words "within ninety days".

1 SEC. 170. Section six hundred twenty-six point eighty-nine
2 (626.89), Code 1966, is amended by striking from line three (3) the
3 words "on the first day of the term" and inserting in lieu thereof the
4 words "within twenty days following completion of service".

1 SEC. 171. Section six hundred twenty-six point ninety-six
2 (626.96), Code 1966, is amended by striking from line ten (10) the
3 words "or judge".

1 SEC. 172. Section six hundred twenty-six point one hundred six
2 (626.106), Code 1966, is amended by striking from line two (2) the
3 words "or judge".

4 Further amend said section by striking all after the word "execu-
5 tion" in line six (6).

1 SEC. 173. Section six hundred twenty-eight point seven (628.7),
2 Code 1966, is amended by striking from line five (5) the words "or any
3 judge".

4 Further amend said section by striking from lines eight (8) and
5 nine (9) the words "or judge".

1 SEC. 174. Section six hundred twenty-eight point twenty-one
2 (628.21), Code 1966, is amended by striking from line nine (9) the
3 words "or a judge thereof".

1 SEC. 175. Section six hundred thirty point two (630.2), Code 1966,
2 is amended by striking from line five (5) the words "or judge".

1 SEC. 176. Section six hundred thirty point three (630.3), Code
2 1966, is amended by striking from lines five (5) and six (6) the words
3 "or in vacation by a judge thereof".

4 Further amend said section by striking from lines seven (7) and
5 eight (8) the words "or judges".

6 Further amend said section by striking from line nine (9) the words
7 "or judge".

1 SEC. 177. Section six hundred thirty point five (630.5), Code 1966,
2 is amended by striking from line two (2) the words "or judge".

1 SEC. 178. Section six hundred thirty point six (630.6), Code 1966,
2 is amended by striking from line four (4) the words "or judge".

1 SEC. 179. Section six hundred thirty point seven (630.7), Code
2 1966, is amended by striking from lines one (1) and two (2) the
3 words "or judge".

1 SEC. 180. Section six hundred thirty point ten (630.10), Code
2 1966, is amended by striking from line one (1) the word "judge".

1 SEC. 181. Section six hundred thirty-nine point thirteen (639.13),
2 Code 1966, is amended by striking from lines three (3), five (5) and
3 ten (10) the words "or judge" in each instance.

1 SEC. 182. Section six hundred thirty-nine point thirty-four
2 (639.34), Code 1966, is amended by striking from line seven (7) the
3 words "judge of any".

4 Further amend said section by striking from line ten (10) the words
5 "by such judge".

6 Further amend said section by striking from line eleven (11) the
7 words "him, or before".

1 SEC. 183. Section six hundred thirty-nine point thirty-six
2 (639.36), Code 1966, is amended by striking from line three (3) the
3 words "or judge".

1 SEC. 184. Section six hundred thirty-nine point thirty-nine
2 (639.39), Code 1966, is amended by striking from line two (2) the
3 words "or judge".

1 SEC. 185. Section six hundred thirty-nine point fifty-five (639.55),
2 Code 1966, is amended by striking all of said section after the word
3 "find" in line three (3).

1 SEC. 186. Section six hundred forty point three (640.3), Code
2 1966, is amended by striking from lines three (3) and four (4) the
3 words "or by the judge of any court".

1 SEC. 187. Section six hundred forty point four (640.4), Code 1966,
2 is amended by striking from line four (4) the words "or judge".

1 SEC. 188. Section six hundred forty-three point five (643.5), Code
2 1966, is amended by striking from lines seven (7), eight (8) and nine
3 (9) the words "at the next term of the court, if in a court of record,
4 or on the day fixed in the original notice, if in a justice's court," and
5 inserting in lieu thereof the words "in court on or before the day fixed
6 in the original notice,".

1 SEC. 189. Section six hundred forty-three point eleven (643.11),
2 Code 1966, is amended by striking from line four (4) the words "or
3 judge,".

1 SEC. 190. Section six hundred forty-three point fifteen (643.15),
2 Code 1966, is amended by striking from lines two (2) and three (3)
3 the words "on or before the first day of the trial term, or the return
4 day if before a justice," and inserting in lieu thereof the words "within
5 sixty days after its issuance or at an earlier time if the court shall
6 order".

1 SEC. 191. Section six hundred forty-three point twenty-one
2 (643.21), Code 1966, is amended by striking from line six (6) the
3 words "or a judge".

1 SEC. 192. Section six hundred forty-eight point sixteen (648.16),
2 Code 1966, is hereby repealed and the following enacted in lieu there-
3 of:

4 "Such actions shall be accorded reasonable priority for assignment
5 to assure their prompt disposition. No continuance shall be granted
6 for the purpose of taking testimony in writing."

1 SEC. 193. Section six hundred fifty point eleven (650.11), Code
2 1966, is amended by striking from lines six (6), seven (7) and eight
3 (8) the words "at least ten days before the first day of the term next

4 following that of" and inserting in lieu thereof the words "within
5 sixty days after".

1 SEC. 194. Section six hundred fifty point twelve (650.12), Code
2 1966, is amended by striking from the beginning of the first sentence
3 the words "At the term of court" and inserting in lieu thereof the
4 words "Within twenty days" and by striking all of line four (4) of
5 said section.

1 SEC. 195. Section six hundred fifty-four point nine (654.9), Code
2 1966, is amended by striking from line six (6) the words "or judge
3 thereof,".

1 SEC. 196. Section six hundred fifty-seven point six (657.6), Code
2 1966, is amended by striking from lines fourteen (14) and fifteen (15)
3 the words "in term time or vacation,".

1 SEC. 197. Section six hundred sixty-one point eleven (661.11),
2 Code 1966, is hereby repealed.

1 SEC. 198. Section six hundred sixty-one point fourteen (661.14),
2 Code 1966, is hereby repealed and the following enacted in lieu there-
3 of:

4 "The order commanding the performance of the duty shall be di-
5 rected to the party and shall be returnable forthwith. No return except
6 that of compliance shall be allowed; however, the court may upon suffi-
7 cient grounds allow reasonable time for making the return."

1 SEC. 199. Section six hundred sixty-one point fifteen (661.15),
2 Code 1966, is amended by striking from line ten (10) the words "or
3 judge".

1 SEC. 200. Section six hundred sixty-one point sixteen (661.16),
2 Code 1966, is amended by striking from lines two (2) and three (3)
3 the words ", or judge in vacation,".

1 SEC. 201. Section six hundred seventy-five point seventeen
2 (675.17), Code 1966, is amended by striking from line two (2) the
3 word "judge" and inserting in lieu thereof the word "court".

4 Further amend said section by striking from line six (6) the words
5 "judge or the district".

6 Further amend said section by striking from line seven (7) the
7 words "to either".

8 Further amend said section by striking from line eight (8) the
9 words "or judge".

1 SEC. 202. Section six hundred seventy-nine point eleven (679.11),
2 Code 1966, is amended by striking from lines two (2) and three (3)
3 the words "at the term to which it is returned,".

4 Further amend said section by striking the comma after the word
5 "entered" in line four (4).

1 SEC. 203. Section six hundred eighty point one (680.1), Code
2 1966, is amended by striking from line nine (9) the words "or judge".

3 Further amend said section by striking from line ten (10) the words
4 "or, in vacation, the judge thereof,".

1 SEC. 204. Section six hundred eighty point three (680.3), Code
2 1966, is amended by striking from line six (6) the words "or judge".

1 SEC. 205. Section six hundred eighty point four (680.4), Code
2 1966, is amended by striking from line two (2) the words "or judge".

1 SEC. 206. Section six hundred eighty point ten (680.10), Code
2 1966, is amended by striking from lines one (1) and two (2) the words
3 "or any judge thereof".

4 Further amend said section by striking from line fifteen (15) the
5 words "or judge".

1 SEC. 207. Section six hundred eighty point eleven (680.11), Code
2 1966, is amended by striking from each of lines two (2), six (6) and
3 nine (9) the words "or judge".

1 SEC. 208. Section six hundred eighty-one point eleven (681.11),
2 Code 1966, is amended by striking all of said section after the word
3 "notice" in line eight (8).

4 Further amend said section by adding the following:

5 "The action shall be accorded reasonable priority for assignment to
6 assure its prompt disposition. The court may order a trial by jury but
7 if it does not, it shall hear the proofs and allegations of the parties in
8 the case and render such judgment thereon as shall be just."

1 SEC. 209. Section six hundred eighty-one point sixteen (681.16),
2 Code 1966, is amended by striking from line three (3) the words "or
3 judge".

1 SEC. 210. Section six hundred eighty-one point seventeen (681.17),
2 Code 1966, is amended by striking from line eight (8) the words "or
3 judge".

1 SEC. 211. Section six hundred eighty-one point nineteen (681.19),
2 Code 1966, is amended by striking from each of lines two (2) and four
3 (4) the words "or judge".

4 Further amend said section by striking from line five (5) the words
5 ", or at the next term,".

1 SEC. 212. Section six hundred eighty-one point twenty-four
2 (681.24), Code 1966, is amended by striking from line five (5) the
3 words "or judge".

1 SEC. 213. Section six hundred eighty-one point twenty-five
2 (681.25), Code 1966, is amended by striking all of the last line.

1 SEC. 214. Section six hundred eighty-one point twenty-nine
2 (681.29), Code 1966, is amended by striking from lines seven (7) and
3 eight (8) the words ", or any judge thereof,".

1 SEC. 215. Section six hundred eighty-one point thirty (681.30),
2 Code 1966, is amended by striking from lines three (3) and four (4)
3 the words "or judge".

4 Further amend said section by striking from line six (6) the words
5 "or judge".

1 SEC. 216. Section six hundred eighty-one point thirty-one
2 (681.31), Code 1966, is hereby repealed.

1 SEC. 217. Section six hundred eighty-two point twenty-six
2 (682.26), Code 1966, is amended by striking from line two (2) the
3 words "or judge thereof".

4 Further amend said section by striking from lines nine (9) and ten
5 (10) the words "or judge thereof".

6 Further amend said section by striking from lines fourteen (14)
7 and fifteen (15) the words "or judge thereof".

1 SEC. 218. Section six hundred eighty-two point twenty-nine
2 (682.29), Code 1966, is amended by striking from line seven (7) the
3 words ", or judge thereof,".

1 SEC. 219. Section six hundred eighty-two point thirty (682.30),
2 Code 1966, is amended by striking from line two (2) the words "or
3 judge".

4 Further amend said section by striking from line two (2) the words
5 "or his".

6 Further amend said section by striking from line five (5) the words
7 "or judge".

8 Further amend said section by striking from line nine (9) the words
9 "or judge".

1 SEC. 220. Section six hundred eighty-two point thirty-nine
2 (682.39), Code 1966, is amended by striking from line seven (7) the
3 words "or judge,".

1 SEC. 221. Section six hundred eighty-two point forty-four
2 (682.44), Code 1966, is amended by striking from line ten (10) the
3 words "a judge of".

1 SEC. 222. Section six hundred eighty-two point forty-seven
2 (682.47), Code 1966, is amended by striking from lines nine (9) and
3 ten (10) the words "or a judge thereof,".

4 Further amend said section by striking from line fifteen (15) the
5 words ", or a judge thereof,".

6 Further amend said section by striking from line seventeen (17)
7 the words "or judge".

1 SEC. 223. Section six hundred eighty-three point three (683.3),
2 Code 1966, is amended by striking from line five (5) the words "or a
3 judge thereof".

1 SEC. 224. Section six hundred ninety-six point nine (696.9), Code
2 1966, is amended by striking from lines five (5) and six (6) the words
3 "or to a judge thereof who, in vacation or term time," and inserting
4 in lieu thereof the word "which".

1 SEC. 225. Section seven hundred fifty-seven point three (757.3),
2 Code 1966, is amended by striking from lines thirteen (13) and four-
3 teen (14) the words ", on the first day of the following term" and
4 inserting in lieu thereof the words "on a date entered on the bond
5 which shall be not less than twenty nor more than thirty days after
6 bail is given".

1 SEC. 226. Section seven hundred fifty-seven point four (757.4),
2 Code 1966, is amended by striking from line twenty-three (23) the
3 words "first day of the next term thereof," and inserting in lieu there-
4 of the following: "..... day of (month) 19..... (year)
5 (which date shall correspond with the date entered upon the bond)."

1 SEC. 227. Section seven hundred fifty-eight point five (758.5),
2 Code 1966, is amended by striking from lines fourteen (14) and fif-
3 teen (15) the words ", on the first day of the next term thereof,".

1 SEC. 228. Section seven hundred fifty-eight point six (758.6),
2 Code 1966, is amended by striking from said section all after the word
3 "appear" in line nineteen (19) and inserting in lieu thereof the words
4 "as soon as convenient and within twenty days after taking the bail,
5 the affidavits, the order of commitment, and discharge, together with
6 the undertaking of bail, and he shall file the same in his office."

1 SEC. 229. Section seven hundred sixty point five (760.5), Code
2 1966, is amended by striking from lines seven (7) and eight (8) the
3 words "at the next term thereof".

1 SEC. 230. Section seven hundred sixty point seven (760.7), Code
2 1966, is amended by striking from said section all after the word
3 "county" in line five (5) and inserting in lieu thereof the words
4 "within twenty days after perfection of the undertaking. Subject to
5 the provisions of sections seven hundred sixty point ten (760.10) and
6 seven hundred sixty point eleven (760.11) of the Code, without notice
7 of appeal, the case shall stand for trial in the district court."

1 SEC. 231. Section seven hundred sixty point eight (760.8), Code
2 1966, is amended by striking from lines eight (8), nine (9) and ten
3 (10) the words "extending beyond the next term of the district court
4 of the county, as hereinbefore provided," and inserting in lieu thereof
5 the words "not exceeding ninety days".

1 SEC. 232. Section seven hundred sixty point ten (760.10), Code
2 1966, is amended by striking from lines five (5) and six (6) the words
3 "on the first day of the next term of the district court of the county,"
4 and inserting in lieu thereof the words "within ninety days following
5 the date of the undertaking,".

1 SEC. 233. Section seven hundred sixty-one point twenty-five
2 (761.25), Code 1966, is amended by striking from lines four (4), five
3 (5) and six (6) the words ", on or before its opening, on the first day
4 of the next term thereof, and".

1 SEC. 234. Section seven hundred sixty-two point thirty-six
2 (762.36), Code 1966, is amended by striking from lines ten (10),
3 eleven (11) and twelve (12) the words "shall stand for hearing in
4 said court at the term thereof commencing next after said papers are
5 filed." and substituting in lieu thereof the words "shall be accorded
6 reasonable priority in trial assignment to assure its prompt disposi-
7 tion."

1 SEC. 235. Section seven hundred sixty-two point forty-four
2 (762.44), Code 1966, is amended by striking from lines twenty-one

3 (21) and twenty-two (22) the words “, at the term thereof to which
4 the appeal is returnable,” and inserting in lieu thereof the words
5 “on the day of (month) 19..... (year) (which
6 date shall be not more than twenty days after perfection of the under-
7 taking).”

1 SEC. 236. Section seven hundred sixty-two point forty-seven
2 (762.47), Code 1966, is amended by striking from line seven (7) the
3 words “at the term at which it is returnable,”.

4 Further amend said section by striking from lines eight (8), nine
5 (9) and ten (10) the words “at least ten days before the first day of
6 such term of the district court of the county,” and inserting in lieu
7 thereof the words “within twenty days after perfection of the appeal
8 and undertaking,”.

1 SEC. 237. Section seven hundred sixty-three point four (763.4),
2 Code 1966, is amended by striking from line twenty-one (21) the
3 words “at the next term thereof” and inserting in lieu thereof the
4 words “on the day of (month), 19..... (year)
5 (which date shall not be more than twenty days after perfection of
6 the undertaking),”.

1 SEC. 238. Section seven hundred sixty-eight point one (768.1),
2 Code 1966, is amended by striking from lines three (3), four (4) and
3 five (5) of subsection two (2) the words “at the next term after the
4 surrender, or, if during term time, at the same term, and”.

1 SEC. 239. Section seven hundred sixty-eight point three (768.3),
2 Code 1966, is amended by striking from lines eight (8), nine (9) and
3 ten (10) the words “at the next term after the surrender, or, if during
4 the term at the same term,”.

1 SEC. 240. Section seven hundred sixty-nine point two (769.2),
2 Code 1966, is amended by striking from line four (4) the words
3 “, either in term time or in vacation,”.

1 SEC. 241. Section seven hundred sixty-nine point nine (769.9),
2 Code 1966, is amended by striking from lines three (3) and four (4)
3 the words “or any judge thereof”.

1 SEC. 242. Section seven hundred sixty-nine point fourteen
2 (769.14), Code 1966, is hereby repealed and the following enacted in
3 lieu thereof:

4 “Upon the filing of such information the clerk shall issue a warrant
5 for the arrest of the accused, and the court, or in the absence of a
6 judge thereof, the clerk, shall fix the bail, if bail is allowable; the
7 action of the clerk being reviewable by the court.”

1 SEC. 243. Sections seven hundred sixty-nine point twenty-four
2 (769.24) through seven hundred sixty-nine point thirty (769.30),
3 inclusive, Code 1966, are hereby repealed.

1 SEC. 244. Section seven hundred seventy point one (770.1), Code
2 1966, is amended by striking from lines one (1), two (2) and three
3 (3) the words “At the term of court at which grand jurors are re-
4 quired to appear” and inserting in lieu thereof the following: “On the

- 5 first secular Monday of the first month of each calendar quarter at
6 which grand jurors are required to appear or at such alternative times
7 as may be prescribed by the court.”
- 8 Further amend said section by striking from lines six (6) and seven
9 (7) the words “on the second day of each term of court.”
- 10 Further amend said section by striking from line eight (8) the
11 words “or judge”.
- 12 Further amend said section by striking from line twelve (12) the
13 word “term” and inserting in lieu thereof the words “calendar quar-
14 ter”.
- 15 Further amend said section by striking from lines fourteen (14)
16 and fifteen (15) the words “said second day of the court” and insert-
17 ing in lieu thereof the words “the day designated for their appear-
18 ance”.
- 1 SEC. 245. Section seven hundred seventy point two (770.2), Code
2 1966, is amended by striking from line eight (8) the words “for the
3 term”.
- 1 SEC. 246. Section seven hundred seventy point eleven (770.11),
2 Code 1966, is amended by striking from line three (3) the words “or
3 judge”.
- 1 SEC. 247. Section seven hundred seventy-one point twenty-one
2 (771.21), Code 1966, is amended by striking from lines thirteen (13)
3 and fourteen (14) the words “term of court” and inserting in lieu
4 thereof the words “current jury session”.
- 1 SEC. 248. Section seven hundred seventy-four point four (774.4),
2 Code 1966, is amended by striking from line seventeen (17) all after
3 the word “indictment” and all of lines eighteen (18), nineteen (19)
4 and twenty (20).
- 1 SEC. 249. Section seven hundred seventy-seven point twelve
2 (777.12), Code 1966, is amended by striking from lines nine (9), ten
3 (10) and eleven (11) the words “The plea may be entered in vacation
4 at the usual place of holding court in any county of the judicial dis-
5 trict.”
- 1 SEC. 250. Section seven hundred eighty point twenty-six (780.26),
2 Code 1966, is amended by striking from lines two (2) and three (3)
3 the words “at or before the next term,” and inserting in lieu thereof
4 the words “within ninety days after such order of suspension.”
- 1 SEC. 251. Section seven hundred eighty-one point two (781.2),
2 Code 1966, is amended by striking from line three (3) the words “or
3 judge thereof”.
- 1 SEC. 252. Section seven hundred eighty-one point fourteen
2 (781.14), Code 1966, is amended by striking from line thirteen (13)
3 the words “a judge of”.
- 4 Further amend said section by striking from lines fifteen (15) and
5 sixteen (16) the words “, which may be during a session of court or
6 in vacation.”
- 7 Further amend said section by striking from line nineteen (19) the
8 word “judge” and inserting in lieu thereof the word “court”.

1 SEC. 253. Section seven hundred eighty-four point four (784.4),
2 Code 1966, is amended by striking from line six (6) the words "at the
3 same or another term of the court" and inserting in lieu thereof the
4 words "at a later trial assignment".

1 SEC. 254. Section seven hundred eighty-five point nine (785.9),
2 Code 1966, is amended by striking from lines seven (7) and eight (8)
3 the words "the same or another term" and inserting in lieu thereof the
4 words "a subsequent trial assignment".

1 SEC. 255. Section seven hundred eighty-eight point two (788.2),
2 Code 1966, is hereby repealed and the following enacted in lieu there-
3 of:
4 "The motion may be made at any time before or within ninety days
5 after judgment."

1 SEC. 256. Section seven hundred eighty-nine point four (789.4),
2 Code 1966, is amended by striking from lines twenty-two (22),
3 twenty-three (23) and twenty-four (24) all after the word "judg-
4 ment".

1 SEC. 257. Section seven hundred eighty-nine point ten (789.10),
2 Code 1966, is hereby repealed.

1 SEC. 258. Section seven hundred ninety-five point one (795.1),
2 Code 1966, is hereby repealed and the following enacted in lieu there-
3 of:
4 "When a person is held to answer for a public offense, if an indict-
5 ment be not found against him within thirty days, the court must
6 order the prosecution to be dismissed, unless good cause to the con-
7 trary be shown. An accused not admitted to bail and unrepresented
8 by legal counsel shall not be deemed to have waived the privilege of
9 dismissal or be held to make demand or request to enforce a guarantee
10 of speedy trial, and the court on its own motion shall carry out the
11 provisions of this section as to dismissal."

1 SEC. 259. Section seven hundred ninety-five point two (795.2),
2 Code 1966, is hereby repealed and the following enacted in lieu there-
3 of:
4 "If a defendant indicted for a public offense, whose trial has not
5 been postponed upon his application, be not brought to trial within
6 sixty days after the indictment is found, the court must order it to be
7 dismissed, unless good cause to the contrary be shown. An accused not
8 admitted to bail and unrepresented by legal counsel, shall not be
9 deemed to have waived his privilege of dismissal to be held to make
10 demand or request to enforce a guarantee of speedy trial, and the
11 court on its own motion shall carry out the provisions of this section
12 as to dismissal."

1 SEC. 260. Section seven hundred ninety-five point three (795.3),
2 Code 1966, is amended by striking from line five (5) the words "from
3 term to term,".

4 Further amend said section by striking from lines ten (10) and
5 eleven (11) the words "beyond the following three terms of the court"

6 and inserting in lieu thereof the words "for more than ninety days
7 beyond the date within which the trial would otherwise be required".

1 SEC. 261. Section six hundred four point fourteen (604.14), Code
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "The district court of each judicial district shall be in continuous
4 session in all of the several counties comprising said district."

1 SEC. 262. Sections six hundred four point fifteen (604.15) through
2 six hundred four point thirty-six (604.36), inclusive, Code 1966, are
3 hereby repealed.

Approved July 27, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 401

COURT RULES OF ADMINISTRATION AND CIVIL PROCEDURE

S. F. 221

AN ACT relating to the internal operation of the district court in rendering services.

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

1 SECTION 1. Chapter six hundred four (604), Code 1966, is amend-
2 ed by adding the following section:

3 "The supreme court shall adopt and enforce rules for the orderly
4 and efficient internal operation of the district court in rendering ju-
5 dicial services. Such rules shall provide for a court session by a judge
6 at least once each week in each county to be fixed in advance and an-
7 nounced in the form of a printed schedule, provided that, if in the
8 opinion of the chief judge more efficient operations in the district
9 will result, such court sessions may be at different intervals than once
10 each week. They shall also provide for additional sessions for the trial
11 of cases in each county of such frequency as will promptly dispose of
12 the pending cases ready for trial. Such rules shall be adopted in the
13 manner provided in section six hundred eighty-four point nineteen
14 (684.19) of the Code.

15 "The designations and the rules of court administration and civil
16 procedure required to carry out this section shall be made and adopted
17 by January 1, 1968, and be effective until July 1, 1969 notwithstanding
18 sections six hundred eighty-four point nineteen (684.19) and six hun-
19 dred eighty-four point twenty-one (684.21) of the Code."

Approved July 27, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 402

MARRIAGE LICENSE FEES

H. F. 286

AN ACT relating to fees for marriage licenses.

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

- 1 SECTION 1. Section six hundred six point fifteen (606.15), sub-
 2 section twenty-eight (28), Code 1966, is hereby amended by striking
 3 from line one (1) the word "three" and inserting in lieu thereof the
 4 word "five".

Approved May 23, 1967.

CHAPTER 403

CLERK'S FEES IN PROBATE

S. F. 60

AN ACT to amend the probate code relative to clerk's fees in probate.

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

- 1 SECTION 1. Section six hundred six point fifteen (606.15), Code
 2 1966, is hereby amended as follows:
 3 1. By striking from line one (1) the word "The" and inserting in
 4 lieu thereof the following words: "Except in probate matters, the".
 5 2. By striking all of subsection twenty-nine (29) of such section.
- 1 SEC. 2. Section six hundred thirty-three point thirty-one (633.31),
 2 Code 1966, is hereby repealed and the following enacted in lieu there-
 3 of:
 4 "1. The clerk shall keep a court calendar, and enter thereon such
 5 matters as the court may prescribe.
 6 2. The clerk shall charge and collect the following fees, in connec-
 7 tion with probate matters, all of which shall be paid into the county
 8 treasury for the use of the county:
- | | | |
|----|---|---------|
| 9 | a. For services performed in short form probates pursuant | |
| 10 | to sections four hundred fifty point twenty-two (450.22) and | |
| 11 | four hundred fifty point forty-four (450.44) of the Code..... | \$10.00 |
| 12 | b. For services performed in probate of will without admin- | |
| 13 | istration | \$10.00 |
| 14 | c. For filing and indexing a transcript..... | \$ 3.00 |
| 15 | d. For taking and approving a bond, or the sureties on a | |
| 16 | bond | \$ 2.00 |
| 17 | e. For entering a rule or order..... | \$ 1.00 |
| 18 | f. For certificate and seal | \$ 2.00 |
| 19 | g. For making a complete record where real estate is sold | |
| 20 |per 100 words | \$.20 |
| 21 | h. For making a transcript or copies of orders or records | |
| 22 | filed in his office.....per 100 words | \$.50 |
| 23 | i. For certifying change of title..... | \$ 2.00 |

24	j. For issuing commission to appraisers.....	\$ 2.00
25	k. For other services performed in the settlement of the	
26	estate of any decedent, minor, insane person, or other per-	
27	sons laboring under legal disability, except where actions are	
28	brought by the administrator, guardian, trustee, or person	
29	acting in a representative capacity or against him, or as may	
30	be otherwise provided herein, where the value of the personal	
31	property and real estate of such a person falls within the fol-	
32	lowing indicated amounts, the fee opposite such amount shall	
33	be charged.	
34	Up to \$3,000.00.....	\$ 5.00
35	3,000.00 to 5,000.00.....	\$10.00
36	5,000.00 to 7,000.00.....	\$15.00
37	7,000.00 to 10,000.00.....	\$20.00
38	10,000.00 to 15,000.00.....	\$25.00
39	15,000.00 to 25,000.00.....	\$30.00
40	For each additional \$25,000.00 or major fraction thereof....	\$20.00."

Approved May 11, 1967.

CHAPTER 404

GRAND JURORS

H. F. 43

AN ACT relating to the selection of grand jurors.

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

1 SECTION 1. Section six hundred nine point twenty-seven (609.27),
 2 Code 1966, is hereby amended by striking lines four (4) through ten
 3 (10) and inserting in lieu thereof the words "election precinct in the
 4 county."

1 SEC. 2. Section six hundred nine point twenty-eight (609.28),
 2 Code 1966, is hereby amended by striking from line two (2) the
 3 words "civil township" and inserting in lieu thereof the words
 4 "election precinct".

Approved March 9, 1967.

CHAPTER 405

TORT LIABILITY OF GOVERNMENTS

S. F. 710

AN ACT relating to the tort liability of governmental subdivisions.

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

1 SECTION 1. As used in this Act, the following terms shall have the
 2 following meanings:

3 1. "Municipality" means city, town, county, township, school dis-
4 trict, and any other unit of local government.

5 2. "Governing body" means the council of a city or town, county
6 board of supervisors, board of township trustees, local school board,
7 and other boards and commissions exercising quasi-legislative, quasi-
8 executive, and quasi-judicial power over territory comprising a mu-
9 nicipality.

10 3. "Tort" means every civil wrong which results in wrongful death
11 or injury to person or injury to property and includes but is not re-
12 stricted to actions based upon negligence, breach of duty, and nuisance.

1 SEC. 2. Except as otherwise provided in this Act, every municipal-
2 ity is subject to liability for its torts and those of its officers, employ-
3 ees, and agents acting within the scope of their employment or duties,
4 whether arising out of a governmental or proprietary function.

1 SEC. 3. In any action subject to the provisions of this Act or sec-
2 tion three hundred eighty-nine point twelve (389.12) of the Code, an
3 affirmative showing that the injured party had actual knowledge of the
4 existence of the alleged obstruction, disrepair, defect, accumulation, or
5 nuisance at the time of the occurrence of the injury, and a further
6 showing that an alternate safe route was available and known to the
7 injured party, shall constitute a defense to the action.

1 SEC. 4. The liability imposed by section two (2) of this Act shall
2 have no application to any claim enumerated in this section. As to any
3 such claim, a municipality shall be liable only to the extent liability
4 may be imposed by the express statute dealing with such claims and,
5 in the absence of such express statute, the municipality shall be im-
6 mune from liability.

7 1. Any claim by an employee of the municipality which is covered
8 by the Iowa workmen's compensation law.

9 2. Any claim in connection with the assessment or collection of
10 taxes.

11 3. Any claim based upon an act or omission of an officer or em-
12 ployee, exercising due care, in the execution of a statute, ordinance, or
13 officially adopted resolution, rule, or regulation of a governing body.

14 4. Any claim against a municipality as to which the municipality is
15 immune from liability by the provisions of any other statute or where
16 the action based upon such claim has been barred or abated by opera-
17 tion of statute or rule of civil procedure.

18 The remedy against the municipality provided by section two (2) of
19 this Act for injury or loss of property or personal injury or death re-
20 sulting from any act or omission of an officer or employee in the execu-
21 tion of a statute or ordinance, or officially adopted resolution, rule or
22 regulation of a governing body while acting in the scope of his office or
23 employment shall hereafter be exclusive of any other civil action or
24 proceeding by reason of the same subject matter against the officer or
25 employee whose act or omission gave rise to the claim, or his estate.

1 SEC. 5. Every person who claims damages from any municipality
2 for or on account of any wrongful death, loss or injury within the
3 scope of section two (2) of this Act shall commence an action therefor
4 within three (3) months, unless said person shall cause to be presented

5 to the governing body of the municipality within sixty (60) days after
6 the alleged wrongful death, loss or injury a written notice stating the
7 time, place, and circumstances thereof and the amount of compensa-
8 tion or other relief demanded. Failure to state the amount of compen-
9 sation or other relief demanded shall not invalidate the notice; provid-
10 ing, the claimant shall furnish full information regarding the nature
11 and extent of the injuries and damages within fifteen (15) days after
12 demand by the municipality. No action therefor shall be maintained
13 unless such notice has been given and unless the action is commenced
14 within two (2) years after such notice. The time for giving such
15 notice shall include a reasonable length of time, not to exceed ninety
16 (90) days, during which the person injured is incapacitated by his
17 injury from giving such notice.

1 SEC. 6. When the claim is one for death by wrongful act or omis-
2 sion, the notice may be presented by the personal representative, sur-
3 viving spouse, or next of kin, or the consular officer of the foreign
4 country of which the deceased was a citizen, within one (1) year after
5 the alleged injury resulting in such death; but if the person for whose
6 death the claim is made has presented a notice that would have been
7 sufficient had he lived, an action for wrongful death may be brought
8 without additional notice.

1 SEC. 7. The governing body of any municipality may purchase a
2 policy of liability insurance insuring against all or any part of liabil-
3 ity which might be incurred by such municipality or its officers, em-
4 ployees and agents under the provisions of section two (2) of this Act
5 and may similarly purchase insurance covering torts specified in sec-
6 tion four (4) of this Act. The premium costs of such insurance may
7 be levied in excess of any millage tax limitation imposed by statute.
8 Any independent or autonomous board or commission in the municipal-
9 ity having authority to disburse funds for a particular municipal func-
10 tion without approval of the governing body may similarly procure
11 liability insurance within the field of its operation. The procurement
12 of such insurance constitutes a waiver of the defense of governmental
13 immunity as to those exceptions listed in section four (4) of this Act
14 to the extent stated in such policy but shall have no further effect on
15 the liability of the municipality beyond the scope of this Act. The
16 existence of any insurance which covers in whole or in part any judg-
17 ment or award which may be rendered in favor of the plaintiff, or lack
18 of any such insurance, shall not be material in the trial of any action
19 brought against the governing body of any municipality, or their offi-
20 cers, employees or agents and any reference to such insurance, or lack
21 of same, shall be grounds for a mistrial.

1 SEC. 8. The governing body shall defend any of its officers and
2 employees, whether elected or appointed and, except in cases of mal-
3 feasance in office or willful or wanton neglect of duty, shall save harm-
4 less and indemnify such officers and employees against any tort claim
5 or demand, whether groundless or otherwise, arising out of an alleged
6 act or omission occurring in the performance of duty. Any independ-
7 ent or autonomous board or commission of a municipality having
8 authority to disburse funds for a particular municipal function with-

9 out approval of the governing body shall similarly defend, save harm-
 10 less and indemnify its officers and employees against such tort claims
 11 or demands. This section is intended to confer power in addition to
 12 that conferred by section three hundred sixty-eight A point one
 13 (368A.1) of the Code.

1 SEC. 9. The governing body of any municipality may compromise,
 2 adjust and settle tort claims against the municipality, its officers, em-
 3 ployees and agents, for damages under sections two (2) or eight (8)
 4 of this Act and may appropriate money for the payment of amounts
 5 agreed upon.

1 SEC. 10. When a final judgment is entered against or a settlement
 2 is made by a municipality for a claim within the scope of sections two
 3 (2) or eight (8) of this Act, payment shall be made and the same
 4 remedies shall apply in the case of nonpayment as in the case of other
 5 judgments against the municipality. If said judgment or settlement
 6 is unpaid at the time of the adoption of the annual budget, it shall
 7 budget an amount sufficient to pay the judgment or settlement together
 8 with interest accruing thereon to the expected date of payment. Such
 9 tax may be levied in excess of any millage limitation imposed by stat-
 10 ute.

1 SEC. 11. This Act shall have no application to any occurrence or
 2 injury claim or action arising prior to its effective date.

1 SEC. 12. Section six hundred fourteen point one (614.1), Code
 2 1966, is hereby amended by striking therefrom subsection one (1),
 3 and by striking therefrom subsection four (4) and inserting in lieu
 4 thereof the following: "Those against a sheriff or other public officer
 5 for the nonpayment of money collected on execution within three (3)
 6 years of collection."

1 SEC. 13. Sections three hundred twenty-one point four hundred
 2 ninety-five (321.495), three hundred twenty-one point four hundred
 3 ninety-six (321.496), and three hundred twenty-one point four hun-
 4 dred ninety-seven (321.497) of the Code are hereby repealed.

1 SEC. 14. This Act, being deemed of immediate importance, shall be
 2 in full force and effect on January 1, 1968, after its passage and publi-
 3 cation in The Clinton Herald, a newspaper published at Clinton, Iowa
 4 and in The Cedar Rapids Gazette, a newspaper published at Cedar
 5 Rapids, Iowa.

Approved July 20, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 710, was published in The Clinton Herald, Clinton, Iowa, July 26, 1967, and in The Cedar Rapids Gazette, Cedar Rapids, Iowa, July 25, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 406

NONPROFIT HOSPITAL AND MEDICAL CORPORATIONS

S. F. 652

AN ACT relating to actions against nonprofit hospital service corporations and nonprofit medical service corporations.

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

- 1 SECTION 1. Section six hundred sixteen point ten (616.10), Code
- 2 1966, is hereby amended by adding thereto the following:
- 3 "As used in this section the term 'insurance companies' includes
- 4 nonprofit hospital service corporations and nonprofit medical service
- 5 corporations which have incorporated under the provisions of chapter
- 6 five hundred four (504) of the Code."

Approved June 26, 1967.

CHAPTER 407

PRIVILEGED COMMUNICATIONS

H. F. 196

AN ACT to amend section six hundred twenty-two point ten (622.10), Code 1966, and provide for a certain exception to the rule of evidence relating to privileged communications.

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

- 1 SECTION 1. Amend section six hundred twenty-two point ten
- 2 (622.10), Code 1966, by striking all of said section after the period (.)
- 3 in line twelve (12) and inserting in lieu thereof the following:
- 4 "Such prohibition shall not apply to cases where the person in whose
- 5 favor the same is made waives the rights conferred; nor shall such
- 6 prohibition apply, as the same relates to physicians or surgeons or to
- 7 the stenographer or confidential clerk of any such physicians or sur-
- 8 geons, in a civil action to recover damages for personal injuries or
- 9 wrongful death in which the condition of the person in whose favor
- 10 such prohibition is made is an element or factor of the claim or de-
- 11 fense of such person or of any party claiming through or under such
- 12 person. Such evidence shall be admissible upon trial of the action only
- 13 as it relates to the condition alleged. If an adverse party desires the
- 14 oral deposition, either discovery or evidentiary, of any such physician
- 15 or surgeon to which such prohibition would otherwise apply or the
- 16 stenographer or confidential clerk of any such physician or surgeon or
- 17 desires to call any such physician or surgeon to which such prohibi-
- 18 tion would otherwise apply or the stenographer or confidential clerk
- 19 of any such physician or surgeon as a witness at the trial of the action,
- 20 he shall file an application with the court for permission to do so. The
- 21 court upon hearing, which shall not be ex parte, shall grant such per-
- 22 mission unless the court finds that the evidence sought does not relate
- 23 to the condition alleged and shall fix a reasonable fee to be paid to

24 such physician or surgeon by the party taking the deposition or calling
25 the witness."

Approved May 16, 1967.

CHAPTER 408

ABANDONED REAL PROPERTY

H. F. 390

AN ACT relating to abandoned property.

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

1 SECTION 1. Chapter six hundred twenty-eight (628), Code 1966,
2 is hereby amended by adding the following section thereto:
3 "Redemption where property abandoned. The mortgagor and the
4 mortgagee of any tract of real property consisting of less than ten
5 (10) acres in size may also agree and provide in the mortgage instru-
6 ment that the court in a decree of foreclosure may find affirmatively
7 that the tract has been abandoned by the owners and those persons
8 personally liable under the mortgage at the time of such foreclosure,
9 and that should the court so find, and if the mortgagee shall waive any
10 rights to a deficiency judgment against the mortgagor or his succes-
11 sors in interest in the foreclosure action, then the period of redemp-
12 tion after foreclosure shall be reduced to sixty (60) days. If the
13 redemption period is so reduced, the mortgagor or his successors in in-
14 terest or the owner shall have the exclusive right to redeem for the
15 first thirty (30) days after such sale and the times of redemption by
16 creditors provided in sections six hundred twenty-eight point five
17 (628.5), six hundred twenty-eight point fifteen (628.15) and six hun-
18 dred twenty-eight point sixteen (628.16) of the Code shall be reduced
19 to forty (40) days. Entry of appearance by pleading or docket entry
20 by or on behalf of the mortgagor shall be a presumption that the
21 property is not abandoned."

Approved June 26, 1967.

CHAPTER 409

PUBLISHING LIBELOUS STATEMENTS

H. F. 116

AN ACT regarding libelous and defamatory statements published in newspapers or broadcast on radio and television stations.

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

- 1 SECTION 1. Section six hundred fifty-nine point two (659.2), Code
 2 1966, is hereby amended as follows:
 3 1. By inserting in line three (3) after the word "newspaper" the
 4 words ", free newspaper or shopping guide, or for defamatory state-
 5 ments made on a radio or television station".
 6 2. By inserting in line four (4) after the word "published" the
 7 words "or broadcast".
 8 3. By inserting in line ten (10) after the word "publication" the
 9 words "or upon the owner of a radio or television station at his prin-
 10 cipal place of business".
- 1 SEC. 2. Section six hundred fifty-nine point three (659.3), Code
 2 1966, is hereby amended as follows:
 3 1. By inserting in line six (6) after the word "service," the words
 4 "or in case of a defamatory statement on a radio or television station
 5 if a retraction or correction thereof be not broadcast at a time con-
 6 sidered as favorable as that of the defamatory statement within two
 7 (2) weeks after such service,".
 8 2. By inserting in line ten (10) after the word "published" the
 9 words "or broadcast".
 10 3. By inserting in line three (3) after the word "newspaper" the
 11 words ", free newspaper or shopping guide,".
 12 4. By inserting in line thirteen (13) after the word "publication"
 13 the words "or defamatory statement".

Approved May 25, 1967.

CHAPTER 410

HABEAS CORPUS ACTIONS

S. F. 751

AN ACT to reimburse counties for the payment of attorney fees for indigents in habeas corpus actions.

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

- 1 SECTION 1. Section six hundred sixty-three point forty-four
 2 (663.44), Code 1966, is hereby amended by inserting after the period
 3 in line thirty-two (32) the following:
 4 "The costs and fees referred to above shall include any award of
 5 fees made to a court appointed attorney representing an indigent
 6 party bringing the habeas corpus action."

Approved June 12, 1967.

CHAPTER 411

SUPREME COURT LAW CLERKS

S. F. 96

AN ACT to provide law clerks for supreme court judges.

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

1 SECTION 1. Chapter six hundred eighty-four (684), Code 1966, is
 2 amended by adding the following section:
 3 "The supreme court shall have authority to appoint not more than
 4 nine (9) attorneys or graduates of a reputable law school as defined
 5 in section six hundred ten point two (610.2), of the Code, to act as
 6 legal assistants to the judges of the supreme court, such assistants to
 7 serve at a salary not to exceed seven thousand (7,000) dollars per year
 8 and shall render these services in such manner as may be prescribed
 9 by the court."

Approved May 26, 1967.

CHAPTER 412

BOMB THREATS

H. F. 120

AN ACT making the conveyance of threats or false information concerning the placement of bombs a felony, and prescribing the punishment thereof.

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

1 SECTION 1. Any person who, knowing the information to be false,
 2 willfully conveys or causes to be conveyed to any other person any
 3 false information concerning the placement of or an attempt being
 4 made or to be made to place any bomb or other explosive or destruc-
 5 tive substance or device in or upon the premises of any school, place
 6 of worship, business establishment, home or other dwelling place,
 7 place of accommodation, aircraft, bus, train, or other public or private
 8 transportation facility, public building, or other public place shall be
 9 guilty of a felony.

1 SEC. 2. Any person who willfully makes any threat to any other
 2 person to place or attempt to place any bomb or other explosive or
 3 destructive substance or device in or upon the premises of any school,
 4 place of worship, business establishment, home or other dwelling
 5 place, place of accommodation, aircraft, bus, train, or other public or
 6 private transportation facility, public building, or other public place
 7 shall be guilty of a felony.

1 SEC. 3. Violations of sections one (1) and two (2) of this Act
 2 may be prosecuted in either the county wherein the false information
 3 or threat is made or conveyed or the county wherein the false infor-
 4 mation or threat is received.

1 SEC. 4. Any person convicted of violating section one (1) or sec-
 2 tion two (2) of this Act shall be imprisoned in the penitentiary not

3 exceeding five (5) years or in the county jail not exceeding one (1)
 4 year, or be fined in an amount not exceeding one thousand (1,000)
 5 dollars, or be both so fined and imprisoned.

Approved April 24, 1967.

CHAPTER 413

LARCENY FROM PARKING METERS

S. F. 168

AN ACT relating to larceny from parking meters.

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

1 SECTION 1. If any person opens, steals, takes and carries away, or
 2 attempts to open, steal, take and carry away monies, regardless of the
 3 value or amount thereof, from a parking meter erected and maintained
 4 by a city or town pursuant to section three hundred ninety point seven
 5 (390.7), he shall be guilty of larceny from a parking meter and upon
 6 the first conviction thereof he shall be punished by imprisonment in
 7 the penitentiary or county jail for not more than one (1) year, or by
 8 fine of not more than five hundred (500) dollars, or by both such fine
 9 and imprisonment; upon each subsequent conviction thereof he shall
 10 be punished by imprisonment in the penitentiary for not more than
 11 five (5) years, or by fine of not more than one thousand (1000) dol-
 12 lars, or by both such fine and imprisonment.

1 SEC. 2. This Act, being deemed of immediate importance shall be
 2 in full force and effect from and after its passage and publication as
 3 provided by law, in The West Des Moines Express, a newspaper pub-
 4 lished at West Des Moines, Iowa, and in the Fort Dodge Messenger,
 5 a newspaper published at Fort Dodge, Iowa.

Approved May 18, 1967.

I hereby certify that the foregoing Act, Senate File 168, was published in The West Des Moines Express, West Des Moines, Iowa, May 25, 1967, and in the Fort Dodge Messenger, Fort Dodge, Iowa, May 23, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 414

LEASED AND RENTED VEHICLES OFFENSES

S. F. 95

AN ACT relating to leased and rented vehicle offenses.

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

1 SECTION 1. Chapter seven hundred ten (710), Code 1966, is here-
 2 by amended by adding thereto the following new section:

3 1. "Whoever, with intent to defraud the owner or any person law-
4 fully possessing any vehicle, obtains the custody of such vehicle by
5 trick, deceit, or a material willful false representation, shall be guilty
6 of a felony and punished as provided in this Act."

7 2. "Whoever, after renting a vehicle under an agreement to re-
8 deliver the same to the person letting such vehicle or his agent, shall,
9 with intent to defraud, abandon such vehicle or willfully refuse or
10 willfully neglect to redeliver such vehicle as agreed, shall be guilty of
11 a felony and punished as provided in this Act. If the person letting
12 the vehicle has performed all of his obligations under the agreement,
13 the failure to return the vehicle within seventy-two (72) hours of the
14 time agreed shall be evidence of such abandonment or willful refusal
15 or willful neglect to redeliver such vehicle."

16 3. "Whoever, after renting a vehicle from any person or persons
17 under an agreement to pay for the use of such vehicle a sum of money
18 determinable either in whole or in part upon the distance such vehicle
19 travels during the period for which hired, removes, attempts to re-
20 move, tampers with, or attempts to tamper with or otherwise interfere
21 with any odometer or other mechanical device attached to said hired
22 vehicle for the purpose of registering the distance such vehicle travels,
23 with the intent to deceive the person or persons letting such vehicle or
24 their lawful agent as to the actual distance traveled thereby, shall be
25 guilty of a misdemeanor."

26 4. "'Vehicle', as used in subsections one (1), two (2), three (3)
27 and four (4) of this section means every device in, upon, or by which
28 any person or property is or may be transported or drawn upon a
29 highway, excepting devices moved by human power or used exclusively
30 upon stationary rails or tracks."

31 5. "Any person convicted of violation of any provisions of subsec-
32 tions one (1), two (2), or three (3) of this section shall be punished
33 by imprisonment in the penitentiary for not more than one (1) year
34 or by fine not to exceed one thousand (1,000) dollars, or both."

Approved June 19, 1967.

CHAPTER 415

TRAPPING ON LANDS OF ANOTHER

S. F. 105

AN ACT relating to trapping on lands of another.

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

1 SECTION 1. Section seven hundred fourteen point twenty-five
2 (714.25), Code 1966, is hereby amended by inserting in line nine (9)
3 after the word "agent," the words "or who shall trap upon the culti-
4 vated or inclosed lands of another without the permission of the owner
5 or occupant thereof, or his agent".

Approved April 21, 1967.

CHAPTER 416

MALICIOUS USE OF TELEPHONE

H. F. 363

AN ACT relating to the use of the telephone for the purpose of terrifying, intimidating, threatening, harassing, annoying or offending another person, and providing a punishment therefor.

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

1 SECTION 1. It shall be unlawful for any person, with intent to
2 terrify, intimidate, threaten, harass, annoy or offend, to telephone
3 another and use any obscene, lewd or profane language or suggest
4 any lewd or lascivious act, or threaten to inflict injury or physical
5 harm to the person or property of any person. It shall also be unlaw-
6 ful to attempt to extort money or other thing of value from any person,
7 or to otherwise disturb by repeated anonymous* telephone calls the
8 peace, quiet or right of privacy of any person at the place where the
9 telephone call or calls were received.

1 SEC. 2. The use of obscene, lewd or profane language or the mak-
2 ing of a threat or statement as set forth in this Act shall be prima
3 facie evidence of intent to terrify, intimidate, threaten, harass, annoy
4 or offend.

1 SEC. 3. Any offense committed by use of a telephone as set forth
2 herein shall be deemed to have been committed at either the place
3 where the telephone call or calls originated or at the place where the
4 telephone call or calls were received.

1 SEC. 4. Any violation of this Act shall be punishable by a fine of
2 not more than five hundred (500) dollars, or by imprisonment in the
3 county jail for not to exceed one (1) year, or by both such fine and
4 imprisonment.

Approved May 25, 1967.

*According to enrolled Act.

CHAPTER 417

OBSCENE ENTERTAINMENT

S. F. 309

AN ACT relating to obscene, indecent, immoral, or impure entertainment.

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

1 SECTION 1. Section seven hundred twenty-five point three (725.3),
2 Code 1966, is hereby amended by adding thereto the following:

3 "This section shall not apply to a motion picture machine operator
4 or any other employee of a licensed motion picture theater with the
5 exception of the manager if such person has no financial interest in
6 the entertainment presented or in the theater or place where he is
7 employed other than wages or salary."

Approved June 19, 1967.

CHAPTER 418

DECORATION DAY

H. F. 274

AN ACT to repeal chapter seven hundred thirty (730), Code 1966, relating to desecration of Decoration Day.

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

- 1 SECTION 1. Chapter seven hundred thirty (730), Code 1966, is
2 hereby repealed.

Approved June 26, 1967.

CHAPTER 419

LIQUOR TO INDIANS

S. F. 21

AN ACT relating to the sale of spirituous or intoxicating drinks to Indians.

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

- 1 SECTION 1. Section seven hundred thirty-two point five (732.5),
2 Code 1966, is hereby repealed.

Approved February 21, 1967.

CHAPTER 420

RELEASE OF DEFENDANTS WITHOUT BAIL

H. F. 128

AN ACT relating to the disposition prior to final judgment of persons charged with public offenses.

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

- 1 SECTION 1. Section seven hundred sixty-three point three (763.3),
2 Code 1966, is hereby repealed.

1 SEC. 2. Conditions for release of defendant.

- 2 1. All bailable defendants shall be ordered released from custody
3 pending judgment on their personal recognizance, or upon the execu-
4 tion of an unsecured appearance bond in an amount specified by the
5 magistrate unless the magistrate determines, in the exercise of his
6 discretion, that such a release will not reasonably assure the appear-
7 ance of the defendant as required. When such determination is made,
8 the magistrate shall, either in lieu of or in addition to the above meth-
9 ods of release, impose the first of the following conditions of release
10 which will reasonably assure the appearance of the person for trial or,
11 if no single condition gives that assurance, any combination of the
12 following conditions:

13 a. Place the defendant in the custody of a designated person or or-
14 ganization agreeing to supervise him;

15 b. Place restrictions on the travel, association or place of abode of
16 the defendant during the period of release;

17 c. Require the execution of an appearance bond in a specified amount
18 and the deposit with the clerk of the court in cash or other qualified
19 security of a sum not to exceed ten percent of the amount of the bond,
20 such deposit to be returned to the defendant upon the performance of
21 the appearances as required in section seven hundred sixty-six point
22 one (766.1) of the Code:

23 d. Require the execution of a bail bond with sufficient surety, or the
24 deposit of cash in lieu thereof, provided that, except as provided in
25 section seven hundred sixty-three point two (763.2) of the Code, bail
26 initially given shall remain valid until final disposition of the offense.
27 If the amount of bail is deemed insufficient by the court before whom
28 the offense is pending, the court may order an increase thereof and the
29 defendant must provide the additional undertaking, written or cash,
30 to secure his release.

31 e. Impose any other condition deemed reasonably necessary to as-
32 sure appearances as required, including a condition requiring that the
33 defendant return to custody after specified hours.

34 2. In determining which conditions of release will reasonably assure
35 appearance, the magistrate shall, on the basis of available information,
36 take into account the nature and circumstances of the offense charged,
37 the defendant's family ties, employment, financial resources, character
38 and mental condition, the length of his residence in the community,
39 his record of convictions, and his record of appearance at court pro-
40 ceedings or of flight to avoid prosecution or failure to appear at court
41 proceedings.

42 3. A magistrate authorizing the release of a defendant under this
43 section shall issue a written order containing a statement of the con-
44 ditions imposed, if any, shall inform the defendant of the penalties
45 applicable to violation of the conditions of his release and shall advise
46 him that a warrant for his arrest will be issued immediately upon
47 such violation.

48 4. A defendant who remains in custody twenty-four hours after bail
49 or other conditions of release are imposed by a magistrate not a dis-
50 trict court judge as a result of his inability to fulfill the conditions of
51 release imposed shall be brought forthwith before the magistrate who
52 imposed the conditions and informed of the defendant's right to have
53 said conditions reviewed. If the defendant indicates he desires such a
54 review and is indigent and unable to retain legal counsel, the magis-
55 trate shall appoint an attorney to represent the defendant for the pur-
56 pose of such review. Unless the conditions of release are amended and
57 the defendant is thereupon released, the magistrate shall set forth in
58 writing the reasons for requiring conditions imposed. A defendant
59 who is ordered released by a magistrate other than a district court
60 judge on a condition which required that he return to custody after
61 specified hours shall, upon application, be entitled to review by the
62 magistrate who imposed the condition in the same manner as a defend-
63 ant who remains in full-time custody. In the event that the magistrate
64 who imposed conditions of release is not available, any other magis-
65 trate in the district may review such conditions.

66 5. A magistrate ordering the release of the defendant on any con-
67 ditions specified in this section may at any time amend his order to
68 impose additional or different conditions or release, provided that, if
69 the imposition of different or additional conditions results in the de-
70 tention of the defendant as a result of his inability to meet such con-
71 ditions, the provisions of subsection four shall apply.

1 **SEC. 3. Appeal from conditions of release.**

2 1. A defendant who is detained, or whose release on a condition re-
3 quiring him to return to custody after specified hours is continued,
4 after review of his application pursuant to section two, subsection
5 four, or section two, subsection five, by a magistrate, other than a
6 judge of the district court having original jurisdiction over the of-
7 fense with which he is charged, may move the district court having
8 jurisdiction over the county in which the offense is pending to amend
9 the order. Said motion shall be promptly set for hearing and a record
10 made thereof.

11 2. In any case in which a court denied a motion under subsection
12 one to amend an order imposing conditions of release, or a defendant
13 is detained after conditions of release have been imposed or amended
14 upon such a motion, an appeal may be taken to the supreme court.
15 The appeal shall be determined summarily without briefs on the record
16 made in the district court. However, the defendant may elect to file
17 briefs and may be heard in oral argument, in which case the prosecu-
18 tion shall have a right to respond as in an ordinary appeal from a
19 criminal conviction. The supreme court may, on its own motion, order
20 the parties to submit briefs and set the time in which such briefs shall
21 be filed. Any order so appealed shall be affirmed if it is supported by
22 the proceedings in the district court. If the order is not so supported
23 the court may remand the case for a further hearing, or may, with or
24 without additional evidence, order the defendant released pursuant to
25 section two, subsection one.

1 **SEC. 4.** Any defendant who, having been released pursuant to sec-
2 tions two (2) and three (3) willfully fails to appear before any court
3 or magistrate as required shall, in addition to the forfeiture of any
4 security given or pledged for his release, if he was released in connec-
5 tion with a charge which constitutes a felony, or while awaiting sen-
6 tence or pending appeal after conviction of any public offense, shall
7 be punished by imprisonment in the penitentiary not more than five
8 (5) years, or by fine not exceeding five thousand dollars (\$5000). If
9 the defendant was released before conviction or acquittal in connec-
10 tion with a charge which constitutes any public offense not a felony,
11 he shall be punished by imprisonment in the county jail not more than
12 one (1) year, or by fine not exceeding one thousand dollars (\$1000).

Approved July 5, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 421

INDETERMINATE SENTENCES FOR CRIMES

H. F. 239

AN ACT relating to sentencing persons convicted of a crime.

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

1 SECTION 1. Section seven hundred eighty-nine point thirteen
2 (789.13), Code 1966, is hereby amended by striking line three (3) and
3 inserting in lieu thereof the words "of a felony, except the crime of
4 escape, treason, murder, or any other".

Approved May 8, 1967.

CHAPTER 422

JUDGMENT AND SENTENCING

S. F. 81

AN ACT relating to judgment and sentencing.

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

1 SECTION 1. Chapter seven hundred ninety-one (791), Code 1966,
2 is hereby amended by adding the following new section:

3 "Whenever any person who has been confined to jail at any time
4 prior to sentencing because of failure to furnish bail, is sentenced to
5 the county jail, the court shall backdate the execution of judgment or
6 mittimus a sufficient number of days to give such person credit upon
7 any sentence imposed for the time already spent in jail."

1 SEC. 2. Section two hundred forty-six point thirty-eight (246.38),
2 Code 1966, is hereby amended by striking the period (.) in line eleven
3 (11) and inserting in lieu thereof the following:

4 "; provided, however, if a convict had been confined to a county jail
5 or other correctional or mental institution at any time prior to sen-
6 tencing, or after sentencing but prior to his case having been decided
7 on appeal, because of failure to furnish bail or because of being
8 charged with a nonbailable offense, he shall be given credit for such
9 days already served in jail upon the term of his sentence. The clerk
10 of the district court of the county from which the convict was sen-
11 tenced, shall certify to the warden the number of days so served.

Approved April 21, 1967.

SPECIAL AND LEGALIZING ACTS

SPECIAL AND LEGALIZING ACTS

CHAPTER 423

VAN BUREN COUNTY LAND PATENT

H. F. 13

AN ACT to authorize and direct the issuance of a patent to certain real estate to C. E. Barnett and Marie A. Barnett, husband and wife, as joint tenants, with full right of survivorship, and not as tenants in common, by the governor and secretary of state.

WHEREAS, it appears of record that real estate described as, the southeast quarter of the southwest quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) and the southwest quarter of the southeast quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of section twenty-seven (27), Township seventy (70) North, Range eleven (11) West of the fifth (5th) P.M., containing eighty (80) acres, more or less, in Van Buren county, Iowa, was with other property mortgaged by Alexander Moore and Margaret Moore, to Van Buren county, Iowa, for benefit of the school fund for said county, and

WHEREAS, said mortgage was foreclosed by foreclosure found in Docket "C", page two hundred ninety-two (292), Chancery no. four thousand ninety-seven (4097) Van Buren county clerk of court office; and

WHEREAS, at the execution sale thereunder, Van Buren county bid said property in and subsequently took sheriff's deed thereof to Van Buren county, Iowa, and

WHEREAS, Van Buren county, Iowa, sold and deeded the aforescribed real estate to Stewart Handshaw; and

WHEREAS, the amount bid for said real estate has been duly accounted for by Van Buren county to the school fund of 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 aforescribed real estate 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 aforescribed real estate understood and believed that they owned and had been conveyed said aforescribed real estate, and

WHEREAS, by mesne conveyances said real estate as hereinafter described has been conveyed to C. E. Barnett and Marie A. Barnett, husband and wife, as joint tenants, with full right of survivorship, and not as tenants in common; 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 of the following described real estate, to-wit:

4 The Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$
 5 SW $\frac{1}{4}$) and the Southwest Quarter of the Southeast Quarter
 6 (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Twenty-seven (27), Township
 7 Seventy (70) North, Range Eleven (11) West of the Fifth
 8 (5th) P.M., containing eighty (80) acres, more or less, in
 9 Van Buren County, Iowa,
 10 to C. E. Barnett and Marie A. Barnett, husband and wife, as joint
 11 tenants, with full right of survivorship, and not as tenants in common.

1 SEC. 2. Nothing in this Act shall be deemed or construed to affect
 2 pending litigation.

1 SEC. 3. This Act, being deemed of immediate importance, shall
 2 take effect and be in force from and after its publication in the Van
 3 Buren County Register, a newspaper published in Keosauqua, Iowa,
 4 and in the Fairfield Daily Ledger, a newspaper published in Fairfield,
 5 Iowa.

Approved March 31, 1967.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3.9, Code of Iowa, 1966, there being no newspaper by the name of the Fairfield Daily Ledger, published in Fairfield, Iowa, I hereby designate The Fairfield Ledger, published in Fairfield, Iowa, to publish the foregoing Act, House File 13.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, House File 13, was published in the Van Buren County Register, Keosauqua, Iowa, April 13, 1967, and in the Fairfield Ledger, Fairfield, Iowa, April 6, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 424

HENRY COUNTY LAND PATENT

H. F. 699

AN ACT to authorize and direct the issuance of a patent to certain real estate by the governor and secretary of state to the Henry County Industrial Development Corporation.

WHEREAS, the board of control of state institutions desires to sell and the Henry County Industrial Development Corporation desires to purchase the following described property, to wit:

The East three-fourths ($\frac{3}{4}$) of the Southwest quarter (SW $\frac{1}{4}$) of Section fourteen (14), Township seventy-one (71) North, Range six (6) West of the fifth (5th) P.M., in Henry county, Iowa;

and

WHEREAS, the board of control in accordance with section two hundred eighteen point ninety-four (218.94) of the Code entered into an agreement with the Henry County Industrial Development Corporation for the sale and purchase of the one hundred twenty (120) acre tract described, for the sum of sixty thousand (60,000) dollars computed on the basis of five hundred (500) dollars per acre; and

WHEREAS, the state executive council in a meeting of October 28, 1965 approved the sale; and

WHEREAS, the sale was confirmed by the state board of control in January, 1966; and

WHEREAS, patent number nine hundred thirty-four (934) concerning said property was issued on December 15, 1966 to the Henry County Industrial Development Corporation; and

WHEREAS, such patent restricted the use of such property to park purposes only; and

WHEREAS, the Henry County Industrial Development Corporation found patent number nine hundred thirty-four (934) unacceptable and after having made an initial purchase payment, refused to pay the final balance due on the sale because of the restriction; and

WHEREAS, patent number nine hundred thirty-four (934) has not been recorded in Henry county but has been returned to the office of the secretary of state for cancellation; and

WHEREAS, the Henry County Industrial Development Corporation has signed a statement of intent indicating that said corporation intends to develop such property into a park, educational facility, or other public use which shall benefit the community of Mount Pleasant, Henry county, Iowa; and

WHEREAS, an opinion has been issued from the office of the attorney general of the state of Iowa stating that the state board of control may eliminate from the patent the reference to the restriction that the property be used as a city park; and

WHEREAS, a corrected patent is required; NOW THEREFORE

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

1 SECTION 1. The governor and the secretary of state are hereby
2 authorized and directed to issue a patent for the following described
3 real estate, to wit:

4 "The East Three-fourths ($\frac{3}{4}$) of the Southwest Quarter
5 (SW $\frac{1}{4}$) of Section Fourteen (14), Township Seventy-one
6 (71) North, Range Six (6) West of the Fifth (5th) P.M., in
7 Henry county, Iowa."

8 to the Henry county industrial development corporation.

1 SEC. 2. Nothing in this Act shall be deemed or construed to affect
2 any pending litigation.

Approved May 25, 1967.

CHAPTER 425

POTTAWATTAMIE COUNTY LAND PATENT

H. F. 521

AN ACT to authorize and direct the issuance of a patent to certain real estate by the governor and secretary of state to Leon M. Nelson and Grace C. Nelson.

WHEREAS, it appears of record that real estate described as the east two-thirds (E $\frac{2}{3}$) of lot one (1) and all of lot two (2) in Section five (5), Township seventy-five (75), Range forty-four (44), also known as auditor's subdivision of government lots one (1) and two (2) of said Section five (5), subdivided into eight (8) lots for purpose of assessment and taxation known as lots numbered one (1), two (2), three (3), four (4), five (5), six (6), seven (7) and eight (8), all in Section five (5), Township seventy-five (75), Range forty-four (44), west of the fifth (5th) Principal Meridian, Pottawattamie county, Iowa, was purchased with other property not here in question, by Leon M. Nelson and Grace C. Nelson, husband and wife, from L. Maude Fredrickson; and

WHEREAS, the east two-thirds (E $\frac{2}{3}$) of lot one (1) and lot two (2), in Section five (5), Township seventy-five (75), Range forty-four (44), west of the fifth (5th) Principal Meridian, Pottawattamie county, Iowa, is included in Township seventy-four (74), Range forty-four (44), west of the fifth (5th) Principal Meridian, is part of the land conveyed by the United States government to the state of Iowa in fee simple, "an Act to enable the state of Arkansas and other states to reclaim the swamp lands within their limits," but the state of Iowa has no record of ever having issued a patent to the tract in question; and

WHEREAS, it appears from the abstract of title that more than seventy-five (75) years have elapsed since the sale of said land to the predecessors in title of the present owners, entered and occupied said tract of land; and

WHEREAS, the present owners are entitled to have said land free from any claims of 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 are hereby authorized and directed to execute and deliver to
3 Leon M. Nelson and Grace C. Nelson, husband and wife, a patent
4 conveying the real property hereinafter described, to wit:

5 The East two-thirds (E $\frac{2}{3}$) of Lot One (1), and all of Lot
6 Two (2) in Section Five (5), Township Seventy-five (75),
7 Range Forty-four (44), West of the Fifth (5th) Principal
8 Meridian, Pottawattamie County, Iowa.

1 SEC. 2. Nothing in this Act shall be deemed or construed to affect
2 pending litigation.

Approved June 9, 1967.

CHAPTER 426

ISSUANCE OF PATENT

H. F. 117

AN ACT to authorize and direct the issuance of a patent to certain real estate by the governor and secretary of state to Joe Varese, Sr., and Louis Sacco.

WHEREAS, it appears of record that real estate described as, the southeast quarter of the northeast quarter ($SE\frac{1}{4} NE\frac{1}{4}$) and the south half ($S\frac{1}{2}$) of the southwest quarter of the northeast quarter ($SW\frac{1}{4} NE\frac{1}{4}$), all in section sixteen (16), Township sixty-nine (69) north, Range seventeen (17) west of the Fifth (5th) Principal Meridian, Appanoose county, Iowa, was purchased, with other property not here in question, by Joe Varese, Sr., and Louis Sacco from Alonzo Silliman; and

WHEREAS, section sixteen (16), Township sixty-nine (69), Range seventeen (17), is one (1) of the sections conveyed by the United States government to the state of Iowa for the benefit of the school funds, but the state of Iowa has no record of ever having issued a patent to the tract in question; and

WHEREAS, the records of the county auditor's office in Appanoose county, Iowa, pertaining to the sale of lands in section sixteen (16), or land selected in lieu thereof, for the benefit of the school funds, prior to 1890, have been destroyed, and it is impossible to determine therefrom whether a consideration was paid to said school fund for said tract; and

WHEREAS, it does appear from the abstract of title that more than seventy-five (75) years have elapsed since the sale of said land to the predecessors in title of the present owners, who have paid a fair and adequate consideration therefor, and it would be unjust and inequitable to require further payment at this time, and

WHEREAS, the present owners are entitled to have said land free from any claims of 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 are hereby authorized and directed to execute and deliver to
3 Joe Varese, Sr., and Louis Sacco a patent conveying the real estate
4 hereinafter described:

5 The Southeast Quarter of the Northeast Quarter ($SE\frac{1}{4}$
6 $NE\frac{1}{4}$) and the South Half ($S\frac{1}{2}$) of the Southwest Quarter
7 of the Northeast Quarter ($SW\frac{1}{4} NE\frac{1}{4}$), all in Section Six-
8 teen (16), Township Sixty-nine (69) North, Range Seven-
9 teen (17) West of the Fifth (5th) Principal Meridian,
10 Appanoose County, Iowa.

1 SEC. 2. Nothing in this Act shall be deemed or construed to affect
2 pending litigation.

Approved April 17, 1967.

CHAPTER 427

BEDFORD LEGALIZING ACT

S. F. 596

AN ACT to legalize and validate the proceedings of the city council of the city of Bedford, in Taylor county, Iowa, authorizing and providing for the establishment and erection of a municipal gasworks for said city and the issuance, sale, and delivery of gas revenue bonds of said city to pay the cost thereof, including the establishment of rates for gas service, and declaring the bonds issued, sold, and delivered 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 Bedford, in Taylor county, Iowa, that at a special election held in said city on November 23, 1965 the proposition of establishing and erecting a municipal gasworks for said city at a cost of not to exceed six hundred fifty-five thousand (655,000) dollars to be paid solely out of the net earnings of such municipal gasworks was approved by more than a majority of the total number of votes cast for and against said proposition at said election; and

WHEREAS, in reliance upon said election the city council of said city of Bedford thereafter authorized and provided for the construction of said municipal gasworks, the issuance, sale, and delivery of gas revenue bonds in the amount of six hundred fifty-five thousand (655,000) dollars to pay the cost of establishing and erecting said municipal gasworks, such bonds being payable as to both principal and interest solely out of the net earnings of such municipal gasworks, and the establishment of rates for gas service furnished customers by and through said municipal gasworks in order to provide revenues 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 construction of said municipal gasworks, the issuance, sale, and delivery of said bonds and the establishment of said rates for gas service, 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 council
2 of the city of Bedford, in Taylor county, Iowa, preliminary to and
3 in connection with the election held in said city on November 23, 1965
4 on the proposition of establishing and erecting a municipal gasworks
5 and authorizing and providing for the construction of said municipal
6 gasworks, the issuance, sale, and delivery of gas revenue bonds of said
7 city in the amount of six hundred fifty-five thousand (655,000) dollars
8 to pay the cost of establishing and erecting said municipal gasworks
9 and the establishment of rates for gas service furnished by and
10 through said municipal gasworks in order to provide revenues to pay
11 said bonds and the interest thereon are hereby legalized, validated,
12 and confirmed, and said gas revenue bonds issued, sold, and delivered
13 pursuant to and in accordance with said proceedings are hereby de-
14 clared to be legal and to constitute valid and binding obligations of
15 said city payable only from such revenues, but said bonds shall not be
16 a corporate indebtedness of said city, nor shall said city be authorized

17 to levy ad valorem taxes to pay either principal thereof or interest
18 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 Bedford Times-Press, a newspaper published at Bedford, Iowa, and in
4 the Adams County Free-Press, a newspaper published at Corning,
5 Iowa, without expense to the state.

Approved June 14, 1967.

I hereby certify that the foregoing Act, Senate File 596, was published in The Bedford Times-Press, Bedford, Iowa, June 29, 1967, and in the Adams County Free-Press, Corning, Iowa, June 29, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 428

CLEARFIELD LEGALIZING ACT

S. F. 598

AN ACT to legalize and validate the proceedings of the town council of the town of Clearfield, in Taylor and Ringgold counties, Iowa, authorizing and providing for the establishment and erection of a municipal gasworks for said town and the issuance, sale and delivery of gas revenue bonds of said town to pay the cost thereof, including the establishment of rates for gas service, and declaring the bonds issued, sold and delivered 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 Clearfield, in Taylor and Ringgold counties, Iowa, that at a special election held in said town on November 23, 1965 the proposition of establishing and erecting a municipal gasworks for said town at a cost of not to exceed one hundred fifty thousand (150,000) dollars to be paid solely out of the net earnings of such municipal gasworks was approved by more than a majority of the total number of votes cast for and against said proposition at said election; and

WHEREAS, in reliance upon said election the town council of said town of Clearfield thereafter authorized and provided for the construction of said municipal gasworks, the issuance, sale, and delivery of gas revenue bonds in the amount of one hundred fifty thousand (150,000) dollars to pay the cost of establishing and erecting said municipal gasworks, such bonds being payable as to both principal and interest solely out of the net earnings of such municipal gasworks, and the establishment of rates for gas service furnished customers by and through said municipal gasworks in order to provide revenues 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 construction of said municipal gasworks, the issuance, sale, and delivery of said bonds and the establishment of said rates for gas service, 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 Clearfield, in Taylor and Ringgold counties,
3 Iowa, preliminary to and in connection with the election held in said
4 town on November 23, 1965 on the proposition of establishing and
5 erecting a municipal gasworks and authorizing and providing for the
6 construction of said municipal gasworks, the issuance, sale, and deliv-
7 ery of gas revenue bonds of said town in the amount of one hundred
8 fifty thousand (150,000) dollars to pay the cost of establishing and
9 erecting said municipal gasworks and the establishment of rates for
10 gas service furnished by and through said municipal gasworks in
11 order to provide revenues to pay said bonds and the interest thereon
12 are hereby legalized, validated, and confirmed, and said gas revenue
13 bonds issued, sold, and delivered pursuant to and in accordance with
14 said proceedings are hereby declared to be legal and to constitute valid
15 and binding obligations of said town payable only from such revenues,
16 but said bonds shall not be a corporate indebtedness of said town, nor
17 shall said town be authorized to levy ad valorem taxes to pay either
18 principal thereof 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 Chronicle, a newspaper published at Clearfield, Iowa, and in The Time-
4 Table, a newspaper published at Lenox, Iowa, without expense to the
5 state.

Approved June 14, 1967.

I hereby certify that the foregoing Act, Senate File 598, was published in the Chron-
icle, Clearfield, Iowa, June 29, 1967, and in The Time-Table, Lenox, Iowa, June 22, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 429

GILBERTVILLE LEGALIZING ACT

H. F. 205

AN ACT to legalize and validate the proceedings of the town council of the town of Gilbertville, in Black Hawk county, Iowa, authorizing and providing for the issuance, sale and delivery of bridge 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 Gilbertville, in Black Hawk county, Iowa, that pursuant to notice published in a newspaper printed and published in Black Hawk 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 bridge bonds of said town in the amount of twenty thousand dollars (\$20,000) to pay the cost, to that amount, of constructing a bridge across Dry Run creek on 14th Avenue between Fifth Street and Sixth Street 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 Gilbertville, in Black Hawk County, Iowa,
3 authorizing and providing for the issuance, sale and delivery of bridge
4 bonds of said Town of Gilbertville, Iowa, in the amount of twenty
5 thousand dollars (\$20,000) to pay the cost, to that amount, of con-
6 structing a bridge across Dry Run Creek on 14th Avenue between
7 Fifth Street and Sixth Street in and for said Town, and for the levy
8 of taxes to pay said bonds and interest thereon, are hereby legalized,
9 validated and confirmed and said bridge bonds issued, sold and deliv-
10 ered pursuant to and in accordance with said proceedings are hereby
11 declared to be legal and to constitute valid and binding obligations of
12 said Town.

1 SECTION 2. This Act being of immediate importance shall be in
2 full force and effect from and after its passage and publication in
3 Waterloo Daily Courier, a newspaper published at Waterloo, Iowa,
4 and Evansdale Enterprise, a newspaper published at Evansdale, Iowa,
5 without expense to the state.

Approved April 17, 1967.

I hereby certify that the foregoing Act, House File 205, was published in the Waterloo Daily Courier, Waterloo, Iowa, April 27, 1967, and in the Evansdale Enterprise, Evansdale, Iowa, May 4, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 430

LENOX LEGALIZING ACT

S. F. 591

AN ACT to legalize and validate the proceedings of the town council of the town of Lenox, in Taylor county, Iowa, authorizing and providing for the establishment and erection of a municipal gasworks for said town and the issuance, sale, and delivery of gas revenue bonds of said town to pay the cost thereof, including the establishment of rates for gas service, and declaring the bonds issued, sold, and delivered 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 Lenox, in Taylor county, Iowa, that at a special election held in said town on November 23, 1965 the proposition of establishing and erecting a municipal gasworks for said town at a cost of not to exceed six hundred eleven thousand (611,000) dollars to be paid solely out of the net earnings of such municipal gasworks was approved by more than a majority of the total number of votes cast for and against said proposition at said election; and

WHEREAS, in reliance upon said election the town council of said town of Lenox thereafter authorized and provided for the construction of said municipal gasworks, the issuance, sale, and delivery of gas revenue bonds in the amount of six hundred eleven thousand (611,000) dollars to pay the cost of establishing and erecting said municipal gasworks, such bonds being payable as to both principal and interest solely out of the net earnings of such municipal gasworks, and the establishment of rates for gas service furnished customers by and through said municipal gasworks in order to provide revenues 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 construction of said municipal gasworks, the issuance, sale, and delivery of said bonds and the establishment of said rates for gas service, 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 Lenox, in Taylor county, Iowa, preliminary to
3 and in connection with the election held in said town on November 23,
4 1965 on the proposition of establishing and erecting a municipal gas-
5 works and authorizing and providing for the construction of said
6 municipal gasworks, the issuance, sale, and delivery of gas revenue
7 bonds of said town in the amount of six hundred eleven thousand
8 (611,000) dollars to pay the cost of establishing and erecting said
9 municipal gasworks and the establishment of rates for gas service
10 furnished by and through said municipal gasworks in order to provide
11 revenues to pay said bonds and the interest thereon are hereby legal-
12 ized, validated, and confirmed, and said gas revenue bonds issued, sold,
13 and delivered pursuant to and in accordance with said proceedings are
14 hereby declared to be legal and to constitute valid and binding obliga-
15 tions of said town payable only from such revenues, but said bonds
16 shall not be a corporate indebtedness of said town, nor shall said town
17 be authorized to levy ad valorem taxes to pay either principal thereof
18 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 Time-Table, a newspaper published at Lenox, Iowa, and in the Adams
4 County Free-Press, a newspaper published at Corning, Iowa, without
5 expense to the state.

Approved June 14, 1967.

I hereby certify that the foregoing Act, Senate File 591, was published in The Time-Table, Lenox, Iowa, June 22, 1967, and in the Adams County Free-Press, Corning, Iowa, June 29, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 431

LENOX LEGALIZING ACT

S. F. 592

AN ACT to legalize and validate proceedings authorizing and providing for the execution of a gas supply contract between the town of Lenox, in Taylor county, Iowa, and the town of Prescott, in Adams county, Iowa, and declaring said gas supply contract to be legal, valid, and enforceable according to its terms.

WHEREAS, it appears from the records of the town council of the town of Lenox, in Taylor county, Iowa, that pursuant to resolution the town council of said town has authorized the mayor and town clerk of said town to execute and enter into a contract for and on behalf of said town with the town of Prescott, Iowa, providing for the sale of natural gas by said town of Lenox to said town of Prescott; and

WHEREAS, it appears from the records of the town council of the town of Prescott, in Adams county, Iowa, that pursuant to resolution the town council of said town has authorized the mayor and town clerk of said town to execute and enter into said contract for and on behalf of said town of Prescott with the town of Lenox, Iowa, providing for the purchase of natural gas by said town of Prescott from said town of Lenox on the basis that payment for the gas supplied thereunder shall be made solely from revenues to be derived from the operation of the municipal gasworks of said town of Prescott; and

WHEREAS, pursuant to and in accordance with said resolutions the town of Lenox, Iowa, acting by and through its mayor and town clerk, and the town of Prescott, Iowa, acting by and through its mayor and town clerk, have executed and entered into a gas supply contract dated February 6, 1967 providing for the sale of natural gas by said town of Lenox to said town of Prescott and setting forth the terms of such sale; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and gas supply contract 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 Lenox, in Taylor county, Iowa, and the town
3 council of the town of Prescott, in Adams county, Iowa, authorizing
4 and providing for the execution of a gas supply contract between said
5 municipalities whereunder gas supplied by said town of Lenox to said
6 town of Prescott shall be paid for solely from revenues derived from
7 the operation of the municipal gasworks of said town of Prescott are
8 hereby legalized, validated, and confirmed and said gas supply contract
9 dated February 6, 1967 between said town of Lenox and said town of
10 Prescott entered into and executed pursuant to and in accordance with
11 said proceedings is hereby declared to be legal, valid, and binding upon
12 said municipalities, the purchase price of the gas supplied thereunder
13 being payable solely from such revenues, but said contract shall not be
14 a corporate indebtedness of said town of Prescott within the meaning
15 and application of any debt limitation restrictions.

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 Adams County Free-Press, a newspaper published at Corning, Iowa,
4 and in the Creston News-Advertiser, a newspaper published at Cres-
5 ton, Iowa, without expense to the state.

Approved June 16, 1967.

I hereby certify that the foregoing Act, Senate File 592, was published in the Adams County Free-Press, Corning, Iowa, June 29, 1967, and in the Creston News-Advertiser, Creston, Iowa, June 21, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 432

LENOX LEGALIZING ACT

S. F. 593

AN ACT to legalize and validate proceedings authorizing and providing for the execution of a gas supply contract between the town of Lenox, in Taylor county, Iowa, and the town of Clearfield, in Taylor and Ringgold counties, Iowa, and declaring said gas supply contract to be legal, valid and enforceable according to its terms.

WHEREAS, it appears from the records of the town council of the town of Lenox, in Taylor county, Iowa, that pursuant to resolution the town council of said town has authorized the mayor and town clerk of said town to execute and enter into a contract for and on behalf of said town with the town of Clearfield, Iowa, providing for the sale of natural gas by said town of Lenox to said town of Clearfield; and

WHEREAS, it appears from the records of the town council of the town of Clearfield, in Taylor and Ringgold counties, Iowa, that pursuant to resolution the town council of said town has authorized the mayor and town clerk of said town to execute and enter into said contract for and on behalf of said town of Clearfield with the town of Lenox, Iowa, providing for the purchase of natural gas by said town of Clearfield from said town of Lenox on the basis that payment for the gas supplied thereunder shall be made solely from revenues to be derived from the operation of the municipal gasworks of said town of Clearfield; and

WHEREAS, pursuant to and in accordance with said resolutions the town of Lenox, Iowa, acting by and through its mayor and town clerk, and the town of Clearfield, Iowa, acting by and through its mayor and town clerk, have executed and entered into a gas supply contract dated February 6, 1967 providing for the sale of natural gas by said town of Lenox to said town of Clearfield and setting forth the terms of such sale; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and gas supply contract 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 Lenox, in Taylor county, Iowa, and the town
3 council of the town of Clearfield, in Taylor and Ringgold counties,
4 Iowa, authorizing and providing for the execution of a gas supply
5 contract between said municipalities whereunder gas supplied by said
6 town of Lenox to said town of Clearfield shall be paid for solely from
7 revenues derived from the operation of the municipal gasworks of
8 said town of Clearfield are hereby legalized, validated, and confirmed
9 and said gas supply contract dated February 6, 1967 between said
10 town of Lenox and said town of Clearfield entered into and executed
11 pursuant to and in accordance with said proceedings is hereby de-
12 clared to be legal, valid, and binding upon said municipalities, the
13 purchase price of the gas supplied thereunder being payable solely
14 from such revenues, but said contract shall not be a corporate indebt-
15 edness of said town of Clearfield within the meaning and application
16 of any debt limitation restrictions.

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 Chronicle, a newspaper published at Clearfield, Iowa, and in The
4 Time-Table, a newspaper published at Lenox, Iowa, without expense
5 to the state.

Approved June 10, 1967.

I hereby certify that the foregoing Act, Senate File 593, was published in the Chron-
icle, Clearfield, Iowa, June 22, 1967, and in The Time-Table, Lenox, Iowa, June 22, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 433

LENOX LEGALIZING ACT

S. F. 595

AN ACT to legalize and validate the proceedings of the town council of the town of Lenox, in Taylor county, Iowa, authorizing and providing for the execution of a contract for the purchase of natural gas and declaring said contract to be a legal, valid, and enforceable obligation of said town according to its terms.

WHEREAS, it appears from the records of the town council of the town of Lenox, in Taylor county, Iowa, that pursuant to resolution the town council of said town has authorized the mayor and town clerk of said town to execute and enter into a contract for and on behalf of said town with the Natural Gas Pipeline Company of America, providing for the purchase by said town of natural gas for distribution through its municipal gasworks and for resale to other municipalities; and

WHEREAS, pursuant to and in accordance with said resolution the town of Lenox, Iowa, acting by and through its mayor and town clerk, has executed and entered into a contract with the Natural Gas Pipeline Company of America providing for the purchase of natural gas by said town from the Natural Gas Pipeline Company of America, payment for the gas sup-

plied thereunder to be made solely from revenues to be derived from the operation of the municipal gasworks of said town, and setting forth the terms of such purchase; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and contract 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 Lenox, in Taylor county, Iowa, authorizing and
3 providing for the execution of a contract for the purchase of natural
4 gas from the Natural Gas Pipeline Company of America, whereunder
5 gas purchased by said town of Lenox will be paid for solely from
6 revenues derived from the operation of the municipal gasworks of
7 said town, are hereby legalized, validated, and confirmed and said con-
8 tract entered into and executed pursuant to and in accordance with
9 said proceedings is hereby declared to be legal, valid, and binding upon
10 said town of Lenox, the purchase price of the gas supplied thereunder
11 being payable solely from such revenues, but said contract shall not be
12 a corporate indebtedness of said town within the meaning and appli-
13 cation of any debt limitation restrictions.

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 Time-Table, a newspaper published at Lenox, Iowa, and in the Adams
4 County Free-Press, a newspaper published at Corning, Iowa, without
5 expense to the state.

Approved June 14, 1967.

I hereby certify that the foregoing Act, Senate File 595, was published in The Time-Table, Lenox, Iowa, June 22, 1967, and in the Adams County Free-Press, Corning, Iowa, June 29, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 434

LENOX AND BEDFORD LEGALIZING ACT

S. F. 597

AN ACT to legalize and validate proceedings authorizing and providing for the execution of a gas supply contract between the town of Lenox, in Taylor county, Iowa, and the city of Bedford, in Taylor county, Iowa, and declaring said gas supply contract to be legal, valid, and enforceable according to its terms.

WHEREAS, it appears from the records of the town council of the town of Lenox, in Taylor county, Iowa, that pursuant to resolution the town council of said town has authorized the mayor and town clerk of said town to execute and enter into a contract for and on behalf of said town with the city of Bedford, Iowa, providing for the sale of natural gas by said town to said city of Bedford; and

WHEREAS, it appears from the records of the city council of the city of Bedford, in Taylor county, Iowa, that pursuant to resolution the city council of said city has authorized the mayor and city clerk of said city to execute and enter into said contract for and on behalf of said city with the town of Lenox, Iowa, providing for the purchase of natural gas by said city from said town of Lenox on the basis that payment for the gas supplied thereunder shall be made solely from revenues to be derived from the operation of the municipal gasworks of said city; and

WHEREAS, pursuant to and in accordance with said resolutions the town of Lenox, Iowa, acting by and through its mayor and town clerk, and the city of Bedford, Iowa, acting by and through its mayor and city clerk, have executed and entered into a gas supply contract dated February 6, 1967 providing for the sale of natural gas by said town of Lenox to said city of Bedford and setting forth the terms of such sale; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and gas supply contract 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 Lenox, in Taylor county, Iowa, and the city
3 council of the city of Bedford, in Taylor county, Iowa, authorizing and
4 providing for the execution of a gas supply contract between said
5 municipalities whereunder gas supplied by said town to said city shall
6 be paid for solely from revenues derived from the operation of the
7 municipal gasworks of said city are hereby legalized, validated, and
8 confirmed and said gas supply contract dated February 6, 1967 be-
9 tween said town of Lenox and said city of Bedford entered into and
10 executed pursuant to and in accordance with said proceedings is here-
11 by declared to be legal, valid, and binding upon said municipalities,
12 the purchase price of the gas supplied thereunder being payable solely
13 from such revenues, but said contract shall not be a corporate indebt-
14 edness of said city of Bedford within the meaning and application of
15 any debt limitation restrictions.

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 Bedford Times-Press, a newspaper published at Bedford, Iowa, and
4 in the Adams County Free-Press, a newspaper published at Corning,
5 Iowa, without expense to the state.

Approved June 14, 1967.

I hereby certify that the foregoing Act, Senate File 597, was published in The Bedford Times-Press, Bedford, Iowa, June 29, 1967, and in the Adams County Free-Press, Corning, Iowa, June 29, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 435

LUCAS LEGALIZING ACT

S. F. 726

AN ACT to legalize the incorporation of the town of Lucas, Lucas county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the officials of said town while acting as such.

WHEREAS, doubts have arisen as to the legality of the incorporation of the town of Lucas, Lucas county, Iowa, and the acts of its officers thereunder, the election of its officers, the passage and adoption of its ordinances and resolutions, the signing of the same by the proper officers, and the recording and publication thereof; NOW THEREFORE,

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

1 SECTION 1. That the incorporation of the town of Lucas, Lucas
2 county, Iowa, the election of its officers, the passage and adoption of
3 its resolutions and ordinances, the signing of the same by its proper
4 officers or the lack thereof, and all the official acts done or undertaken
5 by said council and the officers of said town, of a civil administrative
6 character authorized under the laws of the state to be done or under-
7 taken by like officers, are hereby validated, legalized, established and
8 the same are declared to be valid and binding, with the same force and
9 effect as though there had been in all respects strict compliance with
10 the law. Nothing in this Act shall in any manner affect any litigation
11 which may be pending.

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 Monroe County News, a newspaper published in Albia, Iowa, and the
4 Chariton Herald-Patriot, a newspaper published in Chariton, Iowa,
5 without expense to the state.

Approved May 18, 1967.

I hereby certify that the foregoing Act, Senate File 726, was published in The Monroe County News, Albia, Iowa, May 29, 1967, and in the Chariton Herald-Patriot, Chariton, Iowa, May 25, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 436

PRESCOTT LEGALIZING ACT

S. F. 594

AN ACT to legalize and validate the proceedings of the town council of the town of Prescott, in Adams county, Iowa, authorizing and providing for the establishment and erection of a municipal gasworks for said town and the issuance, sale and delivery of gas revenue bonds of said town to pay the cost thereof, including the establishment of rates for gas service, and declaring the bonds issued, sold, and delivered 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 Prescott, in Adams county, Iowa, that at a special election held in said town on November 23, 1965 the proposition of establishing and erecting a

municipal gasworks for said town at a cost of not to exceed sixty-five thousand (65,000) dollars to be paid solely out of the net earnings of such municipal gasworks was approved by more than a majority of the total number of votes cast for and against said proposition at said election; and

WHEREAS, in reliance upon said election the town council of said town of Prescott thereafter authorized and provided for the construction of said municipal gasworks, the issuance, sale, and delivery of gas revenue bonds in the amount of sixty-five thousand (65,000) dollars to pay the cost of establishing and erecting said municipal gasworks, such bonds being payable as to both principal and interest solely out of the net earnings of such municipal gasworks, and the establishment of rates for gas service furnished customers by and through said municipal gasworks in order to provide revenues 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 construction of said municipal gasworks, the issuance, sale, and delivery of said bonds and the establishment of said rates for gas service, 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 Prescott, in Adams county, Iowa, preliminary
3 to and in connection with the election held in said town on November
4 23, 1965 on the proposition of establishing and erecting a municipal
5 gasworks and authorizing and providing for the construction of said
6 municipal gasworks, the issuance, sale, and delivery of gas revenue
7 bonds of said town in the amount of sixty-five thousand (65,000) dol-
8 lars to pay the cost of establishing and erecting said municipal gas-
9 works and the establishment of rates for gas service furnished by and
10 through said municipal gasworks in order to provide revenues to pay
11 said bonds and the interest thereon are hereby legalized, validated,
12 and confirmed, and said gas revenue bonds issued, sold, and delivered
13 pursuant to and in accordance with said proceedings are hereby de-
14 clared to be legal and to constitute valid and binding obligations of
15 said town payable only from such revenues, but said bonds shall not
16 be a corporate indebtedness of said town, nor shall said town be au-
17 thorized to levy ad valorem taxes to pay either principal thereof or
18 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 Adams County Free-Press, a newspaper published at Corning, Iowa,
4 and in the Creston News-Advertiser, a newspaper published at Cres-
5 ton, Iowa, without expense to the state.

Approved June 16, 1967.

I hereby certify that the foregoing Act, Senate File 594, was published in the Adams County Free-Press, Corning, Iowa, June 29, 1967, and in the Creston News-Advertiser, Creston, Iowa, June 21, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 437

REDFIELD LEGALIZING ACT

S. F. 576

AN ACT to legalize and validate the proceedings of the town of Redfield, in Dallas county, Iowa, authorizing and providing for the purchase and payment of a filter plant in connection with the water system.

WHEREAS, it appears from the records of the town council of the town of Redfield, Dallas county, Iowa, that pursuant to proceedings had by said council on February 2, 1967, the town council did authorize and enter into a contract for the purchase of a filter plant for the water system in the amount of thirteen thousand four hundred sixty (13,460) dollars and made provision for the payment of the same; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and provisions made for the purchase and payment of said equipment 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 Redfield, in Dallas county, Iowa, authorizing
3 and providing for the purchase of a filter system and the payment of
4 the same in the sum of thirteen thousand four hundred sixty (13,460)
5 dollars are hereby declared to be legal and to constitute valid and
6 binding obligation of said town.

1 SEC. 2. This Act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Dexfield Review-Sentinel, a newspaper published at Redfield,
4 Iowa, and The Dallas County News, a newspaper published at Adel,
5 Iowa, without expense to the state.

Approved May 18, 1967.

I hereby certify that the foregoing Act, Senate File 576, was published in the Dexfield Review-Sentinel, Redfield, Iowa, June 1, 1967, and in The Dallas County News, Adel, Iowa, May 31, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 438
SABULA LEGALIZING ACT

H. F. 514

AN ACT to legalize and validate the proceedings of the town council of the town of Sabula, in Jackson 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 Sabula, in Jackson county, Iowa, that pursuant to notice published in a newspaper printed and published in Jackson county, Iowa, and having a general circulation in said town, the town council thereof has by ordinance authorized and provided for the issuance, sale, and delivery of sewer bonds of said town in an amount of fifty thousand (50,000) dollars to pay the cost, to that amount, of constructing sewers and a sewage pumping and treatment facility 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. All proceedings heretofore taken by the town council
2 of the town of Sabula, in Jackson county, Iowa, authorizing and pro-
3 viding for the issuance, sale, and delivery of sewer bonds of said town
4 of Sabula, Iowa, in the amount of fifty thousand (50,000) dollars to
5 pay the cost, to that amount, of constructing sewers and a sewage
6 pumping and treatment facility in and for said town, and for the levy
7 of taxes to pay said bonds and interest thereon, are hereby legalized,
8 validated, and confirmed, and said sewer bonds issued, sold, and de-
9 livered pursuant to and in accordance with said proceedings are here-
10 by declared to be legal and to constitute valid and binding obligations
11 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 Bellevue Herald-Leader, a newspaper published at Bellevue, Iowa, and
4 The Maquoketa Community Press, a newspaper published at Maquoketa,
5 Iowa, without expense to the State.

Approved May 18, 1967.

I hereby certify that the foregoing Act, House File 514, was published in The Bellevue Herald-Leader, Bellevue, Iowa, June 1, 1967, and The Maquoketa Community Press, Maquoketa, Iowa, May 30, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 439

SABULA LEGALIZING ACT

H. F. 530

AN ACT to legalize and validate the proceedings of the town council of the town of Sabula, in Jackson 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 a municipal sewerage system 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 Sabula, in Jackson county, Iowa, that pursuant to notice published in a newspaper printed and published in Jackson county, Iowa, and having a general circulation in said town, the town council thereof has by ordinance authorized and provided for the issuance, sale, and delivery of sewer revenue bonds of said town in the amount of one hundred ninety thousand (190,000) dollars to pay the cost, to that amount, of constructing a municipal sewerage system in and for said town, and by said ordinance 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 sewage system 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. All proceedings heretofore taken by the town council
2 of the town of Sabula, in Jackson county, Iowa, authorizing and pro-
3 viding for the issuance, sale, and delivery of sewer revenue bonds of
4 said town of Sabula, Iowa, in the amount of one hundred ninety thou-
5 sand (190,000) dollars and providing for the payment of the principal
6 of and interest on said bonds as set forth in such proceedings are here-
7 by legalized, validated, and confirmed and said sewer revenue bonds
8 issued, sold, and delivered pursuant to and in accordance with said
9 proceedings are hereby declared to be legal and to constitute valid and
10 binding obligations of said town payable solely and only from such net
11 revenues as set forth in such proceedings, but said bonds shall not be a
12 corporate indebtedness of said town, nor shall said town be authorized
13 to levy ad valorem taxes to pay either principal thereof or interest
14 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 Bellevue Herald-Leader, a newspaper published at Bellevue, Iowa, and
4 The Maquoketa Community Press, a newspaper published at Maquoketa,
5 Iowa, without expense to the state.

Approved May 18, 1967.

I hereby certify that the foregoing Act, House File 530, was published in The Bellevue Herald-Leader, Bellevue, Iowa, June 1, 1967, and in The Maquoketa Community Press, Maquoketa, Iowa, May 30, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 440

COUNTY SUPERVISORS MILEAGE ALLOWANCE

S. F. 791

AN ACT relating to mileage allowance for members of county boards of supervisors.

WHEREAS, the Sixty-first Iowa General Assembly through the passage of Senate File 2 increased the travel mileage allowed public employees from seven (7) cents a mile to ten (10) cents a mile; and

WHEREAS, section three hundred thirty-one point twenty-two (331.22) of the 1962 Code authorized members of county boards of supervisors in counties of less than forty thousand (40,000) population to receive a travel mileage allowance of seven (7) cents a mile; and

WHEREAS, section three hundred thirty-one point twenty-two (331.22) of the 1962 Code was amended by House File 349 in which members of county boards of supervisors in counties with a population in excess of forty thousand (40,000) were permitted to receive ten (10) cents a mile for travel; and

WHEREAS, through oversight, neither Senate File 2 nor House File 349, Acts of the Sixty-first General Assembly, amended section three hundred thirty-one point twenty-two (331.22) to increase from seven (7) cents to ten (10) cents a mile the travel mileage for county boards of supervisors in counties of less than forty thousand (40,000) population; and

WHEREAS, it was generally thought that the section affected in the oversight had been amended and members of county boards of supervisors in counties of less than forty thousand (40,000) population since July 1, 1965 have been reimbursed for mileage at the rate of ten (10) cents a mile; and

WHEREAS, even though it was the intent of the General Assembly that section three hundred thirty-one point twenty-two (331.22) of the Code be amended to increase the rate in question from seven (7) cents a mile to ten (10) cents a mile, the difference in the mileage rate paid members of the county boards of supervisors in the counties in question will have to be collected unless action is taken by this General Assembly; and

WHEREAS, it is deemed necessary and vital to the public interest and welfare of all those public officials affected to correct this oversight; Now THEREFORE

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

- 1 SECTION 1. All travel mileage payments at a rate of ten (10) cents
- 2 a mile made to members of county boards of supervisors in counties of
- 3 less than forty thousand (40,000) population from and after July 1,
- 4 1965 are hereby declared to be legal and valid.

Approved June 29, 1967.

See also ch. 291.

CHAPTER 441

ADAMS COUNTY LEGALIZING ACT

S. F. 287

AN ACT to legalize the proceedings of the board of supervisors of Adams county in connection with contracts and expenditures made for the construction of a county home located southeast of Corning, Iowa.

WHEREAS, on May 4, 1965 the people of Adams county, Iowa voted a bond issue of one hundred sixty-five thousand dollars (\$165,000.00) to erect and equip a county home; and

WHEREAS, the board of supervisors of Adams county, Iowa on August 31, 1965 entered into contracts for the construction of said home, contracts as follows: Allied Engineering Company, Inc. of Atlantic, Iowa, general contract, one hundred seven thousand three hundred thirty-one dollars (\$107,331.00); Camblin Plumbing and Heating Company of Atlantic, Iowa, mechanical, forty thousand one hundred ninety-one dollars (\$40,191.00); Perdue-Mathis Electric Company of Atlantic, Iowa, electrical, thirteen thousand six hundred fifty dollars (\$13,650.00); and

WHEREAS, the work was commenced and certain change orders were made as follows: Allied Engineering Company, Inc. in the sum of one thousand two hundred thirty-nine dollars and twenty-one cents (\$1,239.21); Camblin Plumbing and Heating Company in the sum of four hundred sixty-nine dollars (\$469.00); and Perdue-Mathis Electrical Company in the sum of three hundred dollars (\$300.00); and

WHEREAS, the board of supervisors entered into a contract with Abild Engineering Company of Atlantic, Iowa for engineering and architectural work, whose final statement is seven thousand three hundred twenty-nine dollars and sixty-one cents (\$7,329.61); and

WHEREAS, the board of supervisors of Adams county, Iowa expended sums for a water well, a sewage lagoon, and other items in connection with the county home in the sum of fifteen thousand twenty-three dollars (\$15,023.00); and

WHEREAS, the work on the project was completed in September, 1966 and accepted by the Adams county board of supervisors; and

WHEREAS, the legality of said contracts and expenditures has been questioned and final payments to the contractors and engineers denied; 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 supervisors of Adams county, Iowa in connection with and pertaining
3 to the completion of the contracts with Allied Engineering Company,
4 Inc. of Atlantic, Iowa; Camblin Plumbing and Heating Company, At-
5 lantic, Iowa; Perdue-Mathis Electric Company, Atlantic, Iowa; and
6 Abild Engineering Company of Atlantic, Iowa; and all sums expended
7 for construction of well, lagoon, painting and other items in connec-
8 tion with the county home located southeast of Corning, Iowa are
9 hereby declared to be legal and constitute a valid and binding obliga-
10 tion of Adams county.

1 SEC. 2. This Act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Adams County Free Press, a newspaper published in Corning,
4 Iowa, and in The Creston News Advertiser, a newspaper published in
5 Creston, Iowa, without expense to the state.

Approved May 5, 1967.

I hereby certify that the foregoing Act, Senate File 287, was published in the Adams County Free Press, Corning, Iowa, May 25, 1967, and in The Creston News Advertiser, Creston, Iowa, May 18, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 442

MUSCATINE COUNTY LEGALIZING ACT

S. F. 232

AN ACT to legalize and validate the proceedings of the board of supervisors of Muscatine county, Iowa authorizing and providing for the issuance of county home bonds of said county and for the levy of taxes for the payment of said bonds and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said county.

WHEREAS, it appears from the records of the board of supervisors of Muscatine county, Iowa, that on October 3, 1966, said board of supervisors adopted a resolution ordering that at the regular election to be held in said county on November 8, 1966, there be submitted to the voters of said county the proposition of issuing bonds of said county in the sum of seven hundred thousand (700,000) dollars for the purpose of erecting an addition to the existing county home in said county and levying annual taxes to pay said bonds and the interest thereon, and said proposition was duly submitted to the voters of said county at said regular election on November 8, 1966; and

WHEREAS, after canvassing the results of the election on the proposition of issuing said bonds it was found and determined that said proposition was approved by more than seventy-five (75) per cent of the total number of votes cast for and against said proposition at said election, there being four thousand seven hundred thirty (4730) votes cast in favor of said proposition and one thousand four hundred ninety-two (1492) votes cast against the same, and the results of said election were thereafter published for four (4) consecutive weeks as required by law; and

WHEREAS, in reliance upon the favorable vote cast at said election the board of supervisors of said county has by resolution authorized and provided for the issuance of county home bonds to the amount and for the purpose aforesaid and has made provision for the levy of taxes sufficient to pay said bonds and the interest thereon; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election and proceedings and provisions made for the issuance and payment of said bonds and it is deemed advisable to put such doubts and all others that might arise concerning same forever at rest:
Now, THEREFORE,

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

1 SECTION 1. That all proceedings heretofore taken by the board of
2 supervisors of Muscatine County, Iowa, preliminary to and in connec-
3 tion with the election held in said county on November 8, 1966, and
4 providing for the issuance of county home bonds of said county to the
5 amount of seven hundred thousand (700,000) dollars pursuant to said
6 election, and for the levy of taxes sufficient to pay said bonds and in-
7 terest thereon, are hereby legalized, validated and confirmed, and said
8 county home 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 county.

1 SEC. 2. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in The Muscatine
3 Journal, a newspaper published in Muscatine, Iowa, and in The Wilton
4 Advocate, a newspaper published in Wilton Junction, Iowa.

Approved March 31, 1967.

I hereby certify that the foregoing Act, Senate File 232, was published in The Muscatine Journal, Muscatine, Iowa, April 6, 1967, and in The Wilton Advocate, Wilton Junction, Iowa, April 6, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 443

POTTAWATTAMIE COUNTY LEGALIZING ACT

H. F. 734

AN ACT to legalize the proceedings of the Iowa state highway commission and the board of supervisors of Pottawattamie county, Iowa, relating to their granting permission and authority to Bennett Avenue Development Corporation, an Iowa corporation, to install sanitary sewer lines in the rights-of-way of certain primary and secondary roads in Pottawattamie county, Iowa, in connection with the construction and installation of a sanitary sewer system.

WHEREAS, on May 17, 1956, June 21, 1956, April 4, 1957, April 21, 1958, September 8, 1958, December 18, 1958, May 25, 1959, and June 15, 1959, on written application previously filed by the Bennett Avenue Development Corporation with the board of supervisors of Pottawattamie county, Iowa, to construct and install a sanitary sewer system in certain specified rights-of-way of secondary roads in Pottawattamie county, Iowa, the board of supervisors of Pottawattamie county, Iowa acted favorably on said applications and did in each instance grant permission and authority to construct and install said sanitary sewers in the rights-of-way of said county roads; and

WHEREAS, on the 11th day of September, 1961, on written application previously filed by the Bennett Avenue Development Corporation with the Iowa state highway commission, the Iowa state highway commission did grant permission and authority to Bennett Avenue Development Corporation to construct and install sanitary sewers in certain specified primary road right-of-way; and

WHEREAS, upon reliance of said permissions and authorities granted by the board of supervisors of Pottawattamie county, Iowa, and the Iowa state highway commission, said Bennett Avenue Development Corporation did construct and install said sanitary sewer system, all being in operation and use today and some for the past ten years; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said applications and permissions and it is deemed advisable to put such doubts and all others that might arise concerning same to 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 supervisors of Pottawattamie county, Iowa and the Iowa state high-
3 way commission in connection with said applications and the permis-
4 sions and authorities granted the Bennett Avenue Development Cor-
5 poration, for the construction and installation of a sanitary sewer
6 system in certain specified primary highways and secondary roads in
7 Pottawattamie county, Iowa, are hereby legalized, validated, and con-
8 firmed, and said permissions and authorities granted are hereby de-
9 clared to be legal and to constitute valid and binding obligations of
10 said county and state.

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 Council Bluffs Nonpareil, a newspaper published at Council Bluffs,
4 Iowa, and the Atlantic News-Telegraph, a newspaper published at
5 Atlantic, Iowa, without expense to the state.

Approved June 22, 1967.

I hereby certify that the foregoing Act, House File 734, was published in the Council Bluffs Nonpareil, Council Bluffs, Iowa, June 29, 1967, and in the Atlantic News-Telegraph, Atlantic, Iowa, June 29, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 444

BUCHANAN COUNTY LEGALIZING ACT

S. F. 267

AN ACT to legalize and validate the proceedings of the board of supervisors of Buchanan county, authorizing and providing for the issuance of county public hospital revenue bonds of said county to defray the cost of constructing, equipping, enlarging and improving the county public hospital 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 county.

WHEREAS, it appears from the records of the board of supervisors of Buchanan county, Iowa, that notice of adoption of a resolution authorizing the enlarging and improving of the county public hospital and of the issuance of revenue bonds for the payment of the cost of the same by the board of supervisors of Buchanan county, Iowa, was published in a newspaper of general circulation in the county once each week for two con-

secutive weeks, and that the board of supervisors of Buchanan county, Iowa has by resolutions authorized and provided for the issuance of county public hospital revenue bonds of said county in the amount of \$900,000 to defray the cost of constructing, equipping, enlarging and improving the county public hospital in and for said county, and by said resolutions provided for the payment of the principal of and interest on said bonds from the revenues of the hospital of said county; 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 Board of
2 Supervisors of Buchanan County, Iowa, authorizing and providing for
3 the issuance of County Public Hospital Revenue Bonds of said County
4 of Buchanan, Iowa, in the amount of \$900,000 and providing for the
5 payment of principal of and interest on said bonds from the revenues
6 derived from the operation of the County Public Hospital of said
7 County are hereby legalized, validated and confirmed and said County
8 Public Hospital 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 County
11 payable solely and only from such revenues, but said bonds shall not
12 be a corporate indebtedness of said County, nor shall said County be
13 authorized to levy ad valorem taxes to pay either principal thereof or
14 interest thereon.

1 SECTION 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 Conservative, a newspaper published at Independence, Iowa, and the
4 Winthrop News, a newspaper published at Winthrop, Iowa, without
5 expense to the State.

Approved February 27, 1967.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3.9, Code of Iowa, 1966, there being no newspapers by the names of the Conservative, published at Independence, Iowa, and the Winthrop News, published at Winthrop, Iowa, I hereby designate the Independence Conservative, published at Independence, Iowa, and The Winthrop News, published at Winthrop, Iowa, to publish the foregoing Act Senate File 267.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, Senate File 267, was published in the Independence Conservative, Independence, Iowa, on March 7, 1967, and in The Winthrop News, Winthrop, Iowa, on March 9, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 445

STORY COUNTY REAL ESTATE TRANSFER

H. F. 486

AN ACT relating to ratification of the sale of certain real estate owned by the Independent School District of Ames, Iowa, now known as the Ames Community School District in Story county.

WHEREAS, the board of directors of the Independent School District of Ames, Story county, Iowa entered into an agreement to convey certain real estate owned by the district and did complete such conveyance by the execution and delivery of a warranty deed from the Independent School District of Ames, Iowa, by John D. Taylor, president, and Frank B. Howell, secretary, to R. L. Barnard and Mary E. Barnard, husband and wife, as joint tenants with rights of survivorship and not as tenants in common, which said deed was dated November 9, 1953, filed February 4, 1954, recorded in book ninety-eight (98), page three hundred eighteen (318) of the town lot records of Story county, Iowa; and

WHEREAS, said deed conveyed real estate described as:

Lots four (4), five (5), and all that part of lot one (1) not dedicated for street purposes, in block "C" in Black's Fourth Addition to Ames, Iowa;

and

WHEREAS, through inadvertence the statute with respect to the publication of notice of intent to sell was not properly followed and doubts have arisen concerning legality of the said warranty deed; and

WHEREAS, the rights of no other persons are adversely affected by legalizing the said sale by the Independent School District to R. L. Barnard and Mary E. Barnard, husband and wife, as joint tenants with rights of survivorship and not as tenants in common;

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

1 SECTION 1. The sale and conveyance by the board of directors of
2 the Independent School District of Ames, Iowa, to R. L. Barnard and
3 Mary E. Barnard, husband and wife, as joint tenants with rights of
4 survivorship and not as tenants in common, of the following described
5 real estate situated in Story county, Iowa:

6 Lots four (4), five (5), and all that part of lot one (1) not
7 dedicated for street purposes, in block "C" in Black's Fourth
8 Addition to Ames, Iowa;
9 which conveyance was made by warranty deed dated November 9,
10 1953, filed February 4, 1954 and recorded in book ninety-eight (98),
11 page three hundred eighteen (318) of the town lot records of Story
12 county, Iowa, is hereby ratified and confirmed.

Approved June 8, 1967.

CHAPTER 446

BELLEVUE SCHOOL LEGALIZING ACT

S. F. 426

AN ACT to legalize and validate the proceedings of the board of directors of the Bellevue Community School District, in the county of Jackson, 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 Bellevue Community School District, in the county of Jackson, state of Iowa, that at a special school election held in and for said school district on December 5, 1966, the proposition of issuing bonds of said school district in the amount of five hundred fifteen thousand dollars for the purpose of procuring a site, building and furnishing a school house 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 Bellevue Community School District, in the County of
3 Jackson, State of Iowa, preliminary to and in connection with the elec-
4 tion on said bonds held in said school district on December 5, 1966,
5 and providing for the issuance and delivery of school building bonds
6 of said school district in the amount of five hundred fifteen thousand
7 dollars pursuant to said election, and for the levy of taxes to pay said
8 bonds and interest thereon, are hereby legalized, validated and con-
9 firmed and said school building bonds issued, sold and delivered pur-
10 suant to and in accordance with said proceedings are hereby declared
11 to be legal and to constitute the valid and binding obligations 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 Bellevue Herald-Leader, a newspaper published at Bellevue, Iowa, and
4 the Jackson Sentinel, a newspaper published at Maquoketa, Iowa,
5 without expense to the state.

Approved May 5, 1967.

I hereby certify that the foregoing Act, Senate File 426, was published in the Bellevue Herald-Leader, Bellevue, Iowa, May 18, 1967, and in the Jackson Sentinel, Maquoketa, Iowa, May 18, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 447

BELLEVUE SCHOOL LEGALIZING ACT

S. F. 446

AN ACT to legalize and validate proceedings for changes in the boundaries of the Bellevue Community School District, in the county of Jackson, state of Iowa, and declaring the boundaries of said school district to be legally established.

WHEREAS, a school corporation which is known and has been officially designated as the "Bellevue Community School District, in the county of Jackson, state of Iowa," was organized under the provisions of chapter two hundred seventy-five (275), Code 1958, and has been continuously organized and existing since July 1, 1958; and

WHEREAS, pursuant to authority contained in section two hundred seventy-five point forty (275.40), Code 1962, as amended, and proceedings taken by the board of education of Jackson County, Iowa, and the board of directors of the Bellevue Community School District, and an election held on March 21, 1966, the area contained within the former Jackson Township School District, in Jackson county, Iowa, was merged into said Bellevue Community School District, effective July 1, 1966; and

WHEREAS, pursuant to authority contained in section two hundred seventy-four point thirty-seven (274.37), Code 1962, as amended, and proceedings taken by the boards of directors of said Bellevue Community School District and the Preston Community School District, in the counties of Jackson and Clinton, state of Iowa, and by the board of education of Jackson county, the common boundary line between said contiguous school corporations was changed, effective July 1, 1966; and

WHEREAS, pursuant to authority contained in section two hundred seventy-five point one (275.1), Code 1962, as amended by chapter two hundred forty (240), Acts of the 61st General Assembly, and proceedings taken by the board of education of Jackson county and by the state board of public instruction territory formerly contained within the LaMotte Independent School District, the Richland Township School District and the Luxemburg Township School District, all in Jackson county, Iowa, was attached to said Bellevue Community School District, effective July 1, 1966; and

WHEREAS, a complete written description of the boundaries of the new and enlarged Bellevue Community School District was filed with the county auditor of Jackson county, Iowa; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings taken for the aforesaid changes in the boundaries of the Bellevue Community School District, in the county of Jackson, state of Iowa, and it is deemed advisable and necessary to put such doubts and all others that might arise concerning same forever at rest; NOW, THEREFORE,

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

- 1 SECTION 1. That all proceedings heretofore taken relating to and
- 2 in connection with changes in the boundaries of the Bellevue Commu-
- 3 nity School District are hereby legalized, validated and confirmed, and

4 the boundaries of said Bellevue Community School District, in the
 5 County of Jackson, State of Iowa, as now shown by the records of the
 6 county auditor of Jackson County, Iowa, are hereby declared to be the
 7 legally established boundaries of said school district.

1 SECTION 2. The foregoing shall not be construed to affect any liti-
 2 gation that may be pending at the time this Act becomes effective in-
 3 volving any change in the boundaries of said Bellevue Community
 4 School District.

1 SECTION 3. This Act being of immediate importance shall be in
 2 full force and effect from and after its publication in the Bellevue
 3 Herald-Leader, a newspaper published at Bellevue, Iowa, and in the
 4 Jackson Sentinel, a newspaper published at Maquoketa, Iowa, without
 5 expense to the state.

Approved May 5, 1967.

I hereby certify that the foregoing Act, Senate File 446, was published in the Belle-
 vue Herald-Leader, Bellevue, Iowa, May 18, 1967, and in the Jackson Sentinel, Maquo-
 keta, Iowa, May 18, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 448

CLEAR CREEK SCHOOL LEGALIZING ACT

S. F. 405

AN ACT to legalize and validate the proceedings for the attachment of certain land to
 the Clear Creek Community School District, in the counties of Johnson and Iowa,
 state of Iowa, and declaring the boundaries of said school district to be legally
 established.

WHEREAS, a school corporation which is known and has been officially
 designated as the "Clear Creek Community School District, in the counties
 of Johnson and Iowa, state of Iowa," was organized under the provisions
 of chapter two hundred seventy-five (275), Code 1958, as amended, and has
 been continuously organized and existing since July 1, 1961; and

WHEREAS, pursuant to authority contained in section two hundred
 seventy-four point four (274.4) and section two hundred seventy-four
 point thirty-seven (274.37), Code 1962, as amended, and proceedings taken
 by the board of education of Johnson county on January 5, 1966, and the
 board of education of Iowa county on February 1, 1966, territory in sec-
 tion 36 of Iowa township, in Iowa county, Iowa was attached to said Clear
 Creek Community School District, effective July 1, 1966; and

WHEREAS, pursuant to authority contained in section two hundred
 seventy-four point four (274.4) and section two hundred seventy-four
 point thirty-seven (274.37), Code 1962, as amended, and proceedings taken
 by the board of education of Johnson county on April 11, 1966, and the
 board of education of Iowa county on April 4, 1966, territory in sections
 13, 24 and 25 of Iowa township, in Iowa county, Iowa, was attached to
 said Clear Creek Community School District, effective July 1, 1966; and

WHEREAS, pursuant to authority contained in section two hundred seventy-five point one (275.1), Code 1962, as amended by chapter two hundred forty (240), Acts of the 61st General Assembly, and proceedings taken by the board of education of Iowa county on June 21, 1966, later approved by the board of education of Johnson county on July 11, 1966, and approved by the state board of public instruction on June 28, 1966, territory in sections 1 and 12 of Iowa township, in Iowa county, Iowa, was attached to said Clear Creek Community School District, effective July 1, 1966; and

WHEREAS, a complete written description of the boundaries of the new and enlarged Clear Creek Community School District was filed with the county auditors of Johnson and Iowa counties, Iowa and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings taken for the attachment of the aforesaid areas of land to the Clear Creek Community School District, in the counties of Johnson and Iowa, state of Iowa, and it is deemed advisable and necessary to put such doubts and all others that might arise concerning same forever at rest; NOW, THEREFORE,

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

1 SECTION 1. That all proceedings heretofore taken relating to and
2 in connection with the attachment to the Clear Creek Community
3 School District of territory in Sections 1, 12, 13, 24, 25 and 36 of Iowa
4 Township, in Iowa County, Iowa, are hereby legalized, validated and
5 confirmed, and the boundaries of said Clear Creek Community School
6 District, in the Counties of Johnson and Iowa, State of Iowa, as now
7 shown by the records of the county auditors of Johnson and Iowa coun-
8 ties, Iowa, are hereby declared to be the legally established boundaries
9 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 publication in The Pioneer-Repub-
3 lican, a newspaper published at Marengo, Iowa, and in the Iowa City
4 Press-Citizen, a newspaper published at Iowa City, Iowa, without
5 expense to the state.

Approved June 16, 1967.

I hereby certify that the foregoing Act, Senate File 405, was published in The Pioneer-Republican, Marengo, Iowa, June 29, 1967, and in the Iowa City Press-Citizen, Iowa City, Iowa, June 23, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 449

CLEAR CREEK LEGALIZING ACT

S. F. 406

AN ACT to legalize and validate the proceedings of the board of directors of the Clear Creek Community School District, in the counties of Johnson and Iowa, state of Iowa, authorizing and providing for securing a site and building and furnishing a school building thereon and for the issuance of school building bonds to pay the cost thereof 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 Clear Creek Community School District, in the counties of Johnson and Iowa, state of Iowa, that at a special school election held in and for said school district on May 3, 1966, the proposition of issuing bonds of said school district in the amount of five hundred sixty-three thousand four hundred seventy-three dollars (\$563,473) for the purpose of securing the site and building and furnishing a new high school on approximately 25 acres of land located in the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 28, Township 80 North, Range 7 West of the 5th P.M., 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 securing of said site, the building and furnishing of said school building thereon and 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 securing of said site, the building and furnishing of said school building and the issuance and payment of said bonds, and an action has been brought in the district court of the state of Iowa in and for Johnson county seeking an injunction to enjoin and restrain said school district and the board of directors thereof from selling bonds pursuant to said election, from purchasing said site and from constructing said high school; and

WHEREAS, 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 Clear Creek Community School District, in the Coun-
3 ties of Johnson and Iowa, State of Iowa, preliminary to and in connec-
4 tion with the election on said bonds held in said school district on May
5 3, 1966, and providing for the issuance and delivery of school building
6 bonds of said school district in the amount of five hundred sixty-three
7 thousand four hundred seventy-three dollars (\$563,473) pursuant to
8 said election for the purpose of securing the site and building and fur-
9 nishing a new high school on approximately 25 acres of land located
10 in the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 28, Township 80 North, Range 7
11 West of the 5th P.M., and for the levy of taxes to pay said bonds and
12 interest thereon, and for the securing of said site and the building and
13 furnishing of said school building thereon subject to the provisions of

14 section two (2) thereof, are hereby legalized, validated and confirmed
 15 and said school building bonds issued, sold and delivered pursuant to
 16 and in accordance with said proceedings are hereby declared to be
 17 legal and to constitute the valid and binding obligations of said school
 18 district.

1 SEC. 2. This Act shall not affect final determination of the judicial
 2 proceeding now pending on appeal from the Johnson county district
 3 court.

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 Iowa
 3 City Press-Citizen, a newspaper published at Iowa City, Iowa, and The
 4 Pioneer-Republican, a newspaper published at Marengo, Iowa, without
 5 expense to the state.

Approved July 20, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 406, was published in the Iowa City Press-Citizen, Iowa City, Iowa, July 27, 1967, and in The Pioneer-Republican, Marengo, Iowa, July 27, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 450

DUBUQUE SCHOOL LEGALIZING ACT

S. F. 762

AN ACT to legalize and validate the proceedings of the board of directors of the Dubuque Community School District, in the counties of Dubuque and Jackson, 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 Dubuque Community School District, in the counties of Dubuque and Jackson, state of Iowa, that at a special school election held in and for said school district on March 15, 1967, the proposition of issuing bonds of said school district in the amount of six million five hundred thousand (6,500,000) dollars for the purpose of carrying out a school building program consisting of constructing and equipping a new high school building, two (2) new elementary school buildings and additions to the existing Table Mound and Sageville elementary school buildings and procuring sites for said new school buildings was approved by more than sixty (60) per cent of the total number of votes cast for and against said proposition, and in reliance upon said election said board of directors thereafter by resolution authorized and provided for the issuance of school building bonds to the amount and for the purpose aforesaid and made provision for the levy of taxes to pay said bonds and the interest thereon; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election and proceedings and provisions made for the issuance and payment of said bonds and it is deemed advisable to put such

doubts and all others that might arise concerning same forever at rest;
NOW THEREFORE

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

1 SECTION 1. That all proceedings heretofore taken by the board of
 2 directors of the Dubuque Community School District, in the Counties
 3 of Dubuque and Jackson, State of Iowa, preliminary to and in connec-
 4 tion with the election on said bonds held in said school district on
 5 March 15, 1967, and providing for the issuance and delivery of school
 6 building bonds of said school district in the amount of six million five
 7 hundred thousand (6,500,000) dollars pursuant to said election, and
 8 for the levy of taxes to pay said bonds and interest thereon, are hereby
 9 legalized, validated, and confirmed and said school building bonds
 10 issued, 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 Telegraph-Herald, a newspaper published at Dubuque, Iowa, and in
 4 The Dyersville Commercial, a newspaper published at Dyersville,
 5 Iowa, without expense to the state.

Approved June 16, 1967.

I hereby certify that the foregoing Act, Senate File 762, was published in The Tele-
 graph-Herald, Dubuque, Iowa, June 26, 1967, and in The Dyersville Commercial, Dyers-
 ville, Iowa, June 29, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 451

DUBUQUE SCHOOL LEGALIZING ACT

H. F. 554

AN ACT to legalize and validate proceedings for changes in the boundaries of the
 Western Dubuque County Community School District, in the counties of Dubuque,
 Jackson, Jones and Delaware, state of Iowa, and declaring the boundaries of said
 school district to be legally established.

WHEREAS, a school corporation which is known and has been officially
 designated as the "Western Dubuque County Community School District,
 in the counties of Dubuque, Jackson, Jones and Delaware, state of Iowa,"
 was organized under the provisions of chapter two hundred seventy-five
 (275), Code 1958, as amended, and has been continuously organized and
 existing since July 1, 1960, and

WHEREAS, pursuant to authority contained in section two hundred
 seventy-five point forty (275.40), Code 1962, as amended, and proceedings
 taken by the board of education of Dubuque county, Iowa, and the board
 of directors of the Western Dubuque County Community School District,
 and an election held on April 11, 1966, the area contained within the for-
 mer Bremen Township Rural Independent School District of Delaware

county, Iowa, was merged into said Western Dubuque County Community School District, effective July 1, 1966; and

WHEREAS, pursuant to authority contained in section two hundred seventy-five point one (275.1), Code 1962, as amended by chapter two hundred forty (240), Acts of the 61st General Assembly, and proceedings taken by the boards of education of Dubuque and Jackson counties and by the state board of public instruction territory lying within Jefferson, Vernon, Washington and Prairie Creek townships, in Dubuque county, Iowa, and within Butler, Otter Creek, and Brandon townships, in Jackson county, Iowa, and formerly contained within the Jefferson Township School District, in Dubuque county, Iowa, the Vernon Township School District, in Dubuque county, Iowa, the St. Joseph's Rural Independent School District, in Dubuque county, Iowa, the Washington Mills Rural Independent School District, in Dubuque and Jackson counties, Iowa, the Central Independent School District, in Jackson county, Iowa, the Otter Creek Township School District, in Jackson county, Iowa, and the Ozark Independent School District, in Jackson county, Iowa, was attached to said Western Dubuque County Community School District, effective July 1, 1966; and

WHEREAS, 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

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings taken for the aforesaid changes in the boundaries of the Western Dubuque County Community School District, in the counties of Dubuque, Jackson, Jones and Delaware, state of Iowa, and it is deemed advisable and necessary to put such doubts and all other that might arise concerning same forever at rest; NOW THEREFORE,

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

1 SECTION 1. That all proceedings heretofore taken relating to and
2 in connection with changes in the boundaries of the Western Dubuque
3 County Community School District are hereby legalized, validated and
4 confirmed, and the boundaries of said Western Dubuque County Com-
5 munity School District, in the Counties of Dubuque, Jackson, Jones
6 and Delaware, State of Iowa, as now shown by the records of the
7 county auditors of Dubuque, Jackson, Jones and Delaware counties,
8 Iowa, are hereby declared legally established boundaries of said school
9 district.

1 SEC. 2. The foregoing shall not be construed to affect any litiga-
2 tion that may be pending at the time this Act becomes effective in-
3 volving any change in the boundaries of said Western Dubuque County
4 Community School District.

1 SEC. 3. This Act being of immediate importance shall be in full
2 force and effect from and after its publication in The Cascade Pioneer-
3 Advertiser a newspaper published at Cascade, Iowa, and in The

4 Dyersville Commercial, a newspaper published at Dyersville, Iowa,
5 without expense to the state.

Approved May 11, 1967.

I hereby certify that the foregoing Act, House File 554, was published in The Cascade Pioneer-Advertiser, Cascade, Iowa, May 25, 1967, and in The Dyersville Commercial, Dyersville, Iowa, May 25, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 452

DUBUQUE SCHOOL LEGALIZING ACT

H. F. 553

AN ACT to legalize and validate the proceedings of the board of directors of the Western Dubuque County Community School District, in the counties of Dubuque, Jackson, Jones 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 Western Dubuque County Community School District, in the counties of Dubuque, Jackson, Jones and Delaware, state of Iowa, that at a special school election held in and for said school district on December 14, 1966, the proposition of issuing bonds of said school district in the amount of one million four hundred eighty-eight thousand (1,488,000) dollars for the purpose of carrying out a school building program consisting of constructing and equipping additions to the existing elementary school building located in the town of Bernard and the existing junior-senior high school building located in the town of Epworth, constructing and equipping new elementary school buildings in the towns of Holy Cross and Farley and procuring sites for said new school buildings was approved by more than sixty (60) per cent of the total number of votes cast for and against said proposition, and in reliance upon said election said board of directors thereafter by resolution authorized and provided for the issuance of school building bonds to the amount and for the purpose aforesaid and made provision for the levy of taxes to pay said bonds and the interest thereon; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election and proceedings and provisions made for the issuance and payment of said bonds and it is deemed advisable to put such doubts and all others that might arise concerning same forever at rest;
NOW THEREFORE,

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

1 SECTION 1. That all proceedings heretofore taken by the board of
2 directors of the Western Dubuque County Community School District,
3 in the counties of Dubuque, Jackson, Jones and Delaware, state of
4 Iowa, preliminary to and in connection with the election on said bonds
5 held in said school district on December 14, 1966, and providing for
6 the issuance and delivery of school building bonds of said school dis-
7 trict in the amount of one million four hundred eighty-eight thousand

8 (1,488,000) dollars pursuant to said election, and for the levy of taxes
 9 to pay said bonds and interest thereon, are hereby legalized, validated,
 10 and confirmed and said school building bonds issued, sold, and deliv-
 11 ered pursuant to and in accordance with said proceedings are hereby
 12 declared to be legal and to constitute the valid and binding obligations
 13 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 Cascade Pioneer-Advertiser, a newspaper published at Cascade, Iowa,
 4 and The Dyersville Commercial, a newspaper published at Dyersville,
 5 Iowa, without expense to the state.

Approved May 11, 1967.

I hereby certify that the foregoing Act, House File 553, was published in The Cas-
 cade Pioneer-Advertiser, Cascade, Iowa, May 25, 1967, and in The Dyersville Commer-
 cial, Dyersville, Iowa, May 25, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 453

GRAFTON SCHOOL LEGALIZING ACT

H. F. 735

AN ACT to legalize and validate the proceedings of the board of directors of the Inde-
 pendent School District of Grafton in the county of Worth, state of Iowa in the sale
 of certain real estate.

WHEREAS, it appears from the records that the board of directors of
 the Independent School District of Grafton, Worth county, state of Iowa
 did convey the north half of lots one (1) and two (2) in block ten (10),
 of the original town of Grafton, Worth county, Iowa, to the Farmers Co-
 operative Creamery Association of Grafton, Iowa on February 8, 1952 for
 a consideration paid of the sum of five thousand (5,000) dollars; and

WHEREAS, said conveyance procedures did not properly conform to the
 requirements and provisions of chapter two hundred seventy-eight (278)
 of the 1950 Code of Iowa, as amended; and

WHEREAS, doubts have arisen concerning the validity and legal suffi-
 ciency of said proceedings relating to provisions made for the sale of real
 estate used by school districts for purposes other than school sites; and

WHEREAS, said school district is now reorganized and incorporated
 into successor consolidated school district which cannot properly validate
 said conveyance, and it is deemed advisable to put such doubts and all
 others that might arise concerning said same forever at rest; NOW THERE-
 FORE,

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 Independent School District of Grafton, Worth County,
 3 State of Iowa, preliminary to and in connection with the sale of the

4 North One-half of Lots One (1) and Two (2), in Block Ten (10) of the
5 town of Grafton, Worth county, Iowa, on the 8th day of February,
6 1952 to the farmers cooperative creamery association, Grafton, Iowa,
7 are hereby legalized, validated and confirmed and the said sale of said
8 real estate is hereby declared to be the valid and binding act of said
9 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 Northwood Anchor, a newspaper published at Northwood, Iowa, and
4 the Manly Signal, a newspaper published at Manly, Iowa, without
5 expense to the state.

Approved June 26, 1967.

I hereby certify that the foregoing Act, House File 735, was published in The Northwood Anchor, Northwood, Iowa, June 29, 1967, and in the Manly Signal, Manly, Iowa, June 29, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 454

HAMILTON SCHOOL LEGALIZING ACT

H. F. 190

AN ACT to legalize and validate the proceedings of the board of directors of the Northeast Hamilton Community School District, in the counties of Hamilton and Wright, 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 Northeast Hamilton Community School District, in the counties of Hamilton and Wright, state of Iowa, that at a special school election held in and for said school district on June 23, 1966, the proposition of issuing bonds of said school district in the amount of four hundred twenty-five thousand dollars for the purpose of carrying out a school building program consisting of building and furnishing an addition to the existing school building and remodeling the existing school building located at Blairsburg, 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 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 Northeast Hamilton Community School District, in the
 3 Counties of Hamilton and Wright, State of Iowa, preliminary to and
 4 in connection with the election on said bonds held in said school dis-
 5 trict on June 23, 1966, and providing for the issuance and delivery of
 6 school building bonds of said district in the amount of four hundred
 7 twenty-five thousand dollars 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 Daily Freeman-Journal, a newspaper published at Webster City, Iowa,
 4 and The Wright County Monitor, a newspaper published at Clarion,
 5 Iowa, without expense to the state.

Approved April 5, 1967.

I hereby certify that the foregoing Act, House File 190, was published in The Daily Freeman-Journal, Webster City, Iowa, April 10, 1967, and in The Wright County Monitor, Clarion, Iowa, April 13, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 455

REINBECK SCHOOL LEGALIZING ACT

H. F. 659

AN ACT to legalize and validate proceedings for the merger of territory into the Reinbeck Community School District, in the counties of Grundy, Black Hawk and Tama, state of Iowa, and declaring the boundaries of said school district to be legally established.

WHEREAS, a school corporation 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," was organized under the provisions of chapter two hundred seventy-five (275), Code 1958, as amended, and has been continuously organized and existing since July 1, 1960; and

WHEREAS, pursuant to authority contained in section two hundred seventy-five point forty (275.40), Code 1962, as amended, and proceedings taken by board of directors of said Reinbeck Community School District and the boards of education of Grundy and Tama counties and an election held on September 13, 1965, the territory comprising the former Dinsdale Independent School District, in the county of Tama, state of Iowa, was merged into said Reinbeck Community School District, effective July 1, 1966; and

WHEREAS, a complete written description of the boundaries of the new and enlarged Reinbeck Community School District was filed with the county auditors of Grundy, Black Hawk and Tama counties, Iowa; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings taken for the merger of the aforesaid territory into the 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. That all proceedings heretofore taken in connection
2 with the merger into the Reinbeck Community School District of ter-
3 ritory formerly comprising the Dinsdale Independent School District,
4 in the county of Tama, state of Iowa, are hereby legalized, validated
5 and confirmed, and the boundaries of said Reinbeck Community School
6 District, in the Counties of Grundy, Black Hawk and Tama, State of
7 Iowa, as now shown by the records of the county auditors of Grundy,
8 Black Hawk and Tama counties, Iowa, are hereby declared to be the
9 legally established boundaries of said school district.

1 SEC. 2. This Act being of immediate importance shall take effect
2 and be in force from and after its publication in The Reinbeck Courier,
3 a newspaper published at Reinbeck, Iowa, and in The Grundy Register,
4 a newspaper published at Grundy Center, Iowa, without expense to the
5 state.

Approved April 28, 1967.

I hereby certify that the foregoing Act, House File 659, was published in The Reinbeck Courier, Reinbeck, Iowa, May 4, 1967, and in The Grundy Register, Grundy Center, Iowa, May 4, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 456

WAVERLY-SHELL ROCK SCHOOL LEGALIZING ACT

S. F. 584

AN ACT to legalize and validate proceedings for changes in the boundaries of the Waverly-Shell Rock Community School District, in the counties of Bremer, Butler and Black Hawk, state of Iowa, and declaring the boundaries of said school district to be legally established.

WHEREAS a school corporation which is known and has been officially designated as the "Waverly-Shell Rock Community School District, in the counties of Bremer, Butler and Black Hawk, state of Iowa," was organized under the provisions of chapter two hundred seventy-five (275), Code 1958, as amended, and has been continuously organized and existing since July 1, 1960; and

WHEREAS, pursuant to authority contained in section two hundred seventy-five point forty (275.40), Code 1962, as amended, and proceedings

taken by the boards of education of Bremer and Butler counties and by the board of directors of the Waverly-Shell Rock Community School District, and an election held on April 19, 1966, the area contained within the former Finchford Consolidated School District, in the counties of Butler, Bremer and Black Hawk, state of Iowa, was merged into said Waverly-Shell Rock Community School District, effective July 1, 1966; and

WHEREAS, pursuant to authority contained in section two hundred seventy-five point one (275.1), Code 1962, as amended by chapter two hundred forty (240), Acts of the 61st General Assembly, and proceedings taken by the boards of education of Bremer and Butler counties and by the state board of public instruction territory lying within Warren and Jefferson townships, in Bremer county, Iowa, and within Shell Rock and Beaver townships, in Butler county, Iowa, and formerly contained within the Warren No. 6 Rural Independent School District, in Bremer county, Iowa, and the Shell Rock Township No. 1 Rural Independent School District, in Butler county, Iowa, was attached to said Waverly-Shell Rock Community School District, effective July 1, 1966; and

WHEREAS, complete written descriptions of the boundaries of the new and enlarged Waverly-Shell Rock Community School District were filed with the county auditors of Bremer, Butler and Black Hawk counties, Iowa; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings taken for the aforesaid changes in the boundaries of the Waverly-Shell Rock Community School District, in the counties of Bremer, Butler and Black Hawk, state of Iowa, and it is deemed advisable and necessary to put such doubts and all others that might arise concerning same forever at rest; NOW, THEREFORE,

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

1 SECTION 1. That all proceedings heretofore taken relating to and
2 in connection with changes in the boundaries of the Waverly-Shell
3 Rock Community School District are hereby legalized, validated and
4 confirmed, and the boundaries of said Waverly-Shell Rock Community
5 School District, in the Counties of Bremer, Butler and Black Hawk,
6 State of Iowa, as now shown by the records of the county auditors of
7 Bremer, Butler and Black Hawk Counties, Iowa, are hereby declared
8 to be the legally established boundaries of said school district.

1 SECTION 2. This Act being of immediate importance shall be in
2 full force and effect from and after its publication in the Bremer
3 County Independent, a newspaper published at Waverly, Iowa, and
4 in The Shell Rock News, a newspaper published at Shell Rock, Iowa,
5 without expense to the state.

Approved May 5, 1967.

I hereby certify that the foregoing Act, Senate File 584, was published in the Bremer County Independent, Waverly, Iowa, May 15, 1967, and in The Shell Rock News, Shell Rock, Iowa, May 18, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 457

WAVERLY-SHELL ROCK SCHOOL LEGALIZING ACT

S. F. 585

AN ACT to legalize and validate the proceedings of the board of directors of the Waverly-Shell Rock Community School District, in the counties of Bremer, Butler 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 Waverly-Shell Rock Community School District, in the counties of Bremer, Butler and Black Hawk, state of Iowa, that at a special school election held in and for said school district on January 17, 1967, the proposition of issuing bonds of said school district in the amount of six hundred fifty thousand dollars for the purpose of carrying out a school building program consisting of remodeling existing school buildings located in the town of Shell Rock and constructing and equipping additions to the existing elementary school building located in the town of Shell Rock and the existing West Cedar and Margaretta Carey Elementary School buildings located in the city of Waverly was approved by more than sixty per cent of the total number of votes cast for and against said proposition, and in reliance upon said election said board of directors thereafter by resolution authorized and provided for the issuance of school building bonds to the amount and for the purpose aforesaid and made provision for the levy of taxes to pay said bonds and the interest thereon; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election and proceedings and provisions made for the issuance and payment of said bonds and it is deemed advisable to put such doubts and all others that might arise concerning same forever at rest; NOW, THEREFORE,

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

1 SECTION 1. That all proceedings heretofore taken by the board of
2 directors of the Waverly-Shell Rock Community School District, in the
3 Counties of Bremer, Butler and Black Hawk, State of Iowa, prelimi-
4 nary to and in connection with the election on said bonds held in said
5 school district on January 17, 1967, and providing for the issuance
6 and delivery of school building bonds to said school district in the
7 amount of six hundred fifty thousand dollars pursuant to said election,
8 and for the levy of taxes to pay said bonds and interest thereon, are
9 hereby legalized, validated and confirmed and said school building
10 bonds issued, sold and delivered pursuant to and in accordance with
11 said proceedings are hereby declared to be legal and to constitute the
12 valid and binding obligations of said school district.

1 SECTION 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, Iowa,

4 and in The Shell Rock News, a newspaper published at Shell Rock,
5 Iowa without expense to the state.

Approved May 5, 1967.

I hereby certify that the foregoing Act, Senate File 585, was published in the Bremer County Independent, Waverly, Iowa, May 15, 1967, and in The Shell Rock News, Shell Rock, Iowa, May 18, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 458

WINTERSET SCHOOL LEGALIZING ACT

S. F. 14

AN ACT to legalize and validate the proceedings of the board of directors of the Winterset Community School District, in the county of Madison, 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 Winterset Community School District, in the county of Madison, state of Iowa, that at a special school election held in and for said school district on October 11, 1966, the proposition of issuing bonds of said school district in the sum of nine hundred eighty-two thousand (982,000) dollars for the purpose of carrying out a school building program consisting of constructing and equipping a new high school building, all in and for said school district, was approved by more than sixty (60) 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 Winterset Community School District, in the County
3 of Madison, State of Iowa, preliminary to and in connection with the
4 election on said bonds held in said school district on October 11, 1966,
5 and providing for the issuance and delivery of school building bonds
6 of said school district in the amount of nine hundred eighty-two thou-
7 sand (982,000) dollars pursuant to said election, and for the levy of
8 taxes to pay said bonds and interest thereon, are hereby legalized,
9 validated and confirmed and said school building bonds issued, sold
10 and delivered pursuant to and in accordance with said proceedings and
11 are hereby declared to be legal and to constitute the valid and binding
12 obligations of said school district.

1 SEC. 2. This Act being of immediate importance shall be in full
 2 force and effect from and after its passage and publication in the
 3 Winterset Madisonian, a newspaper published at Winterset, Iowa and
 4 The Earlham Echo, a newspaper published at Earlham, Iowa, without
 5 expense to the state.

Approved February 9, 1967.

I hereby certify that the foregoing Act, Senate File 14, was published in the Winterset Madisonian, Winterset, Iowa on February 15, 1967, and in The Earlham Echo, Earlham, Iowa on February 16, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 459

SCHOOL BOUNDARIES LEGALIZED

S. F. 77

AN ACT to legalize and validate proceedings providing for the organization of, reorganization of, attachment of territory to, enlargement of, or change in boundaries of school corporations.

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

1 SECTION 1. All proceedings taken prior to January 1, 1967, pur-
 2 porting to provide for the organization of, reorganization of, attach-
 3 ment of territory to, enlargement of, or change in boundaries of any
 4 school corporation in this state and not heretofore declared invalid by
 5 any court are hereby legalized, validated and confirmed.

1 SEC. 2. The foregoing shall not be construed to affect any litiga-
 2 tion that may be pending at the time this Act becomes effective, in-
 3 volving the organization of, reorganization of, attachment of territory
 4 to, enlargement of, or change in boundaries of any school corporation.

1 SEC. 3. This Act shall not apply to proceedings purporting to pro-
 2 vide for the attachment of territory to a school corporation pursuant
 3 to section two hundred seventy-five point one (275.1), Code 1966, if
 4 such attachment was disapproved by the state board of public instruc-
 5 tion pursuant to said section and was not subsequently approved by
 6 the state board of public instruction prior to January 1, 1967.

Approved March 30, 1967.

**JOINT RESOLUTIONS
AND
RULES OF CIVIL PROCEDURE**

JOINT RESOLUTIONS

CHAPTER 460

AMENDMENT TO U. S. CONSTITUTION ON PRESIDENTIAL SUCCESSION

S. J. R. 13

A JOINT RESOLUTION ratifying a proposed amendment to the Constitution of the United States relating to succession to the Presidency and Vice Presidency and to cases where the President is unable to discharge the powers and duties of his office.

WHEREAS, The Eighty-ninth (89th) Congress of the United States has passed a Joint Resolution proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice Presidency and to cases where the President is unable to discharge the powers and duties of his office; and

WHEREAS, This Joint Resolution passed the Senate of the United States on June 30, 1965, passed the House of Representatives of the United States on July 6, 1965, and now has been submitted to a vote of the States and reads:

"JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice Presidency and to cases where the President is unable to discharge the powers and duties of his office.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is 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 when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE

"SECTION 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

"SEC. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

"SEC. 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration

to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

"SEC. 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

"Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office." NOW, THEREFORE

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

1 That the foregoing proposed amendment to the Constitution of the
2 United States is hereby ratified and consented to by the State of Iowa
3 and the General Assembly thereof; and

4 Be It Further Resolved that the Governor of the State of Iowa
5 forward certified copies of this resolution over the Seal of the State
6 of Iowa to the Secretary of State of the United States, to the Pre-
7 siding Officer of the Senate of the United States, to the Speaker of
8 the House of Representatives of the United States, and to the ad-
9 ministrator of General Services Administration of the United States.

Approved February 3, 1967.

CHAPTER 461

ANNUAL SESSIONS OF GENERAL ASSEMBLY

(Second time passed)

S. J. R. 4

A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Iowa relating to the sessions of the General Assembly.

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 two (2) of Article three (III) of the Constitution of the
4 State of Iowa is hereby repealed and the following adopted in lieu
5 thereof:

6 "Section 2. The General Assembly shall meet in session on the
7 second Monday of January of each year. The Governor of the State
8 may convene the General Assembly by proclamation in the interim."

1 SEC. 2. The foregoing proposed amendment, having been adopted
2 and agreed to by the Sixty-first (61st) General Assembly, thereafter
3 duly published, and now adopted and agreed to by the Sixty-second
4 (62nd) General Assembly in this Joint Resolution, shall be submitted
5 to the people of the State of Iowa at the general election in Novem-
6 ber of the year nineteen hundred sixty-eight (1968) in the manner
7 required by the Constitution of the State of Iowa and the laws of the
8 State of Iowa.

CHAPTER 462

CONSTITUTIONAL AMENDMENT IN RE MUNICIPAL CORPORATIONS

(Second time passed)

S. J. R. 1

A JOINT RESOLUTION proposing to amend Article three (III) of the Constitution of the State of Iowa to provide home rule for municipal corporations.

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 "Article three (III), legislative department, Constitution of the
4 State of Iowa is hereby amended by adding the following new sec-
5 tion:

6 'Municipal corporations are granted home rule power and author-
7 ity, not inconsistent with the laws of the general assembly, to deter-
8 mine their local affairs and government, except that they shall not
9 have power to levy any tax unless expressly authorized by the gen-
10 eral assembly.

11 "The rule or proposition of law that a municipal corporation pos-
12 sesses and can exercise only those powers granted in express words
13 is not a part of the law of this state.'"

1 SEC. 2. The foregoing proposed amendment, having been adopted
 2 and agreed to by the Sixty-first (61st) General Assembly, thereafter
 3 duly published, and now adopted and agreed to by the Sixty-second
 4 (62nd) General Assembly in this Joint Resolution, shall be submitted
 5 to the people of the State of Iowa at the general election in Novem-
 6 ber of the year nineteen hundred sixty-eight (1968) in the manner
 7 required by the Constitution of the State of Iowa and the laws of the
 8 State of Iowa.

CHAPTER 463

CONSTITUTIONAL AMENDMENT ON COMPOSITION OF GENERAL ASSEMBLY

(Second time passed)

S. J. R. 8

A JOINT RESOLUTION proposing an 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 the establishment of Congressional districts.

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 adopted in lieu thereof:

9 "Section 6. The number of senators shall total not more than one-
 10 half ($\frac{1}{2}$) the membership of the house of representatives. Senators
 11 shall be classified so that as nearly as possible one-half ($\frac{1}{2}$) of the
 12 members of the senate shall be elected every two (2) years.

13 "Section 34. The senate shall be composed of not more than fifty
 14 (50) and the house of representatives of not more than one hundred
 15 (100) members. Senators and representatives shall be elected from
 16 districts established by law. Each district so established shall be of
 17 compact and contiguous territory. The state shall be apportioned into
 18 senatorial and representative districts on the basis of population. The
 19 general assembly may provide by law for factors in addition to popu-
 20 lation, not in conflict with the constitution of the United States, which
 21 may be considered in the apportioning of senatorial districts. No law
 22 so adopted shall permit the establishment of senatorial districts
 23 whereby a majority of the members of the senate shall represent less
 24 than forty (40) percent of the population of the state as shown by the
 25 most recent United States decennial census.

26 "Section 35. The general assembly shall in 1971 and in each year
 27 immediately following the United States decennial census determine
 28 the number of senators and representatives to be elected to the gen-
 29 eral assembly and establish senatorial and representative districts.
 30 The general assembly shall complete the apportionment prior to Sep-

31 tember 1 of the year so required. If the apportionment fails to be-
 32 come law prior to September 15 of such year, the supreme court shall
 33 cause the state to be apportioned into senatorial and representative
 34 districts to comply with the requirements of the constitution prior to
 35 December 31 of such year. The reapportioning authority shall, where
 36 necessary in establishing senatorial districts, shorten the term of any
 37 senator prior to completion of the term. Any senator whose term is
 38 so terminated shall not be compensated for the uncompleted part of
 39 the term.

40 "Section 36. Upon verified application by any qualified elector, the
 41 supreme court shall review an apportionment plan adopted by the
 42 general assembly which has been enacted into law. Should the su-
 43 preme court determine such plan does not comply with the require-
 44 ments of the constitution, the court shall within ninety (90) days
 45 adopt or cause to be adopted an apportionment plan which shall so
 46 comply. The supreme court shall have original jurisdiction of all liti-
 47 gation questioning the apportionment of the general assembly or any
 48 apportionment plan adopted by the general assembly."

49 "Section 37. When a congressional district is composed of two
 50 (2) or more counties it shall not be entirely separated by a county
 51 belonging to another district and no county shall be divided in form-
 52 ing a congressional district."

1 SEC. 2. The foregoing proposed amendment, having been adopted
 2 and agreed to by the Sixty-first (61st) General Assembly, thereafter
 3 duly published, and now adopted and agreed to by the Sixty-second
 4 (62nd) General Assembly in this Joint Resolution, shall be submitted
 5 to the people of the State of Iowa at the general election in November
 6 of the year nineteen hundred sixty-eight (1968) in the manner re-
 7 quired by the Constitution of the State of Iowa and the laws of the
 8 State of Iowa.

CHAPTER 464

CONSTITUTIONAL AMENDMENT ON ITEM VETO

(Second time passed)

S. J. R. 2

A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Iowa to give the governor item veto power on appropriation bills.

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 sixteen (16) of article three (III) of the Constitution of the
 4 State of Iowa is hereby amended by adding the following new para-
 5 graph at the end thereof:

6 "The governor may approve appropriation bills in whole or in part,
 7 and may disapprove any item of an appropriation bill; and the part
 8 approved shall become a law. Any item of an appropriation bill dis-
 9 approved by the governor shall be returned, with his objections, to

10 the house in which it originated, or shall be deposited by him in the
 11 office of the secretary of state in the case of an appropriation bill sub-
 12 mitted to the governor for his approval during the last three days of a
 13 session of the General Assembly, and the procedure in each case shall
 14 be the same as provided for other bills. Any such item of an appro-
 15 priation bill may be enacted into law notwithstanding the governor's
 16 objections, in the same manner as provided for other bills."

1 SEC. 2. The foregoing proposed amendment, having been adopted
 2 and agreed to by the Sixty-first (61st) General Assembly, thereafter
 3 duly published, and now adopted and agreed to by the Sixty-second
 4 (62nd) General Assembly in this Joint Resolution, shall be submitted
 5 to the people of the State of Iowa at the general election in November
 6 of the year nineteen hundred sixty-eight (1968) in the manner re-
 7 quired by the Constitution of the State of Iowa and the laws of the
 8 State of Iowa.

CHAPTER 465

QUALIFICATIONS OF ELECTORS

(First time passed)

S. J. R. 24

A JOINT RESOLUTION proposing a constitutional amendment relating to qualifica-
 tions of electors.

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 one (1) of Article two (II) of the Constitution, as amended
 4 in eighteen hundred sixty-eight (1868), is hereby repealed and the
 5 following is hereby adopted in lieu thereof:

6 "Section 1. Every citizen of the United States of the age of
 7 twenty-one (21) years, who shall have been a resident of this State
 8 for such period of time as shall be provided by law and of the county
 9 in which he claims his vote for such period of time as shall be pro-
 10 vided by law, shall be entitled to vote at all elections which are now
 11 or hereafter may be authorized by law. The General Assembly may
 12 provide by law for different periods of residence in order to vote for
 13 various officers or in order to vote in various elections. The required
 14 periods of residence shall not exceed six (6) months in this State and
 15 sixty (60) days in the county."

1 SEC. 2. The foregoing proposed amendment is hereby referred to
 2 the General Assembly to be chosen at the next general election for
 3 members of the General Assembly, and shall be published as provided
 4 by law for three (3) consecutive months previous to the date of said
 5 general election.

CHAPTER 466

COMPENSATION OF GENERAL ASSEMBLY

(Second time passed)

S. J. R. 10

A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Iowa relating to compensation for members of the General Assembly.

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 twenty-five (25) of Article three (III) of the Constitution
4 of the State of Iowa is hereby repealed and the following adopted in
5 lieu thereof:

6 "Section 25. Each member of the General Assembly shall receive
7 such compensation and allowances for expenses as shall be fixed by
8 law but no General Assembly shall have the power to increase compen-
9 sation and allowances effective prior to the convening of the next
10 General Assembly following the session in which any increase is
11 adopted."

1 SEC. 2. The foregoing proposed amendment, having been adopted
2 and agreed to by the Sixty-first (61st) General Assembly, thereafter
3 duly published, and now adopted and agreed to by the Sixty-second
4 (62nd) General Assembly in this Joint Resolution, shall be submitted
5 to the people of the State of Iowa at the general election in November
6 of the year nineteen hundred sixty-eight (1968) in the manner re-
7 quired by the Constitution of the State of Iowa and the laws of the
8 State of Iowa.

CHAPTER 467

SINGLE MEMBER LEGISLATIVE DISTRICTS

(First time passed)

S. J. R. 12

A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Iowa to require that members of the General Assembly be elected from single member legislative districts.

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 Article three (III) of the Constitution of the State of Iowa is here-
4 by amended by adding thereto the following new section:

5 "Section 39. In establishing senatorial and representative dis-
6 tricts, the state shall be divided into as many senatorial districts as
7 there are members of the senate and into as many representative dis-
8 tricts as there are members of the house of representatives. One (1)
9 senator shall be elected from each senatorial district and one (1)
10 representative shall be elected from each representative district."

1 SEC. 2. The foregoing proposed amendment to the Constitution of
 2 the State of Iowa is hereby referred to the general assembly to be
 3 chosen at the next general election for members of the general assem-
 4 bly and the secretary of state is directed to cause the same to be pub-
 5 lished for three (3) consecutive months previous to the date of said
 6 election as provided by law.

CHAPTER 468

COUNTY ATTORNEY CONSTITUTIONAL AMENDMENT

(First time passed)

H. J. R. 11

A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Iowa repealing the section of the Constitution which provides for the office and election of the county attorney.

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 thirteen (13) of Article five (V) of the Constitution of the
 4 State of Iowa as amended by Amendment four (4) of the Amendments
 5 of eighteen hundred eighty-four (1884) is hereby repealed.

1 SEC. 2. The foregoing proposed amendment to the Constitution of
 2 the State of Iowa is hereby referred to the general assembly to be
 3 chosen at the next general election for members of the general assem-
 4 bly and the secretary of state is directed to cause the same to be pub-
 5 lished for three (3) consecutive months before the date of said election
 6 as provided by law.

CHAPTER 469

COMMISSION ON LEGISLATIVE SUBDISTRICTING

H. J. R. 28

A JOINT RESOLUTION to establish a commission to conduct a study of legislative subdistricting and to make recommendations to the General Assembly.

WHEREAS, the supreme court of the state of Iowa issued a mandate that the one (1) man, one (1) vote principle shall be maintained in the general assembly; and

WHEREAS, it is deemed expedient that the general assembly comply with dispatch and provide for the selection of its members from single-member subdistricts within any county wherein more than one (1) senator is elected or any county or district wherein more than one (1) representative is elected; and

WHEREAS, the subdistricting shall permit no voter to vote for more than one (1) senator and more than one (1) representative; and

WHEREAS, to expedite the subdistricting and to allow the general assembly to devote its time to other matters; NOW THEREFORE

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

1 SECTION 1. A commission of ten (10) members is hereby created
2 within ten (10) days after the effective date of this Act. Five (5)
3 members shall be appointed by the state chairman of the political party
4 whose candidate for the office of governor received the largest number
5 of votes cast for that office in the last general election. Five (5) mem-
6 bers shall be appointed by the state chairman of the political party
7 whose candidate received the next largest number of votes cast for
8 that office in the last general election. If either state chairman fails
9 to comply with the provisions of this section, the chief justice of the
10 supreme court shall immediately make the appointments on behalf of
11 the chairman. Any vacancy by death or resignation of a commissioner
12 shall be filled in the same manner as the original appointment.

1 SEC. 2. The commission shall organize and choose a chairman
2 from its membership and adopt rules for the conduct of its proceed-
3 ings. Commission members may hold public hearings, consult with
4 representatives of minority political groups, and employ staff and
5 retain expert technical assistants. The commission shall have access
6 to all public records and shall be given the full cooperation of all
7 public officials. The commission shall have the power of subpoena.
8 Commissioners shall receive forty (40) dollars per diem and shall be
9 reimbursed for actual and necessary expenses incurred in the per-
10 formance of their duties.

1 SEC. 3. The commission shall, no later than May 1, 1967, file in
2 the office of the secretary of state an apportionment plan which shall
3 provide for the subdistricting of counties from which more than one
4 (1) senator is elected under chapter forty-one (41) of the Code and
5 of counties or districts from which more than one (1) representative
6 is elected under chapter forty-one (41) of the Code into single-
7 member subdistricts. The plan shall be based on the present size of
8 the senate and the house of representatives and shall preserve current
9 terms of all members of the general assembly. Subdistricts in the
10 plan shall be designated so that no more than one (1) senator shall
11 be elected from any one (1) senatorial subdistrict and no more than
12 one (1) representative elected from any one (1) representative subdis-
13 trict. County lines shall not be crossed in forming single-member
14 legislative subdistricts except in the Louisa-Muscatine representative
15 district. Subdistricts shall be so established to comply with the one
16 (1) man, one (1) vote decision of the supreme court of the state of
17 Iowa. No plan shall be valid unless signed by at least seven (7) mem-
18 bers of the commission.

1 SEC. 4. The general assembly shall consider the plan submitted
2 and, no later than June 1, 1967, shall by statute either adopt the plan
3 as submitted or modified, or adopt a plan of its own. Any plan adopted
4 shall be filed and validly signed and shall be applicable only for the
5 1968 general election and any special election to fill any vacancy in the
6 sixty-third general assembly.

1 SEC. 5. If the general assembly fails to adopt an apportionment
 2 plan as required under this Act, the supreme court of the state of Iowa
 3 shall adopt or cause to be adopted a plan conforming to the require-
 4 ments of this Act no later than January 1, 1968. Any plan adopted or
 5 caused to be adopted by the court shall be temporary and shall apply
 6 only for the 1968 general election and any special election necessary
 7 to fill any vacancy in the sixty-third general assembly. Upon applica-
 8 tion of any qualified elector, the supreme court of the state of Iowa
 9 shall review any apportionment plan enacted into law.

1 SEC. 6. This Act being deemed of immediate importance shall be
 2 in full force and effect from and after its passage and publication in
 3 the Council Bluffs Nonpareil, a newspaper published at Council Bluffs,
 4 Iowa, and in the Marshalltown Times-Republican, a newspaper pub-
 5 lished at Marshalltown, Iowa.

I hereby certify that the foregoing Act, House Joint Resolution 28, was published in the Council Bluffs Nonpareil, Council Bluffs, Iowa, on April 7, 1967, and in the Marshalltown Times-Republican, Marshalltown, Iowa, on April 6, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 470

SUBDISTRICTING OF COUNTIES

H. J. R. 32

A JOINT RESOLUTION extending the period designated in House Joint Resolution twenty-eight (28), Acts of the Sixty-second General Assembly, during which the General Assembly may adopt a plan subdistricting counties and legislative districts.

WHEREAS, the Sixty-second (62nd) General Assembly enacted House Joint Resolution twenty-eight (28) establishing a commission to conduct a study of legislative subdistricting and to make recommendations to the general assembly; and

WHEREAS, the commission was directed to submit no later than May 1, 1967, a plan for subdividing into single-member subdistricts any county wherein more than one (1) senator is elected and any county or district wherein more than one (1) representative is elected; and

WHEREAS, the commission filed its report with recommendations for subdistricting on May 1, 1967 and notified the general assembly that legislation incorporating the commission's report was being drafted; and

WHEREAS, technical problems have arisen in the drafting due to the necessity for detailed descriptions in citing subdistrict boundaries in the urban areas being subdivided; and

WHEREAS, it has been deemed advisable that local jurisdictions involved in subdistricting be contacted prior to the final adoption of a subdistricting plan to verify boundaries cited in the proposed legislation; and

WHEREAS, the verification in all probability cannot be completed prior to June 1, 1967, the deadline established in House Joint Resolution twenty-

eight (28) for the general assembly to adopt a subdistricting plan; Now THEREFORE

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

1 SECTION 1. The period for the general assembly to consider the
2 subdistricting plan submitted by the 1967 Iowa legislative subdistrict-
3 ing commission established by house joint resolution twenty-eight
4 (28), Acts of the Sixty-second General Assembly, and for the general
5 assembly to enact a plan subdistricting the counties electing more than
6 one (1) senator and the counties and district electing more than one
7 (1) representative is hereby extended as provided in this Act.

1 SEC. 2. The general assembly shall, no later than June 15, 1967,
2 adopt by statute a plan as directed in house joint resolution twenty-
3 eight (28), Acts of the Sixty-second General Assembly. The provi-
4 sions of section five (5) of house joint resolution twenty-eight (28)
5 shall apply to any apportionment plan adopted by the general assem-
6 bly or in the absence of any plan adopted within the time period
7 designated in this Act.

1 SEC. 3. This Act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Council Bluffs Nonpareil, a newspaper published at Council Bluffs,
4 Iowa, and in The Times-Democrat, a newspaper published at Daven-
5 port, Iowa.

I hereby certify that the foregoing Act, House Joint Resolution 32 was published in the Council Bluffs Nonpareil, Council Bluffs, Iowa, June 6, 1967, and in The Times-Democrat, Davenport, Iowa, June 6, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 471

IOWA GEODE AS OFFICIAL STATE ROCK

H. J. R. 14

A JOINT RESOLUTION designating the Iowa geode as the official state rock for the state of Iowa.

WHEREAS, it is common practice for states to adopt specific flowers, birds, and trees as the official state flowers, state birds, and state trees, and

WHEREAS, it is also the practice among a number of states to adopt certain rocks as the official state rock of the state, and

WHEREAS, the state of Iowa does not at the present time have a rock as the official rock of the state, and

WHEREAS, Iowa has natural deposits of one of the rarest and most beautiful rocks in the example of the Iowa geode, and

WHEREAS, the Iowa geode is a much sought after brightly colored rock of a crystal formation and one of the finest geodes located in the nation, and

WHEREAS, Iowa is one of the few places where the geode formations are plentiful and found in some abundance, and

WHEREAS, a survey conducted through the use of questionnaires mailed to rock collectors in the state has indicated that the Iowa geode is the first choice for the official state rock of Iowa; NOW THEREFORE

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

1 SECTION 1. The Iowa geode is hereby designated and shall here-
2 after be officially known as the state rock of Iowa.

1 SEC. 2. The curator of the department of history and archives
2 is hereby directed to obtain samples of the Iowa geode adequate to
3 represent a fair sampling of the rock as found in this state and
4 display the samplings in an appropriate place in the state historical
5 library.

1 SEC. 3. The editor of the Iowa Official Register is hereby directed
2 to include an appropriate picture with an appropriate commentary
3 of the Iowa geode in the Iowa Official Register along with pictures
4 of the state flower, state bird, and state tree.

CHAPTER 472

IOWA STATE FAIR AND WORLD FOOD EXPOSITION STUDY COMMITTEE

H. J. R. 24

A JOINT RESOLUTION to continue the "Iowa State Fair and World Food Exposition Study Committee" established by the Sixty-first General Assembly, and to make an appropriation therefor.

WHEREAS, sufficient interest in the State Fair and World Food Exposition is evidenced by Iowa citizens; and

WHEREAS, the investment in the state fair by the state of Iowa and the cost of proper improvement is great; and

WHEREAS, the state fair and the potential of a world food exposition are both of value to Iowa; and

WHEREAS, the work and study done by the current committee should be continued and completed; NOW, THEREFORE

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

1 SECTION 1. The "Iowa State Fair and World Food Exposition
2 Study Committee" established by the Sixty-first General Assembly is
3 hereby continued.

1 SEC. 2. The committee is empowered and authorized to employ or
2 retain expert resource persons or firms to assist in completing the
3 feasibility study of expanding or relocating the state fairgrounds, and
4 the advisability of the state of Iowa acting as host for a world food
5 exposition. The committee shall make periodic progress reports to the
6 legislative research committee.

1 SEC. 3. The committee shall make a final report of its work to the
2 Sixty-third General Assembly prior to January 1, 1969. All recom-
3 mendations shall be accompanied by bills, where necessary.

1 SEC. 4. There is hereby appropriated from any funds of the state
2 not otherwise appropriated the sum of two thousand five hundred
3 (2,500) dollars, or so much thereof as may be necessary, to carry out
4 the provisions of this Act.

Approved July 20, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 473

INTERSTATE TRUCK RECIPROCITY

H. J. R. 23

A JOINT RESOLUTION to create an interim legislative committee to study the problem of interstate truck rate reciprocity procedures.

WHEREAS, in past years, the Iowa general assembly has attempted to solve the reciprocity problem of interstate truck rates, and

WHEREAS, the reciprocity problem is again before the general assembly with considerable controversy among the interest groups, administrative officials, and legislators in the state regarding what legislative changes are needed to solve the problem, and

WHEREAS, states differ in the type of reciprocity agreements which have been adopted and implemented so that there is no one universal policy in effect regarding interstate truck rate reciprocity agreements, Now THEREFORE

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

1 SECTION 1. The Iowa legislative research committee is hereby directed to conduct during the 1967-1969 legislative biennium a study
2 of the interstate truck reciprocity problem in Iowa, the laws relating
3 thereto, and the need for legislation to correct the problem.

4 There shall be established to assist with the study a committee composed of three (3) members of the senate appointed by the president
5 of the senate, of whom not more than two (2) shall be from the same
6 political party; three (3) members of the house of representatives
7 appointed by the speaker of the house, of whom not more than two
8 (2) shall be of the same political party; and three (3) legislators appointed by the legislative research committee in accordance with section two point fifty-five (2.55) of the Code, at least one (1) of whom
9 shall be a member of the research committee. The legislative research
10 committee, in addition to legislative appointments, may place such
11 nonlegislative members on the study committee as research committee
12 members deem necessary. The chairman of the study committee shall
13 be one of the legislative members appointed by the legislative research
14 committee and a member of the legislative research committee. All
15
16
17
18

19 research committee rules governing study committees under the juris-
 20 diction of the research committee shall apply to the study committee
 21 herein created.

1 SEC. 2. The committee established to assist with the study shall
 2 report the study findings and committee recommendations, accom-
 3 panied by bills incorporating such recommendations, to the legislative
 4 research committee prior to December 1, 1968. The research commit-
 5 tee shall report to the sixty-third general assembly in accordance with
 6 section two point fifty (2.50), subsection five (5), of the Code prior
 7 to the convening of the general assembly.

CHAPTER 474

RULE OF CIVIL PROCEDURE AMENDED

H. F. 577

AN ACT to amend rule of civil procedure* one hundred eighty-one point two (181.2) relating to trial assignments.

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

1 SECTION 1. Rule of Civil Procedure one hundred eighty-one point
 2 two (181.2) is hereby amended by striking from line fifteen (15) of
 3 paragraph (a) the word "petitions" and inserting in lieu thereof the
 4 words "certificates of readiness".

Approved June 8, 1967.

*See also chapter 209, §443.

CHAPTER 475

RULES OF CIVIL PROCEDURE

[See also amendment to Rule 181.2, chapter 474,
 and Rule 56, chapter 209, §443]

IN THE MATTER OF
 THE
 RULES OF CIVIL PROCEDURE

REPORT OF
 THE SUPREME COURT
 OF
 THE STATE OF IOWA

To the Sixty-second General Assembly of the State of Iowa:

1 I.
 2 The Supreme Court, on recommendation of its Advisory Commit-
 3 tee on Rules of Civil Procedure, has prescribed and, pursuant to Sec-
 4 tion 684.19, Code of Iowa 1966, reports to you rules and amendments
 5 to existing rules as follows:
 6 Rule 237 is revised to read:
 7 237. On what claims. Summary judgment may be had under the
 8 following conditions and circumstances:

9 (a) *For claimant.* A party seeking to recover upon a claim, coun-
10 terclaim, or cross-claim or to obtain a declaratory judgment may, at
11 any time after the appearance day or after the filing of a motion for
12 summary judgment by the adverse party, move with or without sup-
13 porting affidavits for a summary judgment in his favor upon all or
14 any part thereof.

15 (b) *For defending party.* A party against whom a claim, coun-
16 terclaim, or cross-claim is asserted or a declaratory judgment is
17 sought may, at any time, move with or without supporting affidavits
18 for a summary judgment in his favor as to all or any part thereof.

19 (c) *Motion and proceedings thereon.* The motion shall be filed
20 at least 10 days before the time fixed for the hearing. The adverse
21 party prior to the day of hearing may file opposing affidavits. The
22 judgment sought shall be rendered forthwith if the pleadings, deposi-
23 tions, answers to interrogatories, and admissions on file, together
24 with the affidavits, if any, show that there is no genuine issue as to
25 any material fact and that the moving party is entitled to a judgment
26 as a matter of law. A summary judgment, interlocutory in char-
27 acter, may be rendered on the issue of liability alone although there
28 is a genuine issue as to the amount of damages.

29 (d) *Case not fully adjudicated on motion.* If on motion under
30 this rule judgment is not rendered upon the whole case or for all the
31 relief asked and a trial is necessary, the court at the hearing of the
32 motion, by examining the pleadings and the evidence before it and
33 by interrogating counsel, shall if practicable ascertain what material
34 facts exist without substantial controversy and what material facts
35 are actually and in good faith controverted. It shall thereupon make
36 an order specifying the facts that appear without substantial con-
37 troversy, including the extent to which the amount of damages or
38 other relief is not in controversy, and directing such further proceed-
39 ings in the action as are just. Upon the trial of the action the facts
40 so specified shall be deemed established, and the trial shall be con-
41 ducted accordingly.

42 (e) *Form of affidavits; Further testimony; Defense required.*
43 Supporting and opposing affidavits shall be made on personal knowl-
44 edge, shall set forth such facts as would be admissible in evidence,
45 and shall show affirmatively that the affiant is competent to testify
46 to the matters stated therein. Sworn or certified copies of all papers
47 or parts thereof referred to in an affidavit shall be attached thereto
48 or filed therewith. The court may permit affidavits to be supple-
49 mented or opposed by depositions, answers to interrogatories, fur-
50 ther affidavits, or oral testimony. When a motion for summary judg-
51 ment is made and supported as provided in this rule, an adverse
52 party may not rest upon the mere allegations or denials of his plead-
53 ing, but his response, by affidavits or as otherwise provided in this
54 rule, must set forth specific facts showing that there is a genuine
55 issue for trial. If he does not so respond, summary judgment, if
56 appropriate, shall be entered against him.

57 (f) *When affidavits are unavailable.* Should it appear from the
58 affidavits of a party opposing the motion that he cannot for reasons

59 stated present by affidavit facts essential to justify his opposition,
60 the court may refuse the application for judgment or may order a
61 continuance to permit affidavits to be obtained or depositions to be
62 taken or discovery to be had or may make such other order as is just.

63 (g) *Affidavits made in bad faith.* Should it appear to the satis-
64 faction of the court at any time that any of the affidavits presented
65 pursuant to this rule are presented in bad faith or solely for the
66 purpose of delay, the court shall forthwith order the party employing
67 them to pay to the other party the amount of the reasonable expenses
68 which the filing of the affidavits caused him to incur, including rea-
69 sonable attorney's fees, and any offending party or attorney may be
70 adjudged guilty of contempt.

71 Rule 238 is revised to read:

72 238. *Procedure.* Motions and affidavits relating to any claim
73 under rule 237 shall be filed and copies delivered as provided in rule
74 82 and hearing shall be had thereon as provided in rule 117.

75 Rule 240. *Procedure.*

76 Rule 240 is amended by striking from line three (3) the figure
77 "238" and inserting in lieu thereof the figure "237".

78 Rule 117. *Motion day—disposition of motions.*

79 Rule 117(d) is amended by inserting at the end thereof the words
80 "and objections to interrogatories".

81 Rule 270. *The action—pending probate.*

82 Rule 270 is amended by striking from lines seven (7) and eight
83 (8) the words "the notice of the administrator's appointment" and
84 inserting in lieu thereof the words "the second publication of the
85 notice of the appointment of the personal representative".

86 Rule 260. *Levy on personalty.*

87 Rule 260(b) is revised to read:

88 (b) If the creditor or his agent first so requests in writing, the
89 officer may view the property, inventory its exact description at
90 length, and append such inventory to the execution, with his signed
91 statement of the number and title of the case, the amount claimed
92 under the execution, the exact location of the property and in whose
93 possession and the last known address of the judgment debtor; and,
94 if the property is equipment used in farming operations or farm
95 products or consumer goods or if the judgment debtor is not a resi-
96 dent of this state, file with the County Recorder of the county where
97 the property is located his certified transcript of such inventory and
98 statement; and, in all other cases, file with the Secretary of State his
99 certified transcript of such inventory and statement. Such filing shall
100 be accepted by the County Recorder or the Secretary of State as a
101 financing statement and shall be marked, indexed and certified in the
102 same manner, and shall be constructive notice of the levy to all per-
103 sons. Whenever the writ is satisfied or the levy discharged the officer

104 shall file a termination statement with the County Recorder or Sec-
 105 retary of State. The fees normally charged by the County Recorder
 106 or Secretary of State for the filing of a financing statement and the
 107 filing of a termination statement shall be paid by the officer and shall
 108 be taxed by him as a part of his costs of the levy.

109 Rule 7 is revised to read:

110 **7. Assignees—exception.** In cases not governed by the Uniform
 111 Commercial Code the assignment of a thing in action shall be without
 112 prejudice to any defense, counterclaim or cause of action matured or
 113 not, if matured when pleaded, existing against the assignor in favor
 114 of the party pleading it.

115 **Rule 216. Involuntary dismissal.**

116 Rule 216 is amended by inserting after the word "him" in line
 117 three (3) the words "or for any appropriate order of court".

118 Rule 121 is revised to read:

119 **121. Interrogatories—time—nature.** In actions other than ac-
 120 tions in Justice Court or Class B actions in Municipal Court, and
 121 after the general appearance of an adversary, any party may file in
 122 duplicate not over 30 numbered interrogatories to be answered by
 123 such party's adversary. After a special appearance, any party may
 124 file in duplicate not over 30 numbered interrogatories directed only
 125 to the issues raised on such special appearance to be answered by the
 126 party's adversary. Subject only to the limitations with reference to
 127 interrogatories directed to issues raised on a special appearance,
 128 interrogatories may relate to matters which can be inquired into
 129 under rule 143 and the answers may be used to the same extent as
 130 provided in rules 144 and 145 for the use of the deposition of a party.

131 **Rule 199. Separation and deliberation of jury.**

132 Rule 199 (b) is revised to read:

133 (b) On final submission, the jury shall retire for deliberation, and
 134 be kept together in charge of an officer until they agree on a verdict
 135 or are discharged by the court, unless the court permits the jurors to
 136 separate temporarily overnight, on weekends or holidays, or in emer-
 137 gencies. During their deliberations, the officer in charge must not
 138 suffer any communication to be made to them, nor make any himself,
 139 except to ask them if they have agreed on a verdict, unless by order
 140 of court; nor communicate to any person the state of their delibera-
 141 tions, or the verdict agreed upon before it is rendered.

142 Rule 366 is revised to read:

143 **366. Computing time—holidays.** In computing time under these
 144 rules the provisions of Code section 4.1 subsection 23 shall govern.

145

II.

146 The Legislative Court Study Commission in Part I of its report
 147 dealing with Court Structure has recommended the creation of a uni-
 148 fied trial court. The report recommends, as an essential adjunct to

149 such unification, a simplified procedure for the enforcement of small
150 claims. The legislature must act on certain recommended bills before
151 a unified court can be established. However, the rules of procedure
152 for a small claims action are the proper subjects of the rule making
153 authority of the supreme court. The commission has set out, com-
154 mencing on page 16 in Part I of its report, the small claims rules and
155 has submitted them to the supreme court for action.

156 Section 684.19 of the 1966 Code of Iowa requires the supreme court
157 to report any rules or forms which it may prescribe to the General
158 Assembly within 20 days after the commencement of the regular
159 session. While it is highly unlikely the legislature will have com-
160 pleted action on this important proposition within that time, it is
161 essential that the small claims rules be effective if the legislature
162 does act favorably on the proposition of the unified court during this
163 session. Without expressing approval or disapproval of any of the
164 report of the Legislative Court Study Commission, the supreme court
165 has prescribed rules for the enforcement of small claims to be effec-
166 tive in the event the Sixty-second General Assembly in regular ses-
167 sion adopts legislation creating a unified trial court system. Pur-
168 suant to Section 684.19 Code of Iowa 1966 these rules, intended to
169 constitute an additional division to the existing Rules of Civil Pro-
170 cedure, are reported to you as follows:

171

DIVISION XX

172 SMALL CLAIMS PROCEDURE: Rules 373 to 383, inclusive, shall take
173 effect January 1, 1969.**

174 **Rule 373. Commencement, docket.** Civil actions in which the
175 amount in controversy in money or value is less than \$300, exclusive
176 of interest and costs, shall be known as small claims. All such actions
177 shall be commenced by the filing of an original notice with the clerk
178 and by the mailing by the clerk of a copy of same to each defendant
179 at his last known address, as stated in the original notice, by re-
180 stricted, certified mail, return receipt to the clerk requested. Instead
181 of such mailing, the plaintiff may, after filing the original notice with
182 the clerk, cause a copy of same to be served on all or some defendants
183 in the manner provided in Division III of these rules, whereupon
184 rules 48 and 49 shall be applicable as to the defendants to be so
185 served. The clerk shall maintain a book known as the small claims
186 docket, which shall contain as to small claims the matters contained
187 in the combination docket as to the regular civil actions.

188 **Rule 374. Original notice.** The original notice must be mailed or
189 otherwise served not less than 10 nor more than 20 days prior to the
190 hearing date. The original notice and copies shall be signed by the
191 plaintiff, either in person or by attorney, and shall be in substantially
192 the following form:

**See certificate hereunder.

193 IN THE DISTRICT COURT OF IOWA
194 IN AND FOR COUNTY

195 Plaintiff(s) }
196 Address of each plaintiff }
197 vs. } SMALL CLAIM NO.
198 Defendant(s) }
199 Address of each defendant }

200 ORIGINAL NOTICE

201 To the above named defendant(s) :

202 YOU ARE HEREBY NOTIFIED that the above named plaintiff(s)
203 demands of you

204 (1. If demand is for money, state amount; 2. If demand is for
205 something else, state briefly what is demanded and its value in money; 3. If both
206 money and something else are demanded, state both 1 and 2)

206 based on
(state briefly the basis for the demand)

207 and that unless you appear and defend before the above named court
208 at* in*, Iowa, at*
(Place) (City or Town)

209 o'clock* M. on the* day of*,
210 19.....* judgment will be rendered against you for the relief de-
211 manded, together with interest and court costs.

212 *To be completed by Clerk of District Court

213
Plaintiff(s)

214 Rule 375. Function of Clerk. The clerk shall furnish forms of
215 original notice. At the time of filing, the clerk shall enter on the
216 original notice and the copies to be served the file number and the
217 time and place of hearing, which shall be a time when small claims
218 are scheduled to be heard not less than 10 nor more than 20 days
219 after the date on which the notice will be mailed or otherwise served.
220 The clerk shall mail a copy of the original notice to each defendant
221 by restricted, certified mail, return receipt to the clerk requested,
222 except for defendants whom the plaintiff wishes to serve under Divi-
223 sion III of these rules. The clerk shall advise plaintiff of the time
224 and place fixed for the hearing.

225 Rule 376. Fees, costs. Fees and costs shall be one-half of fees
226 and costs in regular civil actions in district court.

227 Rule 377. Pleadings. Except as provided in rules 374 and 378,
228 there shall be no written pleadings or motions unless the court in the
229 interest of justice requires them, in which event they shall be similar
230 in form to the original notice.

231 Rule 378. Joinder, counterclaim, cross-claim, intervention.

232 (a) Division II of these rules and rule 75 shall be applicable to
233 small claims actions, except that rule 29 shall not apply to actions
234 originating as small claims actions.

235 (b) In small claims actions, if a party joins a small claim with one
236 which is not a small claim, the court shall (1) order the small claim
237 to be heard under this division and dismiss the other claim without
238 prejudice, or (2) as to parties who have appeared or are existing
239 parties, either (a) order the small claim to be heard under this divi-
240 sion and the other claim to be tried by regular procedure or (b)
241 order both claims to be tried by regular procedure.

242 (c) In small claims actions, a counterclaim, cross-claim or inter-
243 vention in the amount of a small claim shall be in writing and similar
244 in form to the original notice, and shall be entitled Original Notice
245 of Counterclaim, of Cross-Claim, or of Intervention, as the case may
246 be. A copy shall be filed for each existing party. New parties may
247 be brought in without order and shall be served with notice as pro-
248 vided in rules 373 and 374; and if notice is to be served by mail the
249 clerk shall collect the cost of mailing before filing the pleading. The
250 clerk shall furnish forms of such pleadings. No counterclaim is
251 necessary to assert an offset arising out of the subject of the plain-
252 tiff's claim.

253 (d) In small claims actions, a counterclaim, cross-claim or inter-
254 vention in a greater amount than that of a small claim shall be in the
255 form of a regular pleading. A copy shall be filed for each existing
256 party. New parties, when permitted by order, may be brought in
257 under rule 34 and shall be given notice under Division III of these
258 rules. The court shall either (1) order such counterclaim, cross-
259 claim, or intervention to be tried by regular procedure and the other
260 claim to be heard under this division, or (2) order the entire action
261 to be tried by regular procedure.

262 (e) In regular actions, when a party joins a small claim with one
263 which is not a small claim, regular procedure shall apply to both
264 unless the court transfers the small claim to the small claims docket
265 for hearing under this division.

266 (f) In regular actions, a counterclaim, cross-claim, or intervention
267 in the amount of a small claim shall be pleaded, tried, and determined
268 by regular procedure, unless the court transfers such small claim to
269 the small claims docket for hearing under this division.

270 (g) Pleadings which are not in correct form under this rule shall
271 be ordered amended so as to be in correct form; but a small claim
272 which is proceeding under this division need not be amended although
273 in the form of a regular pleading.

274 (h) Copies of any papers filed by the parties which are not re-
275 quired to be served, shall be mailed or delivered by the clerk as pro-
276 vided in rule 82.

277 **Rule 379. Proof of service.** At the time for hearing the court or
278 clerk shall first determine that proper notice has been given a party
279 before proceeding further as to him, unless he has appeared or is an
280 existing party, and also that the action is properly brought as a small
281 claim.

282 **Rule 380. Default.** Unless good cause to the contrary appears,
283 (1) if the parties fail to appear at the time of hearing the claim shall
284 be dismissed without prejudice by the court or clerk; (2) if the plain-
285 tiff fails to appear but the defendant appears, the claim shall be dis-
286 missed with prejudice by the court or clerk; and (3) if the plaintiff
287 appears but the defendant fails to appear, judgment shall be ren-
288 dered against the defendant by the court, or by the clerk if the relief
289 to be granted is readily ascertainable. The filing by the plaintiff of
290 a verified account, or an instrument in writing for the payment of
291 money with an affidavit the same is genuine, shall constitute an
292 appearance by plaintiff for the purpose of this rule. At the request
293 of either party, the court shall grant such party one continuance to
294 a day certain.

295 **Rule 381. Hearing.** The time for appearance shall be the time
296 for hearing, unless a continuance has been granted under Rule 380.
297 The hearing shall be to the court, shall be simple and informal, and
298 shall be conducted by the court itself, without regard to technicalities
299 of procedure; but the decision must be based on substantial evidence.
300 The court shall swear the parties and their witnesses, and examine
301 them in such way as to bring out the truth. The parties may partici-
302 pate, either personally or by attorney. The court may continue the
303 hearing from time to time if justice requires. The proceedings shall
304 not be reported unless a party provides a reporter at his own expense
305 or the parties by agreement cause the proceedings to be electronically
306 reported, but there shall be no delay for such purpose.

307 **Rule 382. Judgment, minutes.**

308 (a) The judgment shall be entered in a space on the original
309 notice first filed, and the clerk shall immediately enter the judgment
310 in the small claims docket and district court lien book, without re-
311 cording. Such relief shall be granted as is appropriate. The court
312 may enter judgment for installment payments to be made directly
313 by the party obligated to the party entitled thereto; and in such
314 event execution shall not issue as long as such payments are made
315 but execution shall issue for the full unpaid balance of the judgment
316 upon the filing of an affidavit of default. When entered on the small
317 claims docket and district court lien book, a small claims judgment
318 shall constitute a lien to the same extent as regular judgments en-
319 tered on the district court judgment docket and lien book; but if a
320 small claims judgment requires installment payments, it shall not
321 be enforceable until an affidavit of default is filed, whereupon it shall
322 constitute a lien for the full unpaid balance of the judgment.

323 (b) Unless the hearing is reported, minutes of the testimony of
324 each witness and of any stipulations of the parties shall likewise be
325 entered on the original notice first filed; and the exhibits or copies

326 thereof shall be attached to such original notice or be filed, until
327 released by the court.

328 **Rule 383. Other statutes and rules.** Small claims shall be com-
329 menced, heard, and determined in district court in accordance with
330 this division, but this division shall only be applicable to district
331 court. Other statutes and rules relating to civil proceedings shall
332 apply, but only insofar as not inconsistent with this division. Small
333 claims on file for 90 days and not determined shall be dismissed with-
334 out prejudice unless prior thereto a party secures an order of con-
335 tinuance to a date certain after notice and hearing, upon a ground
336 stated in rule 215.1. Contested claims in an amount of a small claim
337 may be heard and determined under this division and actions there-
338 for may be commenced hereunder; if commenced as a regular civil
339 action or under the statutes relating to probate proceedings, they
340 shall be transferred to the small claims docket and proceed accord-
341 ingly. Civil actions coming within this division but commenced as a
342 regular action shall not be dismissed but shall be transferred to the
343 small claims docket and proceed accordingly. Civil and probate
344 actions not coming within this division but commenced hereunder
345 shall be dismissed without prejudice except for defendants who have
346 appeared, as to whom such actions shall be transferred to the com-
347 bination or probate docket, as appropriate and proceed accordingly.

348 If the Sixty-second General Assembly fails to create a unified trial
349 court system, the "small claims" rules appearing in this part II of the
350 report to you shall be void and of no effect.*

351

Respectfully submitted,
THE SUPREME COURT OF IOWA
/s/ T. G. Garfield
CHIEF JUSTICE

352

353

354

355

Des Moines, Iowa
January 26th, 1967

356

357

ACKNOWLEDGEMENTS

358 I, Al Meacham, Secretary of the Senate of the State of Iowa, here-
359 by acknowledge delivery to me on the 26th day of January, 1967 of
360 the foregoing report of the Supreme Court of Iowa pertaining to the
361 Rules of Civil Procedure.

362

s/ AL MEACHAM
Secretary of the Senate
Sixty-second General Assembly
of the State of Iowa

363

364

365

366 I, William R. Kendrick, Chief Clerk of the House of Representa-
367 tives of the State of Iowa, hereby acknowledge delivery to me on the

*See certificate hereunder.

368 26th day of January, 1967 of the foregoing report of the Supreme
369 Court of Iowa pertaining to the Rules of Civil Procedure.

370 s/ WM. R. KENDRICK
371 Chief Clerk of the House
372 of Representatives
373 Sixty-second General Assembly
374 of the State of Iowa

375 CERTIFICATE

376 I, Robert D. Fulton, do hereby certify that I am the President of
377 the Senate of the Sixty-second General Assembly of the State of
378 Iowa; and I, Al Meacham, do hereby certify that I am the Secretary
379 of the Senate of the Sixty-second General Assembly of the State of
380 Iowa, and we do hereby jointly certify that as such President and
381 Secretary that on the 26th day of January, 1967, the Supreme Court
382 of the State of Iowa reported to said Senate, and filed with it, the
383 attached and foregoing modifications, amendments, revisions and
384 additions to the Rules of Civil Procedure, heretofore reported by
385 said Supreme Court to the Sixty-second General Assembly of the
386 State of Iowa;

387 THAT the date of making said report to the Sixty-second General
388 Assembly was within the twenty days subsequent to the convening
389 of the regular session of the Sixty-second General Assembly;

390 THAT no other report pertaining to the Rules of Civil Procedure
391 was made or filed by said Supreme Court with said Senate;

392 THAT no other or different changes, modifications, amendments,
393 revisions or additions to the Rules of Civil Procedure were made or
394 enacted at such regular session of said Sixty-second General Assem-
395 bly;

396 THAT no legislation was enacted providing for a unified trial court
397 system at such regular session of said Sixty-second General Assem-
398 bly.

399 Signed this 2nd day of July, 1967, being the last legislative day of
400 the Sixty-second General Assembly.

401 s/ ROBERT D. FULTON
402 President of the Senate

403 s/ AL MEACHAM
404 Secretary of the Senate

405

CERTIFICATE

406 I, Maurice E. Baringer, do hereby certify that I am the Speaker of
407 the House of Representatives of the Sixty-second General Assembly
408 of the State of Iowa; and I, William R. Kendrick, do hereby certify
409 that I am the Chief Clerk of the House of Representatives of the
410 Sixty-second General Assembly of the State of Iowa, and we do here-
411 by jointly certify that as such Speaker and Chief Clerk that on the
412 26th day of January, 1967, the Supreme Court of the State of Iowa
413 reported to said House of Representatives, and filed with it, the at-
414 tached and foregoing modifications, amendments, revisions and addi-
415 tions to the Rules of Civil Procedure, heretofore reported by said
416 Supreme Court to the Sixty-second General Assembly of the State
417 of Iowa;

418 THAT the date of making said report to the Sixty-second General
419 Assembly was within the twenty days subsequent to the convening
420 of the regular session of the Sixty-second General Assembly;

421 THAT no other report pertaining to the Rules of Civil Procedure
422 was made or filed by said Supreme Court with said House of Repre-
423 sentatives;

424 THAT no other or different changes, modifications, amendments,
425 revisions or additions to the Rules of Civil Procedure were made or
426 enacted at such regular session of said Sixty-second General Assem-
427 bly;

428 THAT no legislation was enacted providing for a unified trial court
429 system at such regular session of said Sixty-second General Assem-
430 bly.

431 Signed this 2nd day of July, 1967, being the last legislative day of
432 the Sixty-second General Assembly.

433

s/ MAURICE E. BARINGER
Speaker of the House

434

435

s/ WM. R. KENDRICK
Chief Clerk

436

**TABLE OF SENATE AND HOUSE FILES
AND JOINT RESOLUTIONS**

SENATE FILES

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